



Representatives from Wyong District Cricket Club present Council's Community and Recreation Services Director, Maxine Kenyon, with a book celebrating the club's centenary. The book was made possible by Council's Community Benefit Grant.

Wyong Shire Council

Business Paper

ORDINARY COUNCIL MEETING

10 April 2013

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MEETING NOTICE

**The ORDINARY COUNCIL MEETING
of Wyong Shire Council
will be held in the Council Chamber,
Wyong Civic Centre, Hely Street, Wyong on
Wednesday 10 April 2013 at 5.00 pm,
for the transaction of the business listed below:**

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

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

Michael Whittaker
GENERAL MANAGER

1.1 Disclosure of Interest

TRIM REFERENCE: F2013/00023 - D03303816

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Laura Annesley; Councillor Services Officer

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

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

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

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

RECOMMENDATION

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

ATTACHMENTS

Nil

1.2 Proposed Inspections and Briefings

TRIM REFERENCE: F2013/00023 - D03303965

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Laura Annesley; Councillor Services Officer

SUMMARY

There were no inspections scheduled for the 10 April 2013 Ordinary Meeting at the time of printing the business paper.

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

Date	Topic	Presented by
10 April 2013	CPS/Council Strategic Plan	GM Unit
10 April 2013	Environmental Management Plan	Infrastructure Management
10 April 2013	Draft Local Environment Plan	Land Management
10 April 2013	Capital Works	Infrastructure Management
10 April 2013	iPart Submission – Water and Sewer	Infrastructure Management

Briefings proposed for future meetings of Council are attached.

RECOMMENDATION

That Council receive the report on Proposed Inspections and Briefings.

ATTACHMENTS

1 Proposed Briefings - List to Date - 10 April 2013 D03311960

Proposed Briefings List to date

Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
CSP/Council Strategic Plan	GM Unit		10/04/2013
Environmental Management Plan	Infrastructure Management		10/04/2013
Draft Local Environment Plan	Land Management		10/04/2013
Capital Works	Infrastructure Management		10/04/2013
IPART Submission - Water & Sewer	Infrastructure Management		10/04/2013
General Manager's Performance Review *Confidential	GM Unit		24/04/2013
Q3 2012/13	GM Unit		22/05/2013
Bateau Bay and Lake Haven Draft Masterplan	Land Management		22/05/2013
Q4 2012/13	GM Unit		28/08/2013
Q1 2013/14	GM Unit		27/11/2013
Community Precinct Committees	Community and Recreation Services		
Comprehensive LEP, DCP & Settlement Strategy post exhibition	Land Management	April	
Urban Design Principles & Concepts	Land Management	May	
RZ/7/2009 Chittaway road Rezoning	Land Management	May	
Bushfire works plan	Land Management	May	
Iconic Site No 16 - 216-222 Main Road & Rowland Terrace Toukley	Land Management	May	
Rezoning - 223 Scenic Drive Colongra	Land Management	May	
Retail Strategy Review	Land Management	May	
Natural Resources Management Strategy	Land Management	September	
Biodiversity Management Plan	Land Management	September	
Central Coast Taxis	Land Management	May	
Customer Service Review	Community and Recreation Services	July	
Long Jetty Masterplan	Land Management	June	
Tuggerah Town Centre		August	

1.3 Address by Invited Speakers

TRIM REFERENCE: F2013/00023 - D03303823

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Laura Annesley; Councillor Services Officer

SUMMARY

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

RECOMMENDATION

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

1.4 Notice of Intention to Deal with Matter in Confidential Session

TRIM REFERENCE: F2013/00021 - D03303972

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Laura Annesley; Councillor Services Officer

SUMMARY

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in Confidential Session. The reports are incorporated in the "Confidential" business paper which has been circulated to Councillors.

The Local Government Act, 1993 requires the General Manager to identify those matters listed on the business paper which may be categorised as confidential in terms of Section 10A of the Local Government Act, 1993.

RECOMMENDATION

- 1 That Council consider the following matter in Confidential Session, pursuant to Section 10A 2(d) and (c) of the Local Government Act 1993:**
 - 8.1 Report on the Status of the Current Contract for Receival and Processing of Organics at Buttonderry Waste**
 - 8.2 Councillor Outcomes Report**
- 2 That Council note its reasons for considering item 8.1 - Report on the Status of the Current Contract for Receival and Processing of Organics at Buttonderry Waste as it contains commercial information of a confidential nature that would, if disclosed:**
 - (i) prejudice the commercial position of the person who supplied it, or**
 - (ii) confer a commercial advantage on a competitor of the Council, or**
 - (iii) reveal a trade secret,**
- 3 That Council note its reasons for considering item 8.2 – Councillor Outcomes Report as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**
- 4 That Council request the General Manager to report on this matter in open session of Council.**

1.4 Notice of Intention to Deal with Matter in Confidential Session (contd)

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

- “2(a) personnel matters concerning particular individuals (other than Councillors),*
- 2(b) the personal hardship of any resident or ratepayer,*
- 2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*
- 2(d) commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the Council, or*
 - (iii) reveal a trade secret,*
- 2(e) information that would, if disclosed, prejudice the maintenance of law,*
- 2(f) matters affecting the security of the Council, Councillors, Council staff or Council property,*
- 2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- 2(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.”*

1.5 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2013/00023 - D03310870

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Laura Annesley; Councillor Services Officer

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on Wednesday 27 March 2013.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 27 March 2013.

ATTACHMENTS

1 MINUTES - Ordinary Meeting - 27 March 2013 D03306107

WYONG SHIRE COUNCIL

**MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 27 March 2013
COMMENCING AT 5:00 PM**

PRESENT

Councillors D J Eaton (Chairperson), G P Best, R L Graham, K G Greenwald, L A Matthews, L R Y Nayna, L S Taylor, A Troy, D P Vincent and L D Webster.

IN ATTENDANCE

General Manager, Director Development and Building, Director Infrastructure and Operations Management, Director Land Management, Director Community and Recreation Services, General Counsel, Communications and Marketing Coordinator and three administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.02 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

Councillor Matthews advised that she attended the inaugural launch of the Indigenous Management Acceleration Program that the YMCA are adopting throughout their one hundred or so centres and facilities. This program looks at employing Indigenous youth who utilise these facilities, then assists them in furthering their career to possibly become Community Development Workers and CEO's throughout the YMCA.

APOLOGIES

There were no apologies.

At the commencement of the ordinary meeting report numbers 1.1, 2.2, 2.4, 2.6, 2.3, 3.1, 4.1, 7.2 and 7.3 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

4.4 Review of Alcohol Free Zones - Wyong Shire

Councillor Greenwald declared a non-pecuniary insignificant conflict in the matter for the reason that he is employed by the NSW Police in an unrelated area.

Councillor Greenwald stated:

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

2.6 Proposed Rezoning - RZ/14/2012 - 'Old Farm' Old Maitland Road, Mardi

Mr Brian Glendenning declared a non-pecuniary significant conflict in the matter for the reason that prior to commencing employment at Wyong Shire Council, he provided legal advice to a former director of the proponent who is now deceased.

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

306/13 That Council receive the report on Disclosure of Interest and note advice of disclosures.

PROCEDURAL MOTION

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

307/13 That Council allow meeting practice to be varied.

308/13 That Council use the exception method to deal with the balance of the Agenda.

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

That with the exception of report numbers 1.5, 2.2, 2.3, 2.4, 2.6, 3.1, 4.1, 4.2, 4.5, 4.6, 4.7, 4.8, 4.9, 5.1, 5.9, 7.1, 7.2 and 7.3 Council adopt the recommendations contained in the remaining reports.

1.2 Proposed Inspections and Briefings

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

309/13 That Council receive the amended report on Proposed Inspections and Briefings.

1.3 Address by Invited Speakers

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

310/13 That Council receive the amended report on Invited Speakers.

311/13 That Council agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.

1.4 Notice of Intention to Deal with Matter in Confidential Session

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

312/13 That Council consider the following matter in Confidential Session, pursuant to Section 10A 2(c) of the Local Government Act 1993:

8.1 Proposed Acquisition of and Works Required on Private Land

313/13 That Council note its reasons for considering item 8.1 Proposed Acquisition of and Works Required on Private Land, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

314/13 That Council request the General Manager to report on this matter in open session of Council.

1.5 Confirmation of Minutes of Previous Meeting

Councillor Best left the meeting at 6.19 pm and returned to the meeting at 6.20 pm during consideration of this item.

Councillor Vincent left the meeting at 6.22 pm and returned to the meeting at 6.23 pm during consideration of this item.

Councillor Matthews left the meeting at 6.24 pm and returned to the meeting at 6.38 pm and as a result took no part in voting.

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

315/13 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 13 March 2013.

Business Arising

Councillor Nayna advised, in relation to the Notice of Motion he raised at the previous meeting titled 'Notice of Motion - Regional Sport Economic Benefit', that he commented on the process of the staff within Council in terms of dealing with the proposal put forth to try and attract the Rugby Regional Tournament to Wyong Shire. Councillor Nayna clarified that he was speaking on advice that he had been given which was current up until a Sports Committee he had attended. He has since engaged in discussions with the Director of Community and Recreation Services, who has assured that there has been further discussions held between the applicants and staff. Councillor Nayna requested that this information be entered on public record and expressed his support for the action taken by the Director of Community and Recreation Services and her department.

Mayor Eaton reported on the trip to Canberra that was endorsed at the previous meeting of Council during item 1.6, Mayoral Minute - Delegation to Canberra. The Mayor advised that he and the Director of Infrastructure and Operations, Mr Greg McDonald, travelled to Canberra on Thursday 21 March 2013 and met with The Hon. Tony Burke MP, Minister for Sustainability, Environment, Water, Population and Communities. During this meeting Minister Burke indicated that Wyong Shire Council should be optimistic about its further funding submission but was unable to give any timeframe on when a decision would be made. Correspondence has since come to light that indicates that a decision will not be made on this matter until the new financial year, Council's funding runs out at the end of June 2013.

The Mayor also met with The Hon. Simon Crean MP, Minister for the Arts, in relation to Council's Art House application for funding under the RDA. The Mayor reported that although this meeting went well, Mr Crean is now no longer the Minister for the Arts as this responsibility was delegated to The Hon. Tony Burke MP on the 25 March 2013.

The Mayor also met with The Hon. Peter Garret AM, MP, Minister for Education, Employment and Workplace relations portfolio, in relation to the Wyong Skills Centre. This meeting had a disappointing outcome as the advice received was that there might be a decision on this matter in April 2013 but no there is no guarantee of funding.

ACT OF DISORDER

Mayor Eaton advised that upon review of the audio recording from the previous meeting of Council he has determined that Councillor Vincent committed an act of disorder as he believes that Councillor Vincent raised his voice inappropriately towards the Chairperson during item 5.9, Recommendations and Minutes of the Employment and Economic Development Committee.

In accordance with Clause 256 of the Local Government (General) Regulation 2005, The Chairperson, Mayor Eaton required Councillor Vincent to provide an unreserved apology for this act of disorder. Mayor Eaton determined that Councillor Vincent did not provide an the required apology.

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

316/13 That Council expel Councillor Vincent from the chamber in accordance with Clause 256 of the Local Government (General) Regulation 2005.

FOR: COUNCILLORS BEST, EATON, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS GRAHAM, GREENWALD AND VINCENT

The Mayor adjourned the meeting at 6.27 pm for a period of 10 minutes.

Councillor Best left the meeting at 6.38 pm and returned to the meeting at 6.41 pm.

Councillor Vincent left the meeting at 6.39 pm and did not return.

Councillor Matthews left the meeting at 6.39 pm and did not return.

Councillor Greenwald left the meeting at 6.39 pm and did not return.

The meeting resumed at 6.40pm.

2.1 Delegation of Making Local Environmental Plans to Council

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

317/13 That Council accept the delegation to councils of the functions of the Minister for Planning and Infrastructure under section 59 of the Environmental Planning and Assessment Act 1979 for the making of Local Environmental Plans (LEPs)

318/13 That in accordance with the provisions of Section 381(3) of the Local Government Act 1993, Council sub-delegate the functions of the Minister for Planning and Infrastructure under section 59 of the Environmental Planning and Assessment Act 1979 for the making of Local Environmental Plans (LEPs), to the General Manager.

319/13 That the Department of Planning and Infrastructure be advised of Council's decision.

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

AGAINST: NIL

2.2 DA/1015/2012 - Proposed Detached Dual Occupancy at Gorokan

Ms Helen Monks, representing the applicant, addressed the meeting at 5.10 pm answered questions and retired at 5.21 pm.

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

320/13 That Council refuse the application subject to the reasons for refusal detailed in the schedule attached to the report, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.

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

AGAINST: NIL

2.3 DA/9/2013 - Proposed Detached Secondary Dwelling at Chain Valley Bay

Councillor Best left the meeting at 6.38 pm and returned to the meeting at 6.41 pm during consideration of this item.

RESOLVED on the motion of Councillor TAYLOR and seconded by Councillor NAYNA:

321/13 That Council grant consent subject to the conditions detailed in the schedule attached to the report, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.

- 322/13 That Council advise those who made written submissions of its decision.
- 323/13 That Council levy Section 94 contributions at the secondary dwellings reduced rate

FOR: COUNCILLORS BEST, EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER
AGAINST: NIL

2.4 Proposed Rezoning - RZ/2/2012 - Jilliby Stage 2

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

Mr Alf Lester, representing the applicant, addressed the meeting at 5.25 pm, answered questions and retired at 5.33 pm.

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

- 324/13 That a Planning Proposal be prepared to amend Wyong Local Environmental Plan, 1991, (or pending timing, Wyong Standard Instrument Local Environmental Plan) pursuant to Section 55 of the Environmental Planning and Assessment (EP & A) Act, 1979, for the rural residential development and conservation of the Jilliby Stage 2 area.
- 325/13 That Council, forward the Planning Proposal to the Department of Planning and Infrastructure accompanied by a request for a "Gateway Determination", pursuant to Section 56 of the EP & A Act, 1979.
- 326/13 That Council require, subject to the "Gateway Determination," the proponent enter into a Funding Agreement with Council in accordance with Council's Planning Proposal Procedure to recover the costs involved in further progressing the proposal.
- 327/13 That Wyong Development Control Plan, 2005 be revised and publicly exhibited to provide guidelines to future development.
- 328/13 That Council authorise the General Manager (or delegate) to sign the Funding Agreement.
- 329/13 That Council undertake community and government agency consultation, in accordance with the requirements attached to the "Gateway Determination".
- 330/13 That Council request the Department of Planning and Infrastructure to prepare a relevant Local Environmental Plan amendment, and that the Minister be requested to make the Plan, subject to there being no significant objections that cannot be resolved by making minor amendments to the Planning Proposal.
- 331/13 That Council request that the Gateway Panel meet with the Mayor and interested Councillors prior to their determination of this matter.

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

AGAINST: NIL

2.5 Proposed Rezoning - RZ/12/2012 - Lot 1 DP 1005467 - 165 Yeramba Road, Summerland Point

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

- 332/13** That a Planning Proposal be prepared to amend Wyong Local Environmental Plan, 1991, (or pending timing, Wyong Standard Instrument Local Environmental Plan) pursuant to Section 55 of the Environmental Planning and Assessment (EP & A) Act, 1979, to rezone part of Lot 1 DP 1005467 from 7(b) Scenic Protection to 2(a) Residential (or equivalent).
- 333/13** That Council, as part of the above Planning Proposal, amend Wyong Local Environmental Plan, 1991, to remove the application of Clause 53, Schedule 4, as it relates to land at Summerland Point.
- 334/13** That Council forward the Planning Proposal to the Department of Planning and Infrastructure (DoPI) accompanied by a request for a "Gateway Determination", pursuant to Section 56 of the EP & A Act, 1979.
- 335/13** That Council undertake community and government agency consultation, in accordance with the requirements attached to the "Gateway Determination".
- 336/13** That Council request the DoPI to prepare a relevant Local Environmental Plan amendment, and that the minister be requested to make the Plan, subject to there being no significant objections that cannot be resolved by making minor amendments to the Planning Proposal.

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

AGAINST: NIL

2.6 Proposed Rezoning - RZ/14/2012 - 'Old Farm' Old Maitland Road, Mardi

Mr Brian Glendenning declared a non-pecuniary significant conflict in the matter for the reason that prior to commencing employment at Wyong Shire Council, he provided legal advice to a former director of the proponent who is now deceased.

Mr Laurie Denton, representing the owner, addressed the meeting at 5.55 pm, answered questions and retired at 6.06 pm.

RESOLVED unanimously on the motion of Councillor BEST and Seconded By Councillor GRAHAM:

- 337/13** That a Planning Proposal be prepared to amend Wyong Local Environmental Plan, 1991, (or pending timing, Wyong Standard Instrument Local Environmental Plan) pursuant to Section 55 of the Environmental Planning and Assessment (EP & A) Act, 1979, for the rural residential/rural village development of Old Farm.
- 338/13** That Council, forward the Planning Proposal to the Department of Planning and Infrastructure (DoPI) accompanied by a request for a "Gateway Determination", pursuant to Section 56 of the EP & A Act, 1979.
- 339/13** That Council require, subject to the "Gateway Determination," the proponent enter into a Funding Agreement with Council in accordance with Council's Planning Proposal Procedure to recover the costs involved in further progressing the proposal.
- 340/13** That Council authorise the General Manager (or delegate) to sign the Funding Agreement.
- 341/13** That Council undertake community and government agency consultation, in accordance with the requirements attached to the "Gateway Determination".
- 342/13** That a further report be submitted to Council to report on results of community consultation.
- 343/13** That Council request that the Gateway Panel meet with the Mayor and interested Councillors prior to their determination of this matter.

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

AGAINST: NIL

3.1 CPA/192922 - Evaluation and Selection of Tenders - Construction of Water Pump Station No. 26 and Associated Pipework in Nikko Road, Warnervale

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

- 344/13** That Council accept the tender from the company nominated as Tenderer '1' in the attached Tender Evaluation Report, for the lump sum amount of \$375,560.00 (excl GST) for Contract CPA/192922 – Construction of Water Pump Station WPS 26 and Associated Pipework in Nikko Road, Warnervale.

- 345/13 That Council determines the Tender Evaluation Report in Attachment A, remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.
- 346/13 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.
- 347/13 That Council directs The Mayor to write to IPART expressing the community's concerns with regard to ensuring the continuance of the water and sewer capital works program in light of the present draft determination that seeks to limit future capital works program. In particular the mayor should emphasise to IPART that the community is very sensitive to water restrictions after being in drought conditions for over a decade and seeing our water reserves dwindle to approximately 10% as a result of inadequate infrastructure.

4.1 Lake Road Proposed Regional Sporting Complex

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

- 348/13 That Council authorise the General Manager to seek grant funding required to develop the proposed Central Coast Regional Sporting and Recreation Complex.
- 349/13 That Council authorise the Mayor to write to Mr Darren Webber MP, Member for Wyong, Mr Chris Spence MP, Member for The Entrance and The Hon. Chris Hartcher MP the Minister for the Central Coast, requesting funding and support for the development of the proposed Central Coast Regional Sporting and Recreation Complex.
- 350/13 That Council request the General Manager to develop a Plan of Management for the site in recognition of having clear objectives for the site. The Plan of Management will focus on:
- Outlining acceptable activities and uses for both recreational and sporting (particularly emerging sports) activities and events
 - The development of a Committee to oversee the management of the complex
 - Working in partnership with the Central Coast Wetlands, Pioneer Dairy Trust.

PROCEDURAL MOTION

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

- 351/13 That Council allow meeting practice be varied to consider items 7.3, Notice of Motion - Civic Recognition of Shire's First President/ Mayor, and 7.3, Notice of Motion - Coal Mining in the Valleys, before item 4.2, Final Wyong Shire Employment Land Study and Industrial Land Audit, as there are speakers present for these items.

4.2 Final Wyong Shire Employment Land Study and Industrial Land Audit

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

- 352/13 That Council adopt the Wyong Shire Employment Land Study (See Enclosure 1).
- 353/13 That a copy of the Wyong Shire Employment Land Study be made available on Council's website.
- 354/13 That Council note the excess supply of industrial lands and accordingly resolve that permissible uses on industrial lands be as broad as possible subject minimal or no impact on commercial and residential lands.
- 355/13 That Council note the investigation area generally west of the M1, north of the Link Road to Bushells Ridge Road has not been identified in the Employment Land Strategy and as such should revert to its original continuing rural use.

FOR: COUNCILLORS BEST, EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER
AGAINST: NIL

4.3 Delegations of the Noxious Weed Officer

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

- 356/13 That Council acting as the Local Control Authority for Wyong Shire:
- a Rescind all previous appointments and delegations under the Noxious Weeds Act 1993.
 - b Appoint Paul Marynissen as the Noxious Weeds Inspector under Section 41 of the Noxious Weeds Act 1993.
 - c Delegate powers under the Act to positions as outlined in Attachment 1.

4.4 Review of Alcohol Free Zones - Wyong Shire

Councillor Greenwald declared a non-pecuniary insignificant conflict in the matter for the reason that he is employed by the NSW Police in an unrelated area.

Councillor Greenwald stated:

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

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

- 357/13 That Council endorse the Alcohol Free Zones Review to re-establish the existing Alcohol Free Zones with minor extensions as outlined in the enclosure to this report for the period 30 June 2013 to 30 June 2017.

- 358/13 That Council proceed with the required public consultation process.
- 359/13 That Council advise the NSW Anti-Discrimination Board of the proposal.
- 360/13 That Council adopt the Alcohol Free Zones as outlined in the enclosure to this report should no objections be received during the public consultation process.

4.5 Debt Recovery Policy

Councillor Webster left the meeting at 7.28 pm and returned to the meeting at 7.29 pm during consideration of this item.

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

- 361/13 That Council adopt the Debt Recovery Policy per attachment 1 to apply from the date of this meeting.

4.6 Hardship Policy

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

- 362/13 That Council adopt the Hardship Policy per attachment 1 to apply from the date of this meeting.

4.7 Exhibition of draft Plan of Management for 30 Manns Rd, Fountaindale

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

- 363/13 That Council place the draft Plan of Management for Lot 3 DP 657514 (30 Manns Rd, Fountaindale) on public exhibition for a period of twenty eight days and accept submissions for a period of 42 days.
- 364/13 That Council adopt the draft Plan of Management for Lot 3 DP 657514 (30 Manns Rd, Fountaindale), subject to there being no objections as a result of public exhibition that cannot be reasonably addressed.
- 365/13 That Council authorise the Mayor and the General Manager to execute all documents relating to establishing a Biobank site on Lot 3 DP 657514 under the "Linking Landscapes through Local Action" program, subject to successful negotiations regarding funding and conditions.
- 366/13 That following the adoption of the Plan of Management, Council staff implement a community engagement program for surrounding properties, for the purpose of raising awareness of suitable use of the reserve.
- 367/13 That following the adoption of the Plan of Management, Council staff apply for funding to assist reconstruction of the Pleasant Valley Fire Trail in accordance with the design produced under tender CPA/214619.

FOR: COUNCILLORS BEST, EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER
AGAINST: NIL

4.8 Draft Minutes of the 19 December 2012 Audit and Risk Committee Meeting

Councillor Webster left the meeting at 7.34 pm and returned to the meeting at 7.35 pm during consideration of this item.

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

- 368/13 That the Council adopt the minutes of Wyong Shire Audit and Risk Committee meeting held on 19 December 2012.**
- 369/13 That Council recognises the contribution of the chair of the Audit and Risk Committee Mr Bruce Turner for his exemplary efforts**
- 370/13 That the Mayor invites Mr Bruce Turner to a future Council meeting so that Council can give the appropriate recognition.**
- 371/13 That Council authorises the General Manager to advertise for a replacement member on Wyong Shire Council's Audit and Risk Committee.**

4.9 Purchase of Green Energy at Small Sites

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

- 372/13 That Council rescind the resolutions of the 24 January 2007 and 22 September 2010 as detailed in the report where relevant.**
- 373/13 That Council authorise the General Manager to cease the purchase of green energy at all sites.**

5.1 Change to Procurement for Provision of Local Area Newspaper Advertising Services

Councillor Nayna left the meeting at 7.54 pm and returned to the meeting at 7.56 pm during consideration of this item.

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

- 374/13 That Council receive the report on Change to Procurement for Provision of Local Area Newspaper Advertising Services.**
- 375/13 That Council request the General Manager write to the Minister of Local Government and Mr Ross Woodward, CEO Division of Local Government, calling on the Government in the review of the Local Government Act to allow Internet and email advertising of all statutory notices as an alternative to newspapers.**

376/13 That Council request the General Manager to investigate alternate publishing options with a view to reduce costs and increase circulation and increase coverage of Wyong events.

5.2 Investment Report for February 2013

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

377/13 That Council receive the Investment Report for February 2013.

5.3 Quarterly Update on Section 94 Contributions

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

378/13 That Council receive the report on Quarterly Update on Section 94 Contributions.

5.4 Results of Water Quality Testing for Beaches and Lake Swimming Locations

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

379/13 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.

5.5 Activities of the Development Assessment and Building Certification and Health Units

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

380/13 That Council receive the report on Activities of the Development Assessment and Building Certification and Health Units

5.6 Works in Progress - Water Supply and Sewerage

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

381/13 That Council receive the report on Works in Progress - Water Supply and Sewerage.

5.7 Local Government Review Panel

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

382/13 That Council receive the report on Local Government Review Panel.

5.8 Whale Dreamers 2013 Progress Report

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

383/13 That Council receive the report on Whale Dreamers 2013 Progress Report .

5.9 Lakes Federal Funding Expenditure Report

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

384/13 That Council note the report on Lakes Federal Funding Expenditure Report.

5.10 Outstanding Questions on Notice and Notices of Motion

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

385/13 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

7.1 Notice of Motion - Civic Recognition of Shire's First President/Mayor

Councillor Best left the meeting at 8.09 pm and returned to the meeting at 8.11 pm during consideration of this item.

RESOLVED on the motion of Councillor NAYNA and seconded by Councillor TAYLOR:

386/13 That Council acknowledge the first President of Wyong Shire, Albert Leslie Taylor.

387/13 That Council rename its most prominent and highly used Council facility, the function room (in addition to the Atrium), the A L Taylor Room.

388/13 That Council recognise that this naming process respects the tradition and guidelines to the Geographic Names Board.

FOR: COUNCILLORS BEST, EATON, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLOR GRAHAM

7.2 Notice of Motion - Unique Civic Hub in Shire's North

Mr Stuart Drurie, representing Lake Munmorah Chain Valley Bay Precinct Committee, addressed the meeting at 6.57 pm, answered questions and retired at 7.02 pm

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

- 389/13 That Council confirm its recent strategic workshop discussions and its service standards review outcomes to improve our Shires northern access to core Council services through a progressive service delivery model of a northern areas Civic Hub.**
- 390/13 That Council formalise its support for a Civic Service Delivery Hub in the north of the Shire.**
- 391/13 That Council confirm that any such satellite Civic Hub should be:**
- a seeking to partner all levels of Government in a unique model that will deliver "whole of Government services" to our community**
 - b commercially focused**
 - c delivering a broad range of targeted Council services, for example face to face customer service and community information, ranger services, seniors and youth support, IT/Wifi, e-library/cafe and animal care support**
 - d including a broad range of other day to day services from both State and Federal Governments and community organisations**
 - e focusing on efficiencies of service for our community from this tri level government partnership.**
- 392/13 That Council request the General Manager to report on options and indicative concepts, timelines for the proposed Civic Hub.**
- 393/13 That Council recognises the complex nature and partnerships of this initiative will necessitate a staged approach to its delivery. This will provide Council the opportunity to test the strategic locations and models of service delivery to best meet the needs of the community.**

7.3 Notice of Motion - Coal Mining in the Valleys

Mr Mike Campbell, representing Australian Coal Alliance, addressed the meeting at 7.10 pm, answered questions and retired at 7.23 pm.

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

- 394/13 That Council defer this item, to be considered at a future meeting of Council.**

Confidential item 8.1, Proposed Acquisition of and Works Required on Private Land, was resolved via the exception method during open session. The General Manager reported on this item as follows:

8.1 Proposed Acquisition of and Works Required on Private Land

- 395/13** That Council approve work to be carried out on private land, being Lots 63 and 64 DP 13019 at 326-328 Tuggerawong Road, Tuggerawong, up to an amount of \$10,000 in order to secure the building.
- 396/13** That Council acquire the land referred to in Item 1 from the Trustees of Tuggerawong Progress Association at no cost to Council save for the payment of outstanding rates and reasonable costs associated with the purchase and discharge of mortgage.
- 397/13** That Council authorise the Common Seal of Wyong Shire Council to be affixed to the Transfer.
- 398/13** That Council authorise the Mayor and the General Manager to execute all documents relating to the Transfer.
- 399/13** That, in the event that the land referred to in Item 1 is not transferred to Council in accordance with Item 2, Council authorise staff to investigate alternative ways to acquire the land.

QUESTIONS ON NOTICE

Q15/13 Congratulations on Seniors Week
Councillor Greg Best
F2004/06205

“Mr General Manager

Congratulations on Seniors Week, I was delighted to attend the launch of the 2013 Seniors Week activities and opened the event on behalf of the Mayor.

The feedback I have received from this event and the activities of the week has been overwhelmingly supportive of the excellent effort by staff in the preparation of these activities.

Could you please pass on to staff our sincere appreciation for their tremendous efforts?

Thank you”

Q16/13 Previous Term of Council Motions
Councillor Llyod Taylor
F2004/07706

“Mr Mayor,

As a new Councillor I have received numerous comments and enquiries at various community and precinct committee meetings about issues raised in the previous Council, but are still ongoing.

To assist the current Council in following up and avoiding duplication on matters raised by Councillors in the previous term of Council, through formal notices of motion.

Could a list be provided of motions moved in the previous term, which identifies the mover and voting patterns.

This information would be much appreciated by new Councillors.

Thank you Mr Mayor”

THE MEETING closed at 8.25 pm.

2.1 DA 1153/2009/C Dwelling at 2 Marina Street, Budgewoi

TRIM REFERENCE: DA/1153/2009/C - D03290821

MANAGER: Jamie Loader, Acting Director Development and Building

AUTHOR: Scott Rathgen; Team Coordinator

SUMMARY

A Section 96 application has been received to amend the consent by deleting Condition No 43 which imposed a time limit on the consent. The application has been examined having regard to the matters for consideration detailed in section 79C of the Environmental Planning and Assessment Act (EP&A Act) and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

Applicant	J and C Hannaford
Owner	J and C Hannaford
Application No	DA/1153/2009/C
Description of Land	Lot 2189 DP 30673 No 2 Marina Street, Budgewoi
Proposed Development	Dwelling
Site Area	575.4 sq metres
Zoning	2 B Multiple Dwelling Zone

RECOMMENDATION

That Council grant consent, to modify Condition No 43 of Development Consent No 1153/2009/C, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, subject to the conditions detailed in the schedule attached to the report.

PRECIS

- Single storey dwelling constructed on the site under Development Consent 1153/2009/B.
- Time limited consent due to issues with sea level rise.
- This modification is seeking the removal of this condition.

INTRODUCTION

The site at 2 Marina St Budgewoi is currently developed with a single storey dwelling constructed under Development Consent No. 1153/2009/b. Council imposed a time limited consent due to issues related to sea level rise projections. Condition No.43 requires the dwelling to be removed by April of 2050.

2.1 DA 1153/2009/C Dwelling at 2 Marina Street, Budgewoi (contd)

As a consequence of Council's resolution of the 10 October 2012 the applicant is now seeking to modify the consent by removing this condition.



HISTORY

Development Consent granted for the dwelling at 2 Marina St Budgewoi DA/1153/2009/B with the following condition.

“43 *In accordance with Section 80A(1) (d) and 80A(1) (e) of the Environmental Planning and Assessment Act, 1979, this consent will expire 40 years from the date of issue of the consent, i.e. on 19 April 2050*

At the expiry of this period the dwelling the subject of this consent shall be removed from the land and the land shall be regraded to approximately the levels existing as at the issue of this consent and turfed to prevent soil erosion.

2.1 DA 1153/2009/C Dwelling at 2 Marina Street, Budgewoi (contd)

Council may consider a modification to this condition of the consent, within a period not greater than 12 months prior to the expiry date, subject to the applicant lodging information to verify that the development complies with the then current Council and State Flood Policies.”

The recommendation of staff for this original application was to defer consideration of the application and request the applicant to redesign the proposal to incorporate a floor level of 3.6 metres ADH for the proposed dwelling-house.

This recommendation was not endorsed by Council and the development was ultimately approved as a time limited consent. This decision was made due to the 2.7 m flood planning level incorporating a 500mm freeboard to the 1% AEP flood level. Effectively this freeboard gave an allowance for climate change to address some of the uncertainty associated with estimating climate change impacts. The time limited consent also gave opportunity to review any actual climate change impacts that might occur.

Council, at its meeting held 10 October 2012;

“RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TAYLOR:

- 1 That Council acknowledge that the 2009 NSW Sea Level Rise Policy Statement is no longer NSW Government Policy.*
- 2 That Council acknowledge the recommendation of the NSW State Government to consider an interim policy arrangement prior to the formal adoption of sea level rise projections.*
- 3 That Council resolve that its sea level rise interim policy consist of compliance with the 1% AEP flood level and 500mm freeboard allowance.*
- 4 That Council request the State Government to refer back to Council the adopted Wyong Shire Coastal Zone Management Plan for Council’s review.*
- 5 That the General Manager provide an urgent briefing to Council on the implications of the State Government’s recent coastal reforms.*
- 6 That the General Manager report back to Council on a program, cost estimate and timeframe for the review of current adopted Council policies that incorporate provisions in respect of sea level rise, including the adopted Wyong Shire Coastal Zone Management Plan.*
- 7 In circumstances where existing Government legislation or policy conflicts with Council’s policy in No 3 above, the General Manager ensure that the matter is brought to Council for determination.*
- 8 That Council write to all holders of existing DA’s that have time limited consents due to sea level rise issues and advise of the change in Council policies and invite them to submit Section 96 applications to remove the time limit from their consents.*
- 9 That Council waive all fees associated with any such Section 96 applications.*

FOR: COUNCILLORS EATON, GRAHAM, MCBRIDE, MCNAMARA, VINCENT AND WEBSTER

AGAINST: COUNCILLORS SYMINGTON AND WYNN”

On the 25 October 2012 Council wrote to the applicant inviting them to submit a Section 96 application to remove the time limit from their consent.

PERMISSIBILITY

The subject site is zoned 2B Multiple Dwelling Zone under the Wyong Local Environmental Plan (WLEP) 1991.

RELEVANT STATE/COUNCIL POLICIES AND PLANS

The Council has assessed the proposal against the relevant provisions of the following environmental planning instruments, plans and policies:

NSW Flood Plain Development Manual

The subject site is located within an existing high hazard flood area and the NSW Flood Plain Development Manual ('The Manual') requires that a safe (i.e. low hazard flooding) escape route be available for the residents. Given the location of the site and surrounding topography, there is no opportunity to provide an escape route during a flood event.

The Manual provides that a 0.5m freeboard is adopted for general residential development to ensure there is a factor of safety. This freeboard includes a component related to climate change impacts on flood levels in both coastal and non-coastal areas and for a wide variation in sensitivity of estimated design flood levels as well as other unquantified factors such as wind-wave impacts. The freeboard provides only a relatively small allowance to accommodate some of the projected increases in rainfall intensity of flood-producing storm events associated with climate change, which has currently not been accurately quantified or included with the sea level rise projections.

A habitable floor level of RL2.70m AHD would provide safe harbour and sufficient opportunity for residents to remain in the dwelling or alternatively to enable rescue during a 1% AEP flood event. This floor level would not provide safe harbourage should climate change projections prove correct, however the 500mm freeboard contained within this flood planning level does afford a safety factor and address some of the uncertainty associated with estimating climate change impacts.

Taking the above into consideration, the proposal is consistent with the requirements of the NSW Flood Plain Development Manual.

ECOLOGICALLY SUSTAINABLE PRINCIPLES

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

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

ASSESSMENT

Having regard for the matters for consideration detailed in Section 79C of the EP&A Act 1979 and other statutory requirements, Council's policies and Section 149 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

Environmental Planning and Assessment Act 1979

The applicant seeks amendment to DA 1153/2009/b under Section 96(1A) of EP&A Act 1979.

The requirements for an application for modification of development consent are contained within Section 115(1)(a) – (i) of the Environmental Planning and Assessment Regulation 2000. This section describes the information necessary to make an application. In this regard the application comprises owner's authority (to submit the application), description of the modification and likely impacts thereof in addition to supporting documentation. It is considered that the information accompanying the application satisfies the responsibilities of the applicant under the provisions of the regulation. The Consent Authority (in this instance WSC) thereafter assesses the application under the heads of consideration of Section 79C of the EP&A Act.

Council considered the proposal to be substantially the same development and therefore assessed the application pursuant to Section 96.

THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES (s79C(1)(a)(i-iv):

Council, at its meeting held 10 October 2012 resolved to acknowledge that the State Government 2009 NSW sea level rise policy statement is no longer State Government Policy. Accordingly the imposition of time limited consents due to Sea Level rise projections is no longer appropriate.

Under these circumstances the removal of the time limited consent condition is justified.

THE LIKELY IMPACTS OF THE DEVELOPMENT (s79C(1)(b)):

*The relationship to the regional and local **context and setting**.*

Nil to report.

*The **access, transport and traffic** management measures.*

Nil to report.

*The impact on the **public domain** (recreation, public open space, pedestrian links).*

Nil to report.

*The impact on **utilities** supply.*

Nil to report.

*The effect on **heritage** significance.*

2.1 DA 1153/2009/C Dwelling at 2 Marina Street, Budgewoi (contd)

Nil to report.

*Any effect on **other land resources**.*

Nil to report.

*Any impact on the conservation of **water**.*

Nil to report.

*Any effect on the conservation of **soils** or acid sulphate soils.*

Nil to report.

*Any effect on quality of **air and microclimate conditions**.*

Nil to report.

*Any effect on the **flora and fauna**..*

Nil to report.

*The provision of **waste** facilities.*

Nil to report.

*Whether the development will be **energy** efficient.*

Nil to report.

*Whether the development will cause **noise and vibration**.*

Nil to report.

*Any risks from **natural hazards** (flooding, tidal inundation, bushfire, subsidence, slip etc).*

The issues relating to Sea level Rise projections resulting in Council originally imposing a time limited consent are no longer State Government policy and accordingly in accordance with the Council resolution of the 10th of October 2012 this imposition can be removed from the consent.

*Any risks from **technological hazards**.*

Nil to report.

*Whether the development provides **safety, security and crime prevention**.*

Nil to report.

*Any **social impact** in the locality.*

Nil to report.

*Any **economic impact** in the locality.*

Nil to report.

*Any impact of **site design and internal design**.*

Nil to report.

*Any impacts of **construction** activities (construction site management, protection measures).*

Nil to report.

*Any **cumulative impacts**.*

Nil to report.

THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT (s79C(1)(c)):

*Whether the **proposal fits in the locality**.*

Nil to report.

THE PUBLIC INTEREST (s79C(1)(e)):

*Any **Federal, State and Local Government interests and community interests**.*

The issues relating to Sea level Rise projections resulting in Council originally imposing a time limited consent are no longer State Government policy and accordingly in accordance with the Council resolution of the 10th of October 2012 this imposition can be removed from the consent.

CONCLUSION

Council, at its meeting held 10 October 2012 resolved to acknowledge that the State Government 2009 NSW sea level rise policy statement is no longer State Government Policy. Accordingly the imposition of time limited consents due to Sea Level rise projections is no longer appropriate.

Under these circumstances the removal of the time limited consent condition is justified and the application is recommended for approval.

ATTACHMENTS

- 1 Draft conditions of Consent D03291062

PROPOSED CONDITIONS – DA 1153/2009/C**2 Marina Street, BUDGEWOI**

- 1 The development taking place in accordance with the approved development plans job number 9939, sheets 1 – 8, prepared by NPR, dated 02.05.10 except as modified by any conditions of this consent, and any amendments in red.

Prior to Release of Construction Certificate:

The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.

Certificates/Engineering Details

- 2 A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.

Certificates/Engineering Details

- 3 The submission of details to Council confirming the location and depth of the sewer main and connection point in relation to the floor level prior to issue of a Construction Certificate, to demonstrate that appropriate connection and fall to the sewer can be achieved.

Erosion and Sediment Control – Building Sites

- 4 Prior to the issue of a Construction Certificate, the submission to the Principal Certifying Authority of design plans for the control of soil erosion on the site and the prevention of silt discharge into drainage systems and waterways in accordance with Council's Policy E1 - Erosion and Sediment Control from Building Sites or "Soils and Construction – Managing Urban Stormwater" (Blue Book) The design plans must be approved by the Principal Certifying Authority or an appropriately Accredited Certifier prior to issue of the Construction Certificate.

Flooding

- 5 The design of the development must comply with Council's Flood Prone Land Development Policy No. F5 and in particular:
 - The provision to Council of a satisfactory Structural Certificate from a qualified Engineer as to all proposed structures and building stability in relation to all loadings associated with flooding up to and including 1% AEP flood level of 2.2 metres AHD.

- The minimum habitable floor level is 2.7 metres AHD.
- 6 All electrical outlets and fixtures will require protection of a “residual current device” (safety switch) to protect against flood waters. Storage of hazardous or toxic materials is to be 0.5 metres above the identified flood level of 2.2 metres AHD.

Prior to Commencement of Works:

The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.

Approved Plans

- 7 A copy of the stamped approved plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

Acoustic

- 8 Construction work may only be undertaken in accordance with the provisions of the Environmental Protection Authority's 'Environmental Noise Control Manual-Guidelines for Construction Noise' as identified below:

Monday to Saturday 7.00 am to 5.00 pm.

Work is not to be carried out on Sundays or Public Holidays.

Dilapidation

- 9 A dilapidation report must be submitted to Council as the Roads Authority prior to the commencement of any works. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, water supply, sewer works, street trees, street signs or any other Council assets in the vicinity of the development.

Erosion and Sediment Control

- 10 The provision of soil erosion and silt controls on the site in accordance with Council's Policy E1 - Erosion and Sediment Control from Building Sites and Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development and the approved development plans prior to any works commencing on the site. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 11 Sand and other materials that could potentially be washed off the site during rain periods are to be stored behind the silt control barrier. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**

- 12 The provision of a metal groyne/s or kerb inlet trap/s to the downstream drainage pit/s of the street drainage system to prevent any silt that may have left the site from entering the drainage system. The build up of silt and debris must be removed from the site on a daily basis. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 13 The display of an appropriate sign to promote the awareness of the importance of the maintenance of sediment control techniques on the most prominent sediment fence or erosion control device, for the duration of the project. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**

Flooding

- 14 Building materials used or located below 2.2 metres AHD are to be flood compatible.
- 15 No filling greater than 100mm is permitted without Council approval.

Home Building Act

- 16 In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, there shall be such a contract in force in accordance with the requirements of the Home Building Act 1989.
- 17 Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

In the case of work to be done by the holder of a contractor licence under that Act:

- the name and licence number of the contractor; and
- the name of the insurer by whom the work is insured under Part 6 of that Act.

In the case of work to be done by the holder of an owner-builder permit under that Act:

- the name and permit number of the owner-builder.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Plumbing and Drainage

- 18 Council as the water supply authority, or in unsewered areas where an onsite sewage management facility is to be installed, Council is to be notified to undertake inspections of the internal drainage, (prior to the pouring of the concrete slab), and external drainage prior to the backfilling of the trenches. These inspections can be arranged by telephoning Council's customer services section on 4350 5555 a minimum of 24 hours prior to the required time for the inspection. **Note: All drainage inspection fees are to be paid to Council prior to these inspections being undertaken.**

Site Requirements

- 19 The provision of a temporary closet on site from the time of commencement of building work to ensure that adequate sanitary provisions are provided and maintained on the building site for use by persons engaged in the building activity. The temporary closet is to be a water closet connected to the sewerage system or approved septic tank or a chemical closet supplied by a licensed contractor.
- 20 The provision of a metal waste skip (with self-closing lid or secure covering) or lined mesh steel cage(s) in accordance with the requirements of DCP 2005, Chapter 100 – Quality Housing, on site for the duration of the construction to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. **Note: On the spot fines may be imposed by Council for pollution incidents.**
- 21 Waffle pods used in the construction of the building are not to be delivered to the site unless wrapped or securely tied. The waffle pods are to remain secured on site until they are used to prevent damage by wind and to prevent broken portions of the pods being blown from the site. Immediately upon positioning the pods in the construction of the building, off cuts and unused pods must be wrapped in plastic or a similar material. The remaining pods and off cuts are to be removed from the site within 24 hours.
- 22 All building materials, plant and equipment must be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on Council's recreation reserves and/or road reserves is prohibited. **Note: On the spot fines may be imposed by Council for non-compliance with this condition.**
- 23 The provision of a hoarding or safety fence between the work site and the public place in accordance with Work Cover Authority requirements, for the duration of the project. Details to be submitted to the Principal Certifying Authority/appropriately Accredited Certifier unless the hoarding is required within the footpath area where approval from Council under the Roads Act as the Roads Authority is required.

- 24 The Principal Contractor (or Owner/Builder) is to erect a sign in a prominent position on the site (not attached to any tree) identifying the name, address and telephone number of the Principal Certifying Authority (PCA) for the work; the name, address and telephone number (including a number for outside of business hours) of the Principal Contractor for the work (or Owner/Builder); and stating that unauthorised entry to the site is prohibited. The sign must be maintained while the work is being carried out and is to be removed when the work is completed. Appropriate signs can be collected from Council's Customer Service Centre, where Council is the nominated PCA.
- 25 No works, vehicles or materials are permitted within the footpath, reserve or adjacent allotment areas highlighted on the approved site plan.

Water and Sewer Services/Infrastructure

- 26 The sewer manhole is to be located and then protected for the duration of construction, to ensure that access is available at all times. The approval of Council is required should the level of the manhole need to be raised or lowered.
- 27 The interallotment drainage pit and other services and utilities located on the site are to be protected during construction.

During Construction Works:

The following conditions must be satisfied during construction works.

No conditions

Prior to Release of Occupation Certificate:

The following conditions must be satisfied prior to the release of an Occupation / Subdivision Certificate.

BASIX

- 28 Pursuant to Clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this Development Consent that all the commitments listed in the BASIX Certificate for the development are fulfilled. All work is to be satisfactorily completed prior to the issue of the Occupation Certificate.
- 29 The provision of the rainwater tank in the approved location including plumbing to collect rainwater from the roof area as detailed in the BASIX Certificate. The tank is to be installed in accordance with the requirements of the National Plumbing and Drainage Code AS/NZS 3500, shall include first flow diversion devices fixed to all inflows, be provided with a functioning pressure pump, and be plumbed to service all fixtures as detailed in the BASIX Certificate. The tank must be controlled such that supplement flows from domestic mains do not take place until the tank is at least 80% empty. Overflow from the rainwater reuse tank is to be directed to Council's road drainage system.

Building Code of Australia

- 30 Compliance with the relevant provisions and requirements of the Building Code of Australia.

Dilapidation

- 31 Any damage not shown in the Dilapidation Report submitted to Council before site works had commenced, will be assumed to have been caused as a result of the site works undertaken and must be rectified at the applicant's expense, prior to release of the Occupation/Subdivision Certificate.

Erosion and Sediment Control

- 32 The downpipes and stormwater drainage being installed and connected to the approved stormwater disposal system immediately after the roof materials are positioned to prevent erosion of the site from roof water. **Note: A Compliance Certificate for the frame cannot be issued until the stormwater drainage system is installed.**

Flooding

- 33 All rainwater storage tank(s) must be installed with the stormwater inlet and outlets, air gap for mains water top up at a minimum level of 500mm above the 1% AEP flood. Where the stormwater outlet cannot be located 500mm above the flood level it must be fitted with a non return valve to prevent back flow in accordance with Council's rainwater tank installation guidelines.
- 34 The prevention of any obstruction of surface drainage which could result in the disruption of the amenity, or drainage or deterioration to any other property.
- 35 A flood evacuation plan is to be provided that incorporates the requirements of the Wyong Shire Local Flood Plan and the State Emergency Service. Reference to the flood evacuation plan is to be included on the title for the property.

Plumbing and Drainage

- 36 The hot water installation must deliver hot water not exceeding 50 degrees Celsius at the outlet of the sanitary fixtures used primarily for personal hygiene purposes. Note: Compliance with this temperature limit is optional for kitchen sinks and laundry tubs. AS/NZS 3500 Part 4.2 C1.1.6.2.
- 37 All toilet cisterns, showerheads and taps on bathroom and kitchen hand basins must achieve compliance with the Water Efficiency and Labelling and Standards Scheme (WELS).
- 38 The sewer surcharge gully is to be relocated clear of the proposed building to facilitate access.

Stormwater

- 39 Roof water from the building and the overflow from the water tank is to be disposed of into Council's street gutter drainage system and the existing outlet that has been provided through the kerb is to be utilised.

Vehicle Access and Parking

- 40 The design and construction of a non-slip finish driveway with a decorative finish in the location shown on the approved plans. All works are to be completed prior to release of the Occupation Certificate.

Water and Sewer Services/Infrastructure

- 41 The surcharge gully for the development must be a minimum of 150mm below floor level and 75mm above the finished ground level.
- 42 All water and sewer works for the development must be approved by Council prior to the issue of an Occupation Certificate.

Ongoing Operation:

The following conditions must be satisfied during use / occupation of the development.

2.2 DA 1201/2009/A - Section 96 Application to delete Condition No 43 of Development Consent for a Dwelling at Chittaway Bay

TRIM REFERENCE: DA/1201/2009/A - D03291138

MANAGER: Jamie Loader, Acting Director Development and Building

AUTHOR: Scott Rathgen; Team Coordinator

SUMMARY

A Section 96 application has been received to amend the consent by deleting condition No. 43 which imposed a time limit on the consent relating to sea level rise. The application has been examined having regard to the matters for consideration detailed in section 79C of the Environmental Planning and Assessment Act 1979 (EP&A Act) and other statutory requirements with the issues requiring attention and consideration being addressed in the report. The application has been reviewed and is recommended for approval.

Applicant	R. & D. Hamill
Owner	R. & D. Hamill
Application No	DA/1201/2009/A
Description of Land	Lot 4 DP1103066 No 34 Jane Ellen Crescent Chittaway Bay
Proposed Development	Dwelling
Site Area	5851.40 sq m
Zoning	2A Residential
Existing Use	Dwelling

RECOMMENDATION

That Council grant consent, to modify Condition No 43 of Development Consent No 1201/2009/A having regard to matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, subject to the conditions detailed in the schedule attached to the report.

PRECIS

- DA/1201/2009 - Development Consent granted for a dwelling at 26 The Entrance North
- Time limited consent issued due to sea level rise issues.
- This modification is seeking removal of this condition.

INTRODUCTION

The site at 34 Jane Ellen Crescent, Chittaway Bay is currently developed with a single storey dwelling constructed under Development Consent No. 1201/2009. Council imposed a time

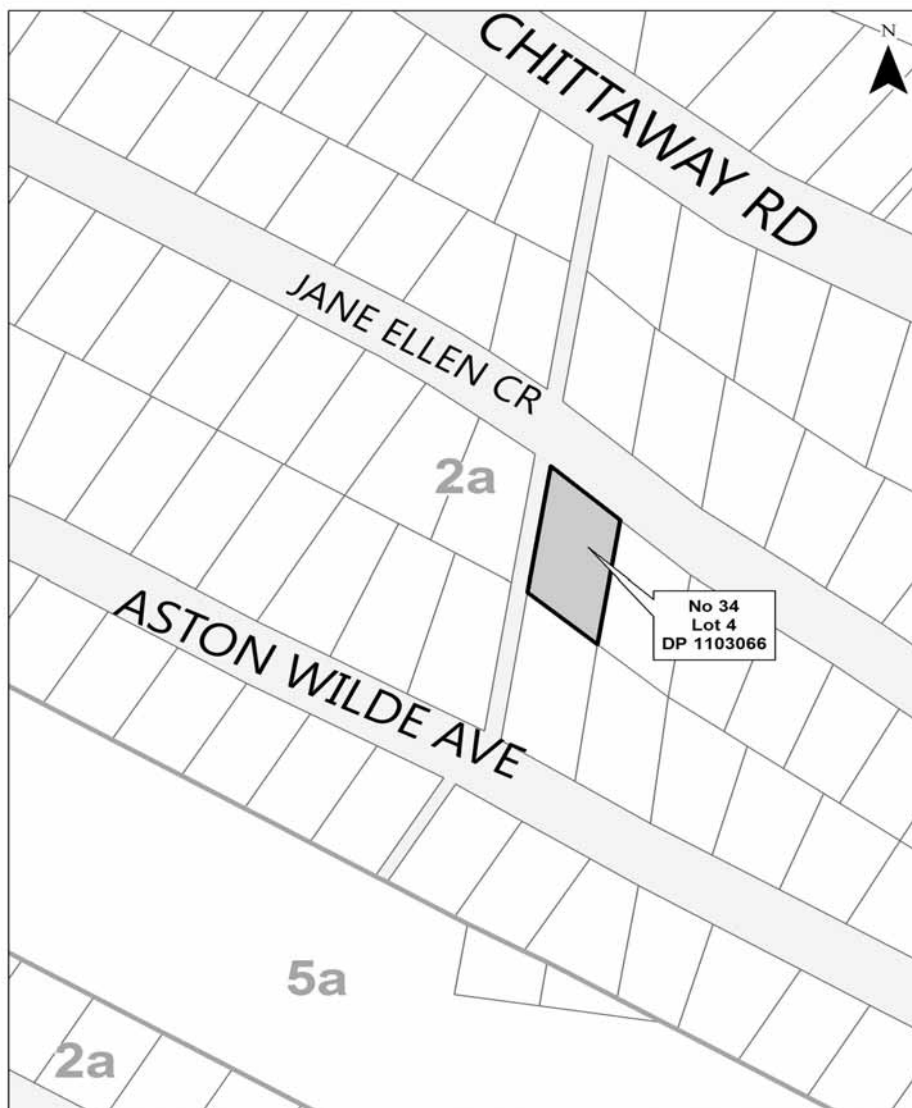
2.2 DA 1201/2009/A - Section 96 Application to delete Condition No 43 of Development Consent for a Dwelling at Chittaway Bay (contd)

limited consent due to issues related to sea level rise projections. Condition No 43 requires the dwelling to be removed by April of 2050.

As a consequence of Council's resolution of the 10th of October 2012 the applicant is now seeking to modify the consent by removing this condition.

The Site

The subject site, known as No 34 Jane Ellen Crescent, Chittaway Bay is located on the southern side of Jane Ellen Crescent. It has an area of 585.4m², is generally level, is currently vacant and is located approximately 300m north west of Tuggerah Lake and 175 metres south of Chittaway Creek. Existing development in the surrounding area comprises single storey dwellings.



HISTORY

Development Consent granted for the dwelling at 26 The Entrance North DA/1201/2009 with the following condition.

2.2 DA 1201/2009/A - Section 96 Application to delete Condition No 43 of Development Consent for a Dwelling at Chittaway Bay (contd)

“43 In accordance with Section 80A(1) (d) and 80A(1) (e) of the Environmental Planning and Assessment Act, 1979, this consent will expire 40 years from the date of issue of the consent, i.e. on 19 April 2050.

At the expiry of this period the dwelling the subject of this consent shall be removed from the land and the land shall be regraded to approximately the levels existing as at the issue of this consent and turfed to prevent soil erosion.

Council may consider a modification to this condition of the consent, within a period not greater than 12 months prior to the expiry date, subject to the applicant lodging information to verify that the development complies with the then current Council and State Flood Policies.”

The recommendation of staff for this original application was to defer consideration of the application and request the applicant to redesign the proposal to incorporate a floor level of 3.6 metres ADH for the proposed dwelling-house.

This recommendation was not endorsed by Council and the development was ultimately approved as a time limited consent. This decision was made due to the 2.7 m flood planning level incorporating a 500mm freeboard to the 1% AEP flood level. Effectively this freeboard gave an allowance for climate change to address some of the uncertainty associated with estimating climate change impacts. The time limited consent also gave opportunity to review any actual climate change impacts that might occur.

Council, at its meeting held 10 October 2012;

“RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TAYLOR:

- 1 That Council acknowledge that the 2009 NSW Sea Level Rise Policy Statement is no longer NSW Government Policy.
- 2 That Council acknowledge the recommendation of the NSW State Government to consider an interim policy arrangement prior to the formal adoption of sea level rise projections.
- 3 That Council resolve that its sea level rise interim policy consist of compliance with the 1% AEP flood level and 500mm freeboard allowance.
- 4 That Council request the State Government to refer back to Council the adopted Wyong Shire Coastal Zone Management Plan for Council’s review.
- 5 That the General Manager provide an urgent briefing to Council on the implications of the State Government’s recent coastal reforms.
- 6 That the General Manager report back to Council on a program, cost estimate and timeframe for the review of current adopted Council policies that incorporate provisions in respect of sea level rise, including the adopted Wyong Shire Coastal Zone Management Plan.
- 7 In circumstances where existing Government legislation or policy conflicts with Council’s policy in No 3 above, the General Manager ensure that the matter is brought to Council for determination.
- 8 That Council write to all holders of existing DA’s that have time limited consents due to sea level rise issues and advise of the change in Council policies and

2.2 DA 1201/2009/A - Section 96 Application to delete Condition No 43 of Development Consent for a Dwelling at Chittaway Bay (contd)

invite them to submit Section 96 applications to remove the time limit from their consents.

9 That Council waive all fees associated with any such Section 96 applications.

FOR: COUNCILLORS EATON, GRAHAM, MCBRIDE, MCNAMARA, VINCENT AND WEBSTER

AGAINST: COUNCILLORS SYMINGTON AND WYNN"

On the 25 October 2012 Council wrote to the applicant inviting them to submit a Section 96 application to remove the time limit from their consent.

PERMISSIBILITY

The subject site is zoned 2B Multiple dwelling zone under the Wyong Local Environmental Plan (WLEP) 1991.

RELEVANT STATE/COUNCIL POLICIES AND PLANS

The Council has assessed the proposal against the relevant provisions of the following environmental planning instruments, plans and policies:

NSW Flood Plain Development Manual

The subject site is located within an existing high hazard flood area and the NSW Flood Plain Development Manual ('The Manual') requires that a safe (i.e. low hazard flooding) escape route be available for the residents. Given the location of the site and surrounding topography, there is no opportunity to provide an escape route during a flood event.

The Manual provides that a 0.5m freeboard is adopted for general residential development to ensure there is a factor of safety. This freeboard includes a component related to climate change impacts on flood levels in both coastal and non-coastal areas and for a wide variation in sensitivity of estimated design flood levels as well as other unquantified factors such as wind-wave impacts. The freeboard provides only a relatively small allowance to accommodate some of the projected increases in rainfall intensity of flood-producing storm events associated with climate change, which has currently not been accurately quantified or included with the sea level rise projections.

A habitable floor level of RL2.70m AHD would provide safe harbour and sufficient opportunity for residents to remain in the dwelling or alternatively to enable rescue during a 1% AEP flood event. This floor level would not provide safe harbourage should climate change projections prove correct, however the 500mm freeboard contained within this flood planning level does afford a safety factor and address some of the uncertainty associated with estimating climate change impacts.

Taking the above into consideration, the proposal is consistent with the requirements of the NSW Flood Plain Development Manual.

ECOLOGICALLY SUSTAINABLE PRINCIPLES

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

2.2 DA 1201/2009/A - Section 96 Application to delete Condition No 43 of Development Consent for a Dwelling at Chittaway Bay (contd)

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

ASSESSMENT

Having regard for the matters for consideration detailed in Section 79C of the EP&A Act 1979 and other statutory requirements, Council's policies and Section 149 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

Environmental Planning and Assessment Act 1979

The applicant seeks amendment to DA 1201/2009 under Section 96(1A) of EP&A Act 1979.

The requirements for an application for modification of development consent are contained within Section 115(1)(a) – (i) of the Environmental Planning and Assessment Regulation 2000. This section describes the information necessary to make an application. In this regard the application comprises owner's authority (to submit the application), description of the modification and likely impacts thereof in addition to supporting documentation. It is considered that the information accompanying the application satisfies the responsibilities of the applicant under the provisions of the regulation. The Consent Authority (in this instance WSC) thereafter assesses the application under the heads of consideration of Section 79C of the EP&A Act 1979.

Council considered the proposal to be substantially the same development and therefore assessed the application pursuant to Section 96.

THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES (s79C(1)(a)(i-iv):

Council, at its meeting held 10 October 2012 resolved to acknowledge that the State Government 2009 NSW sea level rise policy statement is no longer State Government Policy. Accordingly the imposition of time limited consents due to Sea Level rise projections is no longer appropriate.

Under these circumstances the removal of the time limited consent condition is justified.

THE LIKELY IMPACTS OF THE DEVELOPMENT (s79C(1)(b)):

*The relationship to the regional and local **context and setting**.*

Nil to report.

*The **access, transport and traffic** management measures.*

Nil to report.

*The impact on the **public domain** (recreation, public open space, pedestrian links).*

Nil to report.

2.2 DA 1201/2009/A - Section 96 Application to delete Condition No 43 of Development Consent for a Dwelling at Chittaway Bay (contd)

*The impact on **utilities** supply.*

Nil to report.

*The effect on **heritage** significance.*

Nil to report.

*Any effect on **other land resources**.*

Nil to report.

*Any impact on the conservation of **water**.*

Nil to report.

*Any effect on the conservation of **soils** or acid sulphate soils.*

Nil to report.

*Any effect on quality of **air and microclimate conditions**.*

Nil to report.

*Any effect on the **flora and fauna**..*

Nil to report.

*The provision of **waste** facilities.*

Nil to report.

*Whether the development will be **energy** efficient.*

Nil to report.

*Whether the development will cause **noise and vibration**.*

Nil to report.

*Any risks from **natural hazards** (flooding, tidal inundation, bushfire, subsidence, slip etc).*

The issues relating to Sea level Rise projections resulting in Council originally imposing a time limited consent are no longer State Government policy and accordingly in accordance with the Council resolution of the 10th of October 2012 this imposition can be removed from the consent.

*Any risks from **technological hazards**.*

Nil to report.

*Whether the development provides **safety, security and crime prevention**.*

Nil to report.

2.2 DA 1201/2009/A - Section 96 Application to delete Condition No 43 of Development Consent for a Dwelling at Chittaway Bay (contd)

*Any **social impact** in the locality.*

Nil to report.

*Any **economic impact** in the locality.*

Nil to report.

*Any impact of **site design and internal design**.*

Nil to report.

*Any impacts of **construction** activities (construction site management, protection measures).*

Nil to report.

*Any **cumulative impacts**.*

Nil to report.

THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT (s79C(1)(c)):

*Whether the **proposal fits in the locality**.*

Nil to report.

THE PUBLIC INTEREST (s79C(1)(e)):

*Any **Federal, State and Local Government interests and community interests**.*

The issues relating to Sea level Rise projections resulting in Council originally imposing a time limited consent are no longer State Government policy and accordingly in accordance with the Council resolution of the 10th of October 2012 this imposition can be removed from the consent.

CONCLUSION

Council, at its meeting held 10 October 2012 resolved to acknowledge that the State Government 2009 NSW sea level rise policy statement is no longer State Government Policy. Accordingly the imposition of time limited consents due to Sea Level rise projections is no longer appropriate.

Under these circumstances the removal of the time limited consent condition is justified and the application is recommended for approval.

ATTACHMENTS

- 1 Draft Conditions of Consent D03291152

**PROPOSED CONDITIONS – DA 1201/2009/A
34 Jane Ellen Cres, CHITTAWAY BAY**

- 1 The development taking place in accordance with the approved development plans reference number 201183 Sheets 1 to 9 prepared by McDonald Jones dated 27 October 2009 except as modified by any conditions of this consent, and any amendments in red.

Prior to Release of Construction Certificate:

The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.

Certificates/Engineering Details

- 2 A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.

Certificates/Engineering Details

- 3 The submission of details to Council confirming the location and depth of the sewer main and connection point in relation to the floor level prior to issue of a Construction Certificate, to demonstrate that appropriate connection and fall to the sewer can be achieved.

Erosion and Sediment Control – Building Sites

- 4 Prior to the issue of a Construction Certificate, the submission to the Principal Certifying Authority of design plans for the control of soil erosion on the site and the prevention of silt discharge into drainage systems and waterways in accordance with Council's Policy E1 - Erosion and Sediment Control from Building Sites or "Soils and Construction – Managing Urban Stormwater" (Blue Book) The design plans must be approved by the Principal Certifying Authority or an appropriately Accredited Certifier prior to issue of the Construction Certificate.

Flooding

- 5 The design of the development must comply with Council's Flood Prone Land Development Policy No. F5 and in particular:
 - The provision to Council of a satisfactory Structural Certificate from a qualified Engineer as to all proposed structures and building stability in relation to all loadings associated with flooding up to and including 1% AEP flood level of 2.2 metres AHD.
 - The minimum habitable floor level is 2.7 metres AHD.

- 6 All electrical outlets and fixtures will require protection of a “residual current device” (safety switch) to protect against flood waters. Storage of hazardous or toxic materials is to be 0.5 metres above the identified flood level of 2.2 metres AHD.

Prior to Commencement of Works:

The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.

Approved Plans

- 7 A copy of the stamped approved plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

Acoustic

- 8 Construction work may only be undertaken in accordance with the provisions of the Environmental Protection Authority's 'Environmental Noise Control Manual-Guidelines for Construction Noise' as identified below:

Monday to Saturday 7.00 am to 5.00 pm.

Work is not to be carried out on Sundays or Public Holidays.

Dilapidation

- 9 A dilapidation report must be submitted to Council as the Roads Authority prior to the commencement of any works. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, water supply, sewer works, street trees, street signs or any other Council assets in the vicinity of the development.

Erosion and Sediment Control

- 10 The provision of soil erosion and silt controls on the site in accordance with Council's Policy E1 - Erosion and Sediment Control from Building Sites and Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development and the approved development plans prior to any works commencing on the site. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 11 Sand and other materials that could potentially be washed off the site during rain periods are to be stored behind the silt control barrier. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 12 The provision of a metal groyne/s or kerb inlet trap/s to the downstream drainage pit/s of the street drainage system to prevent any silt that may have left the site from entering the drainage system. The build up of silt and debris must be removed from the site on a daily basis. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**

- 13 The display of an appropriate sign to promote the awareness of the importance of the maintenance of sediment control techniques on the most prominent sediment fence or erosion control device, for the duration of the project. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**

Flooding

- 14 Building materials used or located below 2.2 metres AHD are to be flood compatible.
- 15 No filling greater than 100mm is permitted without Council approval.

Home Building Act

- 16 In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, there shall be such a contract in force in accordance with the requirements of the Home Building Act 1989.
- 17 Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

In the case of work to be done by the holder of a contractor licence under that Act:

- the name and licence number of the contractor; and
- the name of the insurer by whom the work is insured under Part 6 of that Act.

In the case of work to be done by the holder of an owner-builder permit under that Act:

- the name and permit number of the owner-builder.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Plumbing and Drainage

- 18 Council as the water supply authority, or in unsewered areas where an onsite sewage management facility is to be installed, Council is to be notified to undertake inspections of the internal drainage, (prior to the pouring of the concrete slab), and external drainage prior to the backfilling of the trenches. These inspections can be arranged by telephoning Council's customer services section on 4350 5555 a minimum of 24 hours prior to the required time for the inspection. **Note: All drainage inspection fees are to be paid to Council prior to these inspections being undertaken.**

Site Requirements

- 19 The provision of a temporary closet on site from the time of commencement of building work to ensure that adequate sanitary provisions are provided and maintained on the building site for use by persons engaged in the building activity. The temporary closet is to be a water closet connected to the sewerage system or approved septic tank or a chemical closet supplied by a licensed contractor.
- 20 The provision of a metal waste skip (with self-closing lid or secure covering) or lined mesh steel cage(s) in accordance with the requirements of DCP 2005, Chapter 100 – Quality Housing, on site for the duration of the construction to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. **Note: On the spot fines may be imposed by Council for pollution incidents.**
- 21 Waffle pods used in the construction of the building are not to be delivered to the site unless wrapped or securely tied. The waffle pods are to remain secured on site until they are used to prevent damage by wind and to prevent broken portions of the pods being blown from the site. Immediately upon positioning the pods in the construction of the building, off cuts and unused pods must be wrapped in plastic or a similar material. The remaining pods and off cuts are to be removed from the site within 24 hours.
- 22 All building materials, plant and equipment must be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on Council's recreation reserves and/or road reserves is prohibited. **Note: On the spot fines may be imposed by Council for non-compliance with this condition.**
- 23 The provision of a hoarding or safety fence between the work site and the public place in accordance with Work Cover Authority requirements, for the duration of the project. Details to be submitted to the Principal Certifying Authority/appropriately Accredited Certifier unless the hoarding is required within the footpath area where approval from Council under the Roads Act as the Roads Authority is required.
- 24 The Principal Contractor (or Owner/Builder) is to erect a sign in a prominent position on the site (not attached to any tree) identifying the name, address and telephone number of the Principal Certifying Authority (PCA) for the work; the name, address and telephone number (including a number for outside of business hours) of the Principal Contractor for the work (or Owner/Builder); and stating that unauthorised entry to the site is prohibited. The sign must be maintained while the work is being carried out and is to be removed when the work is completed. Appropriate signs can be collected from Council's Customer Service Centre, where Council is the nominated PCA.
- 25 No works, vehicles or materials are permitted within the footpath, reserve or adjacent allotment areas highlighted on the approved site plan.

Water and Sewer Services/Infrastructure

- 26 The sewer manhole is to be located and then protected for the duration of construction, to ensure that access is available at all times. The approval of Council is required should the level of the manhole need to be raised or lowered.
- 27 The interallotment drainage pit and other services and utilities located on the site are to be protected during construction.

During Construction Works:

The following conditions must be satisfied during construction works.

No conditions

Prior to Release of Occupation Certificate:

The following conditions must be satisfied prior to the release of an Occupation / Subdivision Certificate.

BASIX

- 28 Pursuant to Clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this Development Consent that all the commitments listed in the BASIX Certificate for the development are fulfilled. All work is to be satisfactorily completed prior to the issue of the Occupation Certificate.
- 29 The provision of the rainwater tank in the approved location including plumbing to collect rainwater from the roof area as detailed in the BASIX Certificate. The tank is to be installed in accordance with the requirements of the National Plumbing and Drainage Code AS/NZS 3500, shall include first flow diversion devices fixed to all inflows, be provided with a functioning pressure pump, and be plumbed to service all fixtures as detailed in the BASIX Certificate. The tank must be controlled such that supplement flows from domestic mains do not take place until the tank is at least 80% empty. Overflow from the rainwater reuse tank is to be directed to Council's road drainage system.

Building Code of Australia

- 30 Compliance with the relevant provisions and requirements of the Building Code of Australia.

Dilapidation

- 31 Any damage not shown in the Dilapidation Report submitted to Council before site works had commenced, will be assumed to have been caused as a result of the site works undertaken and must be rectified at the applicant's expense, prior to release of the Occupation/Subdivision Certificate.

Erosion and Sediment Control

- 32 The downpipes and stormwater drainage being installed and connected to the approved stormwater disposal system immediately after the roof materials are positioned to prevent erosion of the site from roof water. **Note: A Compliance Certificate for the frame cannot be issued until the stormwater drainage system is installed.**

Flooding

- 33 All rainwater storage tank(s) must be installed with the stormwater inlet and outlets, air gap for mains water top up at a minimum level of 500mm above the 1% AEP flood. Where the stormwater outlet cannot be located 500mm above the flood level it must be fitted with a non return valve to prevent back flow in accordance with Council's rainwater tank installation guidelines.
- 34 The prevention of any obstruction of surface drainage which could result in the disruption of the amenity, or drainage or deterioration to any other property.
- 35 A flood evacuation plan is to be provided that incorporates the requirements of the Wyong Shire Local Flood Plan and the State Emergency Service. Reference to the flood evacuation plan is to be included on the title for the property.

Plumbing and Drainage

- 36 The hot water installation must deliver hot water not exceeding 50 degrees Celsius at the outlet of the sanitary fixtures used primarily for personal hygiene purposes. Note: Compliance with this temperature limit is optional for kitchen sinks and laundry tubs. AS/NZS 3500 Part 4.2 C1.1.6.2.
- 37 All toilet cisterns, showerheads and taps on bathroom and kitchen hand basins must achieve compliance with the Water Efficiency and Labelling and Standards Scheme (WELS).
- 38 The sewer surcharge gully is to be relocated clear of the proposed building to facilitate access.

Stormwater

- 39 Roof water from the building and the overflow from the water tank is to be disposed of into Council's street gutter drainage system and the existing outlet that has been provided through the kerb is to be utilised.

Vehicle Access and Parking

- 40 The design and construction of a non-slip finish driveway with a decorative finish in the location shown on the approved plans. All works are to be completed prior to release of the Occupation Certificate.

Water and Sewer Services/Infrastructure

- 41 The surcharge gully for the development must be a minimum of 150mm below floor level and 75mm above the finished ground level.

- 42 All water and sewer works for the development must be approved by Council prior to the issue of an Occupation Certificate.

Ongoing Operation:

The following conditions must be satisfied during use / occupation of the development.

2.3 DA 1482/2009/A - Section 96 Application to Amend Conditions of Consent for a dwelling at The Entrance North

TRIM REFERENCE: DA/1482/2009/A - D03291220

MANAGER: Jamie Loader, Acting Director Development and Building

AUTHOR: Scott Rathgen; Team Coordinator

SUMMARY

A Section 96 Application has been received to amend the consent by deleting Condition No 44 which imposed a time limit on the consent. The application has been examined having regard to the matters for consideration detailed in section 79C of the Environmental Planning and Assessment (EP&A Act) Act and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

Applicant	D. & K. Miller
Owner	D. & K. Miller
Application No	DA1482/2009/A
Description of Land	Lot 165 DP 18958 No 4 Manly Parade The Entrance North
Proposed Development	Dwelling
Site Area	575.4 sq metres
Zoning	2B Multiple Dwelling Zone

RECOMMENDATION

That Council grant consent, to modify Condition No 44 of Development Consent No 1482/2009/A, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, subject to the conditions detailed in the schedule attached to the report.

PRECIS

- Development Consent granted for the dwelling at 4 Manly Parade, The Entrance North under DA1482/2009
- Time limited consent due to issues with sea level rise.
- This modification is seeking the removal of this condition.

INTRODUCTION

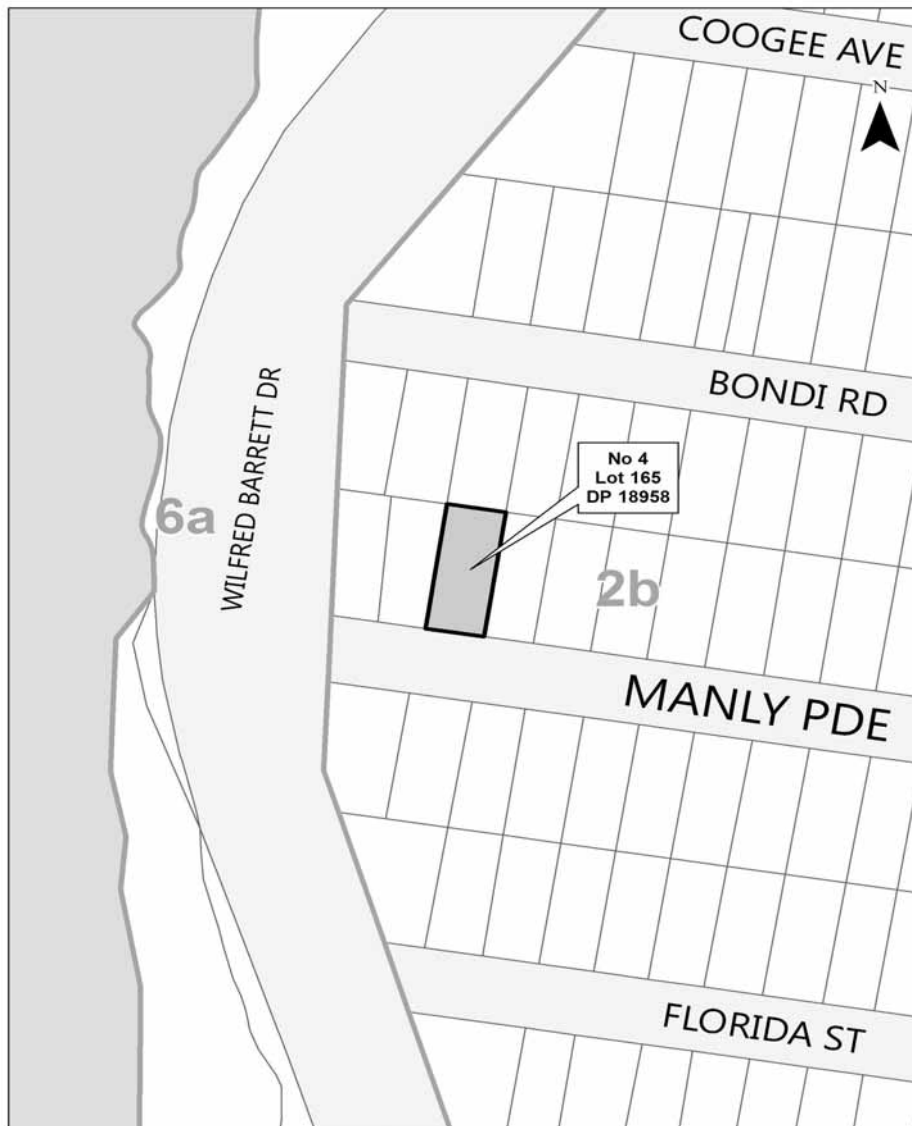
The site at 4 Manly Parade The Entrance North is currently developed with a single storey dwelling constructed under Development Consent No. 1482/2009. Council imposed a time limited consent due to issues related to sea level rise projections. Condition No 44 requires the dwelling to be removed by April of 2050.

2.3 DA 1482/2009/A - Section 96 Application to Amend Conditions of Consent for a dwelling at The Entrance North (contd)

As a consequence of Council's resolution of the 10th of October 2012 the applicant is now seeking to modify the consent by removing this condition.

The Site

The subject site, known as No 4 Manly Parade, The Entrance North is located on the northern side of Manly Parade. It has an area of 580.6m², is generally level, currently vacant and is located approximately 75m east of Tuggerah Lake. Existing development in the surrounding area comprises a mix of single and two storey dwellings, dual occupancies and multiple unit developments. The subject site and surrounding land at The Entrance North are low lying, with most of the area being flood affected.



HISTORY

Development Consent granted for the dwelling at 4 Manly Parade The Entrance North DA1482/2009 with the following condition.

2.3 DA 1482/2009/A - Section 96 Application to Amend Conditions of Consent for a dwelling at The Entrance North (contd)

“44 *In accordance with Section 80A(1) (d) and 80A(1) (e) of the Environmental Planning and Assessment Act, 1979, this consent will expire 40 years from the date of issue of the consent, i.e. on 19 April 2050*

At the expiry of this period the dwelling the subject of this consent shall be removed from the land and the land shall be regraded to approximately the levels existing as at the issue of this consent and turfed to prevent soil erosion.

Council may consider a modification to this condition of the consent, within a period not greater than 12 months prior to the expiry date, subject to the applicant lodging information to verify that the development complies with the then current Council and State Flood Policies”.

The recommendation of staff for this original application was to defer consideration of the application and request the applicant to redesign the proposal to incorporate a floor level of 3.6 metres ADH for the proposed dwelling-house.

This recommendation was not endorsed by Council and the development was ultimately approved as a time limited consent. This decision was made due to the 2.7 m flood planning level incorporating a 500mm freeboard to the 1% AEP flood level. Effectively this freeboard gave an allowance for climate change to address some of the uncertainty associated with estimating climate change impacts. The time limited consent also gave opportunity to review any actual climate change impacts that might occur.

Council, at its meeting held 10 October 2012;

“RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TAYLOR:

- 1 *That Council acknowledge that the 2009 NSW Sea Level Rise Policy Statement is no longer NSW Government Policy.*
- 2 *That Council acknowledge the recommendation of the NSW State Government to consider an interim policy arrangement prior to the formal adoption of sea level rise projections.*
- 3 *That Council resolve that its sea level rise interim policy consist of compliance with the 1% AEP flood level and 500mm freeboard allowance.*
- 4 *That Council request the State Government to refer back to Council the adopted Wyong Shire Coastal Zone Management Plan for Council’s review.*
- 5 *That the General Manager provide an urgent briefing to Council on the implications of the State Government’s recent coastal reforms.*
- 6 *That the General Manager report back to Council on a program, cost estimate and timeframe for the review of current adopted Council policies that incorporate provisions in respect of sea level rise, including the adopted Wyong Shire Coastal Zone Management Plan.*
- 7 *In circumstances where existing Government legislation or policy conflicts with Council’s policy in No 3 above, the General Manager ensure that the matter is brought to Council for determination.*
- 8 *That Council write to all holders of existing DA’s that have time limited consents due to sea level rise issues and advise of the change in Council policies and*

2.3 DA 1482/2009/A - Section 96 Application to Amend Conditions of Consent for a dwelling at The Entrance North (contd)

invite them to submit Section 96 applications to remove the time limit from their consents.

9 That Council waive all fees associated with any such Section 96 applications.

FOR: COUNCILLORS EATON, GRAHAM, MCBRIDE, MCNAMARA, VINCENT AND WEBSTER

AGAINST: COUNCILLORS SYMINGTON AND WYNN"

On the 25 October 2012 Council wrote to the applicant inviting them to submit a Section 96 application to remove the time limit from their consent.

PERMISSIBILITY

The subject site is zoned 2B Multiple dwelling zone under the Wyong Local Environmental Plan (WLEP) 1991.

RELEVANT STATE/COUNCIL POLICIES AND PLANS

The Council has assessed the proposal against the relevant provisions of the following environmental planning instruments, plans and policies:

NSW Flood Plain Development Manual

The subject site is located within an existing high hazard flood area and the NSW Flood Plain Development Manual ('The Manual') requires that a safe (i.e. low hazard flooding) escape route be available for the residents. Given the location of the site and surrounding topography, there is no opportunity to provide an escape route during a flood event.

The Manual provides that a 0.5m freeboard is adopted for general residential development to ensure there is a factor of safety. This freeboard includes a component related to climate change impacts on flood levels in both coastal and non-coastal areas and for a wide variation in sensitivity of estimated design flood levels as well as other unquantified factors such as wind-wave impacts. The freeboard provides only a relatively small allowance to accommodate some of the projected increases in rainfall intensity of flood-producing storm events associated with climate change, which has currently not been accurately quantified or included with the sea level rise projections.

A habitable floor level of RL2.70m AHD would provide safe harbour and sufficient opportunity for residents to remain in the dwelling or alternatively to enable rescue during a 1% AEP flood event. This floor level would not provide safe harbourage should climate change projections prove correct, however the 500mm freeboard contained within this flood planning level does afford a safety factor and address some of the uncertainty associated with estimating climate change impacts.

Taking the above into consideration, the proposal is consistent with the requirements of the NSW Flood Plain Development Manual.

ECOLOGICALLY SUSTAINABLE PRINCIPLES

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

2.3 DA 1482/2009/A - Section 96 Application to Amend Conditions of Consent for a dwelling at The Entrance North (contd)

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

ASSESSMENT

Having regard for the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act (EP&A Act) 1979 and other statutory requirements, Council's policies and Section 149 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

Environmental Planning and Assessment Act 1979

The applicant seeks amendment to DA 1482/2009 under Section 96(1A) of EP&A Act 1979.

The requirements for an application for modification of development consent are contained within Section 115(1)(a) – (i) of the Environmental Planning and Assessment Regulation 2000. This section describes the information necessary to make an application. In this regard the application comprises owner's authority (to submit the application), description of the modification and likely impacts thereof in addition to supporting documentation. It is considered that the information accompanying the application satisfies the responsibilities of the applicant under the provisions of the regulation. The Consent Authority (in this instance WSC) thereafter assesses the application under the heads of consideration of Section 79C of the EP&A Act.

Council considered the proposal to be substantially the same development and therefore assessed the application pursuant to Section 96.

THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES (s79C(1)(a)(i-iv):

Council, at its meeting held 10 October 2012 resolved to acknowledge that the State Government 2009 NSW sea level rise policy statement is no longer State Government Policy. Accordingly the imposition of time limited consents due to Sea Level rise projections is no longer appropriate.

Under these circumstances the removal of the time limited consent condition is justified.

THE LIKELY IMPACTS OF THE DEVELOPMENT (s79C(1)(b)):

*The relationship to the regional and local **context and setting**.*

Nil to report.

*The **access, transport and traffic management measures**.*

Nil to report.

*The impact on the **public domain** (recreation, public open space, pedestrian links).*

Nil to report.

2.3 DA 1482/2009/A - Section 96 Application to Amend Conditions of Consent for a dwelling at The Entrance North (contd)

*The impact on **utilities** supply.*

Nil to report.

*The effect on **heritage** significance.*

Nil to report.

*Any effect on **other land resources**.*

Nil to report.

*Any impact on the conservation of **water**.*

Nil to report.

*Any effect on the conservation of **soils** or acid sulphate soils.*

Nil to report.

*Any effect on quality of **air and microclimate conditions**.*

Nil to report.

*Any effect on the **flora and fauna**..*

Nil to report.

*The provision of **waste** facilities.*

Nil to report.

*Whether the development will be **energy** efficient.*

Nil to report.

*Whether the development will cause **noise and vibration**.*

Nil to report.

*Any risks from **natural hazards** (flooding, tidal inundation, bushfire, subsidence, slip etc).*

The issues relating to Sea level Rise projections resulting in Council originally imposing a time limited consent are no longer State Government policy and accordingly in accordance with the Council resolution of the 10th of October 2012 this imposition can be removed from the consent.

*Any risks from **technological hazards**.*

Nil to report.

*Whether the development provides **safety, security and crime prevention**.*

Nil to report.

2.3 DA 1482/2009/A - Section 96 Application to Amend Conditions of Consent for a dwelling at The Entrance North (contd)

Any **social impact** in the locality.

Nil to report.

Any **economic impact** in the locality.

Nil to report.

Any impact of **site design and internal design**.

Nil to report.

Any impacts of **construction** activities (construction site management, protection measures).

Nil to report.

Any **cumulative impacts**.

Nil to report.

THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT (s79C(1)(c)):

Whether the **proposal fits in the locality**.

Nil to report.

THE PUBLIC INTEREST (s79C(1)(e)):

Any **Federal, State and Local Government interests and community interests**.

The issues relating to Sea level Rise projections resulting in Council originally imposing a time limited consent are no longer State Government policy and accordingly in accordance with the Council resolution of the 10th of October 2012 this imposition can be removed from the consent.

CONCLUSION

Council, at its meeting held 10 October 2012 resolved to acknowledge that the State Government 2009 NSW sea level rise policy statement is no longer State Government Policy. Accordingly the imposition of time limited consents due to Sea Level rise projections is no longer appropriate.

Under these circumstances the removal of the time limited consent condition is justified and the application is recommended for approval.

ATTACHMENTS

1 Draft Conditions of Consent D03291228

**PROPOSED CONDITIONS – DA 1482/2009/A
4 Manly Parade, THE ENTRANCE NORTH**

- 1 The development taking place in accordance with the approved development plans reference number 4101 Sheets 1 to 9 prepared by Westminster Homes dated 9 April 2010 except as modified by any conditions of this consent, and any amendments in red.

Prior to Release of Construction Certificate:

The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.

Certificates/Engineering Details

- 2 A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.

Certificates/Engineering Details

- 3 The submission of details to Council confirming the location and depth of the sewer main and connection point in relation to the floor level prior to issue of a Construction Certificate, to demonstrate that appropriate connection and fall to the sewer can be achieved.

Erosion and Sediment Control – Building Sites

- 4 Prior to the issue of a Construction Certificate, the submission to the Principal Certifying Authority of design plans for the control of soil erosion on the site and the prevention of silt discharge into drainage systems and waterways in accordance with Council's Policy E1 - Erosion and Sediment Control from Building Sites or "Soils and Construction – Managing Urban Stormwater" (Blue Book) The design plans must be approved by the Principal Certifying Authority or an appropriately Accredited Certifier prior to issue of the Construction Certificate.

Flooding

- 5 The design of the development must comply with Council's Flood Prone Land Development Policy No. F5 and in particular:
 - The provision to Council of a satisfactory Structural Certificate from a qualified Engineer as to all proposed structures and building stability in relation to all loadings associated with flooding up to and including 1% AEP flood level of 2.2 metres AHD.

- The minimum habitable floor level is 2.7 metres AHD.
- 6 All electrical outlets and fixtures will require protection of a “residual current device” (safety switch) to protect against flood waters. Storage of hazardous or toxic materials is to be 0.5 metres above the identified flood level of 2.2 metres AHD.

Rainwater Tanks

- 7 The rainwater tanks are to be relocated at least 450mm from the side boundary. An amended plan is to be submitted and approved by Council prior to issue of the Construction Certificate.

Prior to Commencement of Works:

The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.

Approved Plans

- 8 A copy of the stamped approved plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

Acoustic

- 9 Construction work may only be undertaken in accordance with the provisions of the Environmental Protection Authority's 'Environmental Noise Control Manual-Guidelines for Construction Noise' as identified below:

Monday to Saturday 7.00 am to 5.00 pm.

Work is not to be carried out on Sundays or Public Holidays.

Dilapidation

- 10 A dilapidation report must be submitted to Council as the Roads Authority prior to the commencement of any works. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, water supply, sewer works, street trees, street signs or any other Council assets in the vicinity of the development.

Erosion and Sediment Control

- 11 The provision of soil erosion and silt controls on the site in accordance with Council's Policy E1 - Erosion and Sediment Control from Building Sites and Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development and the approved development plans prior to any works commencing on the site. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 12 Sand and other materials that could potentially be washed off the site during rain periods are to be stored behind the silt control barrier. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**

- 13 The provision of a metal groyne/s or kerb inlet trap/s to the downstream drainage pit/s of the street drainage system to prevent any silt that may have left the site from entering the drainage system. The build up of silt and debris must be removed from the site on a daily basis. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 14 The display of an appropriate sign to promote the awareness of the importance of the maintenance of sediment control techniques on the most prominent sediment fence or erosion control device, for the duration of the project. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**

Flooding

- 15 Building materials used or located below 2.2 metres AHD are to be flood compatible.
- 16 No filling greater than 100mm is permitted without Council approval.

Home Building Act

- 17 In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, there shall be such a contract in force in accordance with the requirements of the Home Building Act 1989.
- 18 Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

In the case of work to be done by the holder of a contractor licence under that Act:

- the name and licence number of the contractor; and
- the name of the insurer by whom the work is insured under Part 6 of that Act.

In the case of work to be done by the holder of an owner-builder permit under that Act:

- the name and permit number of the owner-builder.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Plumbing and Drainage

- 19 Council as the water supply authority, or in unsewered areas where an onsite sewage management facility is to be installed, Council is to be notified to undertake inspections of the internal drainage, (prior to the pouring of the concrete slab), and external drainage prior to the backfilling of the trenches. These inspections can be arranged by telephoning Council's customer services section on 4350 5555 a minimum of 24 hours prior to the required time for the inspection. **Note: All drainage inspection fees are to be paid to Council prior to these inspections being undertaken.**

Site Requirements

- 20 The provision of a temporary closet on site from the time of commencement of building work to ensure that adequate sanitary provisions are provided and maintained on the building site for use by persons engaged in the building activity. The temporary closet is to be a water closet connected to the sewerage system or approved septic tank or a chemical closet supplied by a licensed contractor.
- 21 The provision of a metal waste skip (with self-closing lid or secure covering) or lined mesh steel cage(s) in accordance with the requirements of DCP 2005, Chapter 100 – Quality Housing, on site for the duration of the construction to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. **Note: On the spot fines may be imposed by Council for pollution incidents.**
- 22 Waffle pods used in the construction of the building are not to be delivered to the site unless wrapped or securely tied. The waffle pods are to remain secured on site until they are used to prevent damage by wind and to prevent broken portions of the pods being blown from the site. Immediately upon positioning the pods in the construction of the building, off cuts and unused pods must be wrapped in plastic or a similar material. The remaining pods and off cuts are to be removed from the site within 24 hours.
- 23 All building materials, plant and equipment must be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on Council's recreation reserves and/or road reserves is prohibited. **Note: On the spot fines may be imposed by Council for non-compliance with this condition.**
- 24 The provision of a hoarding or safety fence between the work site and the public place in accordance with Work Cover Authority requirements, for the duration of the project. Details to be submitted to the Principal Certifying Authority/appropriately Accredited Certifier unless the hoarding is required within the footpath area where approval from Council under the Roads Act as the Roads Authority is required.

- 25 The Principal Contractor (or Owner/Builder) is to erect a sign in a prominent position on the site (not attached to any tree) identifying the name, address and telephone number of the Principal Certifying Authority (PCA) for the work; the name, address and telephone number (including a number for outside of business hours) of the Principal Contractor for the work (or Owner/Builder); and stating that unauthorised entry to the site is prohibited. The sign must be maintained while the work is being carried out and is to be removed when the work is completed. Appropriate signs can be collected from Council's Customer Service Centre, where Council is the nominated PCA.
- 26 No works, vehicles or materials are permitted within the footpath, reserve or adjacent allotment areas highlighted on the approved site plan.

Water and Sewer Services/Infrastructure

- 27 The sewer manhole is to be located and then protected for the duration of construction, to ensure that access is available at all times. The approval of Council is required should the level of the manhole need to be raised or lowered.
- 28 The interallotment drainage pit and other services and utilities located on the site are to be protected during construction.

During Construction Works:

The following conditions must be satisfied during construction works.

No conditions

Prior to Release of Occupation Certificate:

The following conditions must be satisfied prior to the release of an Occupation / Subdivision Certificate.

BASIX

- 29 Pursuant to Clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this Development Consent that all the commitments listed in the BASIX Certificate for the development are fulfilled. All work is to be satisfactorily completed prior to the issue of the Occupation Certificate.
- 30 The provision of the rainwater tank in the approved location including plumbing to collect rainwater from the roof area as detailed in the BASIX Certificate. The tank is to be installed in accordance with the requirements of the National Plumbing and Drainage Code AS/NZS 3500, shall include first flow diversion devices fixed to all inflows, be provided with a functioning pressure pump, and be plumbed to service all fixtures as detailed in the BASIX Certificate. The tank must be controlled such that supplement flows from domestic mains do not take place until the tank is at least 80% empty. Overflow from the rainwater reuse tank is to be directed to Council's road drainage system.

Building Code of Australia

- 31 Compliance with the relevant provisions and requirements of the Building Code of Australia.

Dilapidation

- 32 Any damage not shown in the Dilapidation Report submitted to Council before site works had commenced, will be assumed to have been caused as a result of the site works undertaken and must be rectified at the applicant's expense, prior to release of the Occupation/Subdivision Certificate.

Erosion and Sediment Control

- 33 The downpipes and stormwater drainage being installed and connected to the approved stormwater disposal system immediately after the roof materials are positioned to prevent erosion of the site from roof water. **Note: A Compliance Certificate for the frame cannot be issued until the stormwater drainage system is installed.**

Flooding

- 34 All rainwater storage tank(s) must be installed with the stormwater inlet and outlets, air gap for mains water top up at a minimum level of 500mm above the 1% AEP flood. Where the stormwater outlet cannot be located 500mm above the flood level it must be fitted with a non return valve to prevent back flow in accordance with Council's rainwater tank installation guidelines.
- 35 The prevention of any obstruction of surface drainage which could result in the disruption of the amenity, or drainage or deterioration to any other property.
- 36 A flood evacuation plan is to be provided that incorporates the requirements of the Wyong Shire Local Flood Plan and the State Emergency Service. Reference to the flood evacuation plan is to be included on the title for the property.

Plumbing and Drainage

- 37 The hot water installation must deliver hot water not exceeding 50 degrees Celsius at the outlet of the sanitary fixtures used primarily for personal hygiene purposes. Note: Compliance with this temperature limit is optional for kitchen sinks and laundry tubs. AS/NZS 3500 Part 4.2 C1.1.6.2.
- 38 All toilet cisterns, showerheads and taps on bathroom and kitchen hand basins must achieve compliance with the Water Efficiency and Labelling and Standards Scheme (WELS).
- 39 The sewer surcharge gully is to be relocated clear of the proposed building to facilitate access.

Stormwater

- 40 Roof water from the building and the overflow from the water tank is to be disposed of into Council's street gutter drainage system and the existing outlet that has been provided through the kerb is to be utilised.

Vehicle Access and Parking

- 41 The design and construction of a non-slip finish driveway with a decorative finish in the location shown on the approved plans. All works are to be completed prior to release of the Occupation Certificate.

Water and Sewer Services/Infrastructure

- 42 The surcharge gully for the development must be a minimum of 150mm below floor level and 75mm above the finished ground level.
- 43 All water and sewer works for the development must be approved by Council prior to the issue of an Occupation Certificate.

Ongoing Operation:

The following conditions must be satisfied during use / occupation of the development.

2.4 DA 66/2010/A - Section 96 Application to delete Consent Condition for a Dwelling at The Entrance North

TRIM REFERENCE: DA/66/2010/A - D03291525

MANAGER: Jamie Loader, Acting Director Development and Building

AUTHOR: Scott Rathgen; Team Coordinator

SUMMARY

A Section 96 application has been received to modify the consent by deleting condition No. 60 which imposed a time limit on the consent. The application has been examined having regard to the matters for consideration detailed in section 79C of the Environmental Planning and Assessment (EP&A) Act and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

Applicant	Urusa Pty Ltd
Owner	Urusa Pty Ltd
Application No	DA/66/2010/A
Description of Land	Lot 8 DP18519 No 26 Stewart St The Entrance North
Proposed Development	Dwelling
Site Area	581.70 sq metres
Zoning	2 B Multiple Dwelling Zone

RECOMMENDATION

That Council grant consent, to modify Condition No 60 of Development Consent 66/1010/A, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, subject to the conditions detailed in the schedule attached to the report.

PRECIS

- Development Consent granted for dwelling at 26 Stewart Street, The Entrance North under DA 66/2010.
- Time Limited consent due to issues with sea level rise.
- This modification seeks to remove this condition.

INTRODUCTION

The site is located at 26 Stewart Street, The Entrance North and is currently developed with a single storey dwelling constructed under Development Consent No. 66/2010. Council imposed a time limited consent due to issues related to sea level rise projections. Condition No.60 requires the dwelling to be removed by July of 2050.

2.4 DA 66/2010/A - Section 96 Application to delete Consent Condition for a Dwelling at The Entrance North (contd)

Condition No. 7 of this consent also required the creation of an 88b restriction as to user on the title indicating that this Development Consent will expire after 40 years. The applicant also requests that Council permit the removal of this restriction upon the determination of this application.

As a consequence of Council's resolution of the 10th of October 2012 the applicant is now seeking to modify the consent by removing condition No. 60.



HISTORY

Development Consent granted for the dwelling at 26 The Entrance North DA/66/2010 with the following condition.

“60 In accordance with Section 80A(1) (d) and 80A(1) (e) of the Environmental Planning and Assessment Act, 1979, this consent will expire 40 years from the date of issue of the consent, i.e. on 28 July 2050.”

At the expiry of this period the dwelling the subject of this consent shall be removed from the land and the land shall be regraded to approximately the levels existing as at the issue of this consent and turfed to prevent soil erosion.

2.4 DA 66/2010/A - Section 96 Application to delete Consent Condition for a Dwelling at The Entrance North (contd)

Council may consider a modification to this condition of the consent, within a period not greater than 12 months prior to the expiry date, subject to the applicant lodging information to verify that the development complies with the then current Council and State Flood Policies.”

The recommendation of staff for this original application was to defer consideration of the application and request the applicant to redesign the proposal to incorporate a floor level of 3.6 metres ADH for the proposed dwelling-house.

This recommendation was not endorsed by Council and the development was ultimately approved as a time limited consent. This decision was made due to the 2.7 m flood planning level incorporating a 500mm freeboard to the 1% AEP flood level. Effectively this freeboard gave an allowance for climate change to address some of the uncertainty associated with estimating climate change impacts. The time limited consent also gave opportunity to review any actual climate change impacts that might occur.

Council, at its meeting held 10 October 2012;

“RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TAYLOR:

- 1 That Council acknowledge that the 2009 NSW Sea Level Rise Policy Statement is no longer NSW Government Policy.*
- 2 That Council acknowledge the recommendation of the NSW State Government to consider an interim policy arrangement prior to the formal adoption of sea level rise projections.*
- 3 That Council resolve that its sea level rise interim policy consist of compliance with the 1% AEP flood level and 500mm freeboard allowance.*
- 4 That Council request the State Government to refer back to Council the adopted Wyong Shire Coastal Zone Management Plan for Council’s review.*
- 5 That the General Manager provide an urgent briefing to Council on the implications of the State Government’s recent coastal reforms.*
- 6 That the General Manager report back to Council on a program, cost estimate and timeframe for the review of current adopted Council policies that incorporate provisions in respect of sea level rise, including the adopted Wyong Shire Coastal Zone Management Plan.*
- 7 In circumstances where existing Government legislation or policy conflicts with Council’s policy in No 3 above, the General Manager ensure that the matter is brought to Council for determination.*
- 8 That Council write to all holders of existing DA’s that have time limited consents due to sea level rise issues and advise of the change in Council policies and invite them to submit Section 96 applications to remove the time limit from their consents.*
- 9 That Council waive all fees associated with any such Section 96 applications.*

FOR: COUNCILLORS EATON, GRAHAM, MCBRIDE, MCNAMARA, VINCENT AND WEBSTER

AGAINST: COUNCILLORS SYMINGTON AND WYNN”

2.4 DA 66/2010/A - Section 96 Application to delete Consent Condition for a Dwelling at The Entrance North (contd)

On the 25 October 2012 Council wrote to the applicant inviting them to submit a Section 96 application to remove the time limit from their consent.

PERMISSIBILITY

The subject site is zoned 2B Multiple dwelling zone under the Wyong Local Environmental Plan (WLEP) 1991.

RELEVANT STATE/COUNCIL POLICIES AND PLANS

The Council has assessed the proposal against the relevant provisions of the following environmental planning instruments, plans and policies:

NSW Flood Plain Development Manual

The subject site is located within an existing high hazard flood area and the NSW Flood Plain Development Manual ('The Manual') requires that a safe (i.e. low hazard flooding) escape route be available for the residents. Given the location of the site and surrounding topography, there is no opportunity to provide an escape route during a flood event.

The Manual provides that a 0.5m freeboard is adopted for general residential development to ensure there is a factor of safety. This freeboard includes a component related to climate change impacts on flood levels in both coastal and non-coastal areas and for a wide variation in sensitivity of estimated design flood levels as well as other unquantified factors such as wind-wave impacts. The freeboard provides only a relatively small allowance to accommodate some of the projected increases in rainfall intensity of flood-producing storm events associated with climate change, which has currently not been accurately quantified or included with the sea level rise projections.

A habitable floor level of RL2.70m AHD would provide safe harbour and sufficient opportunity for residents to remain in the dwelling or alternatively to enable rescue during a 1% AEP flood event. This floor level would not provide safe harbourage should climate change projections prove correct, however the 500mm freeboard contained within this flood planning level does afford a safety factor and address some of the uncertainty associated with estimating climate change impacts.

Taking the above into consideration, the proposal is consistent with the requirements of the NSW Flood Plain Development Manual.

ECOLOGICALLY SUSTAINABLE PRINCIPLES

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

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

ASSESSMENT

Having regard for the matters for consideration detailed in Section 79C of the EP&A Act 1979 and other statutory requirements, Council's policies and Section 149 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

Environmental Planning and Assessment Act 1979

The applicant seeks amendment to DA 66/2010 under Section 96(1A) of EP&A Act 1979.

The requirements for an application for modification of development consent are contained within Section 115(1)(a) – (i) of the Environmental Planning and Assessment Regulation 2000. This section describes the information necessary to make an application. In this regard the application comprises owner's authority (to submit the application), description of the modification and likely impacts thereof in addition to supporting documentation. It is considered that the information accompanying the application satisfies the responsibilities of the applicant under the provisions of the regulation. The Consent Authority (in this instance WSC) thereafter assesses the application under the heads of consideration of Section 79C of the EP&A Act.

Council considered the proposal to be substantially the same development and therefore assessed the application pursuant to Section 96.

THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES (s79C(1)(a)(i-iv):

Council, at its meeting held 10 October 2012 resolved to acknowledge that the State Government 2009 NSW sea level rise policy statement is no longer State Government Policy. Accordingly the imposition of time limited consents due to Sea Level rise projections is no longer appropriate.

Under these circumstances the removal of the time limited consent condition is justified.

THE LIKELY IMPACTS OF THE DEVELOPMENT (s79C(1)(b)):

*The relationship to the regional and local **context and setting**.*

Nil to report.

*The **access, transport and traffic** management measures.*

Nil to report.

*The impact on the **public domain** (recreation, public open space, pedestrian links).*

Nil to report.

*The impact on **utilities** supply.*

Nil to report.

2.4 DA 66/2010/A - Section 96 Application to delete Consent Condition for a Dwelling at The Entrance North (contd)

*The effect on **heritage** significance.*

Nil to report.

*Any effect on **other land resources**.*

Nil to report.

*Any impact on the conservation of **water**.*

Nil to report.

*Any effect on the conservation of **soils** or acid sulphate soils.*

Nil to report.

*Any effect on quality of **air and microclimate conditions**.*

Nil to report.

*Any effect on the **flora and fauna**..*

Nil to report.

*The provision of **waste** facilities.*

Nil to report.

*Whether the development will be **energy** efficient.*

Nil to report.

*Whether the development will cause **noise and vibration**.*

Nil to report.

*Any risks from **natural hazards** (flooding, tidal inundation, bushfire, subsidence, slip etc).*

The issues relating to Sea level Rise projections resulting in Council originally imposing a time limited consent are no longer State Government policy and accordingly in accordance with the Council resolution of the 10th of October 2012 this imposition can be removed from the consent.

*Any risks from **technological hazards**.*

Nil to report.

*Whether the development provides **safety, security and crime prevention**.*

Nil to report.

*Any **social impact** in the locality.*

2.4 DA 66/2010/A - Section 96 Application to delete Consent Condition for a Dwelling at The Entrance North (contd)

Nil to report.

*Any **economic impact** in the locality.*

Nil to report.

*Any impact of **site design and internal design**.*

Nil to report.

*Any impacts of **construction** activities (construction site management, protection measures).*

Nil to report.

*Any **cumulative impacts**.*

Nil to report.

THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT (s79C(1)(c)):

*Whether the **proposal fits in the locality**.*

Nil to report.

THE PUBLIC INTEREST (s79C(1)(e)):

*Any **Federal, State and Local Government interests and community interests**.*

The issues relating to Sea level Rise projections resulting in Council originally imposing a time limited consent are no longer State Government policy and accordingly in accordance with the Council resolution of the 10th of October 2012 this imposition can be removed from the consent.

CONCLUSION

Council, at its meeting held 10 October 2012 resolved to acknowledge that the State Government 2009 NSW sea level rise policy statement is no longer State Government Policy. Accordingly the imposition of time limited consents due to Sea Level rise projections is no longer appropriate.

Under these circumstances the removal of the time limited consent condition is justified and the application is recommended for approval. Upon this Development Consent being granted Council should also permit the removal of the covenant on the title.

ATTACHMENTS

1 Draft Conditions of Consent D03291601

**PROPOSED CONDITIONS – DA 66/2010/A
26 Stewart Street, THE ENTRANCE NORTH**

- 1 The development taking place in accordance with the approved development plans reference number DA/66/2010 Drawing NO. A01, A02, A03, A04, A05 & A06, Issue A dated January 2010 drawn by *Pre-Tech Pty Ltd* except as modified by any conditions of this consent, and any amendments in red.

Prior to Release of Construction Certificate:

The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.

Certificates/Engineering Details

- 2 The submission of details to Council confirming the location and depth of the sewer main and connection point in relation to the floor level prior to issue of a Construction Certificate, to demonstrate that appropriate connection and fall to the sewer can be achieved.
- 3 A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.
- 4 Satisfactory structural plans prepared by a suitably qualified Structural Engineer must be submitted to the Principal Certifying Authority for the reinforced concrete footings, slabs and piers prior to the issue of a Construction Certificate.

Flooding

- 5 The design of the development must comply with Council's Flood Prone Land Development Policy No F5 and the NSW flood Plain Development Manual, and in particular:
 - In accordance with the NSW Floodplain Development Manual, where a safe low hazard escape route is unavailable for the designated flood (1% AEP flood event for Wyong Shire) the Possible Maximum Flood level is to be considered for protection works. Therefore, Council will require the provision of a satisfactory structural certificate from a qualified Engineer as to all proposed structures and buildings stability in relation to all loadings associated with flooding up to and including the possible maximum flood level of 2.7m AHD.
 - The minimal habitable floor level is 2.7m AHD.

1. All electrical outlet and fixtures will require the protection of a “residual current device” (safety switch) to protect against flood waters. Storage of hazardous or toxic materials is to be 0.5m above the identified flood level of 2.2m AHD.
- 7 Prior to the issue of an Construction Certificate, the applicant must create a restriction as to user under Section 88E of the Conveyancing Act 1919 with the Council having the benefit of the covenant and having the sole authority to release, vary or modify the covenant indicating that Development Consent No 66/2010 will expire 40 years from the date of issue of the consent ie; 28 July 2010.

Erosion and Sediment Control – Building Sites

- 8 Prior to the issue of a Construction Certificate, the submission to the Principal Certifying Authority of design plans for the control of soil erosion on the site and the prevention of silt discharge into drainage systems and waterways in accordance with Council's Policy E1 - Erosion and Sediment Control from Building Sites or “Soils and Construction – Managing Urban Stormwater” (Blue Book) The design plans must be approved by the Principal Certifying Authority or an appropriately Accredited Certifier prior to issue of the Construction Certificate.

Roads

- 9 The provision of a vehicular access crossing in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development. The design plans must be approved by the Roads Authority prior to the issue of a Construction Certificate.

Prior to Commencement and During Works:

The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.

Approved Plans

- 10 A copy of the stamped approved plans must be kept on site for the duration of site works and be made available upon request to either the Principal Certifying Authority or an officer of the Council.

Acoustic

- 11 Construction work may only be undertaken in accordance with the provisions of the Environmental Protection Authority's 'Environmental Noise Control Manual-Guidelines for Construction Noise' as identified below:

Monday to Saturday 7.00 am to 5.00 pm.

Work is not to be carried out on Sundays or Public Holidays.

Building Code of Australia

- 12 The WC, bathroom or laundry must be provided with artificial light and a system of mechanical ventilation in accordance with the requirements of Part 3.8.5 of the Building Code of Australia, should natural light or ventilation not be readily available.
- 13 The door to the fully enclosed sanitary compartment must open outwards, slide or be readily removable from the outside of the compartment unless there is a clear space of at least 1.2 metres between the closet pan and the nearest part of the doorway.
- 14 The balustrade is to be at a minimum height of 1.0 metre above the finished floor level and be constructed so that any opening does not permit a 125mm sphere to pass through it in accordance with Part 3.9.2 of the Building Code of Australia. For floors more than 4.0 metres above the ground, any horizontal elements within the balustrade must not facilitate climbing. A wire balustrade must be constructed so that it complies with the tension and deflection requirements of Table 3.9.2.1 of the Building Code of Australia.
- 15 Stair construction must comply with Part 3.9.1 of the Building Code of Australia.

Construction

- 16 Any excavation below the level of footings of buildings on adjoining allotments requires the preservation and protection of the buildings from damage, and if necessary, underpinning and support of the building in a manner certified by a Practising Structural Engineer. In circumstances where the excavation could result in damage to the adjoining property, underpinning works shall be undertaken immediately after excavation works are completed. Alternatively, the approved retaining walls shall be constructed. The owner of the adjoining property must be given written notice of the intention to excavate and provided with details of the proposed work at least seven (7) days prior to excavation.
Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.

Demolition

- 17 Building demolition work is to be carried out in accordance with the requirements/provisions of the AS2601-2001 - The Demolition of Structures.
- 18 Prior to the demolition and/or removal of existing structures on site, all existing services are to be disconnected, sealed and made safe. The sewer and water service is to be disconnected by a licensed plumber and drainer. A Start Work Docket must be submitted to Council and Council's Plumbing and Drainage Inspector must certify that the works have been undertaken to the satisfaction of Council.
- 19 The disposal of any asbestos materials must be in accordance with the requirements of WorkCover NSW and AS2601-2001 – *The Demolition of Structures*. The asbestos materials are to be disposed of at an approved waste management facility in accordance with the procedures the facility has for the disposal of asbestos. Upon completion of these works, Council is to be supplied with disposal receipts within seven (7) days to verify that this requirement has been complied with.

Dilapidation

- 20 A dilapidation report must be submitted to Council as the Roads Authority prior to the commencement of any works. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, water supply, sewer works, street trees, street signs or any other Council assets in the vicinity of the development.

Erosion and Sediment Control

- 21 The provision of soil erosion and silt controls on the site in accordance with Council's Policy E1 - Erosion and Sediment Control from Building Sites and Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development and the approved development plans prior to any works commencing on the site. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 22 The provision of soil erosion and silt controls on the site in accordance with Council's Development Control Plan 2005, Chapter 67 – Engineering Requirements for Development and/or Construction - Managing Urban Stormwater (Blue book) and the approved development plans prior to any works commencing on the site. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 23 Sand and other materials that could potentially be washed off the site during rain periods are to be stored behind the silt control barrier. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 24 The provision of a metal groyne/s or kerb inlet trap/s to the downstream drainage pit/s of the street drainage system to prevent any silt that may have left the site from entering the drainage system. The build up of silt and debris must be removed from the site on a daily basis. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 25 The display of an appropriate sign to promote the awareness of the importance of the maintenance of sediment control techniques on the most prominent sediment fence or erosion control device, for the duration of the project. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**

General

- 26 The developer is responsible for any costs relating to alterations and extensions of existing roads, drainage, Council services and other services for the purposes of the development.

Flooding

- 27 Building materials used or located below 2.2m AHD are to be flood compatible.
- 28 No filling greater than 100mm is permitted without Council approval.

Home Building Act

- 29 In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, there shall be such a contract in force in accordance with the requirements of the Home Building Act 1989.
- 30 Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

In the case of work to be done by the holder of a contractor licence under that Act:

- the name and licence number of the contractor; and
- the name of the insurer by whom the work is insured under Part 6 of that Act.

In the case of work to be done by the holder of an owner-builder permit under that Act:

- the name and permit number of the owner-builder.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified above becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the council) has given the council written notice of the updated information.

Plumbing and Drainage

- 31 Council as the water supply authority, or in unsewered areas where an onsite sewage management facility is to be installed, Council is to be notified to undertake inspections of the internal drainage, (prior to the pouring of the concrete slab), and external drainage prior to the backfilling of the trenches. These inspections can be arranged by telephoning Council's customer services section on 4350 5555 a minimum of 24 hours prior to the required time for the inspection. **Note: All drainage inspection fees are to be paid to Council prior to these inspections being undertaken.**

Site Requirements

- 32 The provision of a temporary closet on site from the time of commencement of building work to ensure that adequate sanitary provisions are provided and maintained on the building site for use by persons engaged in the building activity. The temporary closet is to be a water closet connected to the sewerage system or approved septic tank or a chemical closet supplied by a licensed contractor.

- 33 The provision of a metal waste skip (with self-closing lid or secure covering) or lined mesh steel cage(s) in accordance with the requirements of DCP 2005, Chapter 100 – Quality Housing, on site for the duration of the construction to ensure that all wastes are contained on the site. The receptacle is to be emptied periodically to reduce the potential for rubbish to leave the site. **Note: On the spot fines may be imposed by Council for pollution incidents.**
- 34 In accordance with the requirements of Council's Development Control Plan 2005, Chapter 69 - Controls for Site Waste Management, an on site storage area for reuse, recycling and disposal of materials is to be provided during construction. Concrete, brick, tile and excavation material is to be given first priority for reuse and recycling.
- 35 Waffle pods used in the construction of the building are not to be delivered to the site unless wrapped or securely tied. The waffle pods are to remain secured on site until they are used to prevent damage by wind and to prevent broken portions of the pods being blown from the site. Immediately upon positioning the pods in the construction of the building, off cuts and unused pods must be wrapped in plastic or a similar material. The remaining pods and off cuts are to be removed from the site within 24 hours.
- 36 All building materials, plant and equipment must be placed on the site of the development so as to ensure that pedestrian and vehicular access in public places is not restricted and to prevent damage to the road reserve. The storage of building materials on Council's recreation reserves and/or road reserves is prohibited. **Note: On the spot fines may be imposed by Council for non-compliance with this condition.**
- 37 The provision of a hoarding or safety fence between the work site and the public place in accordance with Work Cover Authority requirements, for the duration of the project. Details to be submitted to the Principal Certifying Authority/appropriately Accredited Certifier unless the hoarding is required within the footpath area where approval from Council under the Roads Act as the Roads Authority is required.
- 38 The Principal Contractor (or Owner/Builder) is to erect a sign in a prominent position on the site (not attached to any tree) identifying the name, address and telephone number of the Principal Certifying Authority (PCA) for the work; the name, address and telephone number (including a number for outside of business hours) of the Principal Contractor for the work (or Owner/Builder); and stating that unauthorised entry to the site is prohibited. The sign must be maintained while the work is being carried out and is to be removed when the work is completed. Appropriate signs can be collected from Council's Customer Service Centre, where Council is the nominated PCA.

Prior to Release of Occupation Certificate:

The following conditions must be satisfied prior to the release of an Occupation Certificate.

BASIX

- 39 Pursuant to Clause 97A(3) of the Environmental Planning and Assessment Regulation 2000, it is a condition of this Development Consent that all the

commitments listed in the BASIX Certificate for the development are fulfilled. All work is to be satisfactorily completed prior to the issue of the Occupation Certificate.

Building Code of Australia

- 40 Compliance with the relevant provisions and requirements of the Building Code of Australia.

Dilapidation

- 41 Any damage not shown in the Dilapidation Report submitted to Council before site works had commenced, will be assumed to have been caused as a result of the site works undertaken and must be rectified at the applicant's expense, prior to release of the Occupation/Subdivision Certificate.

Erosion and Sediment Control

- 42 The provision of a single all weather access way incorporating a vehicle shake down device within the property, extending from the kerb and gutter to the building under construction, so as to provide appropriate access to the site which will reduce the potential for erosion to occur and for materials to be tracked onto the road by vehicles. A diversion drain is to be installed to divert runoff from the accessway into a silt fence. These works are to be in accordance with the requirements of Council's Policy E1 - Erosion and Sediment Control from Building Sites. **Note: On-the-spot fines may be imposed by Council for non-compliance with this condition.**
- 43 The downpipes and stormwater drainage being installed and connected to the approved stormwater disposal system immediately after the roof materials are positioned to prevent erosion of the site from roof water. **Note: A Compliance Certificate for the frame cannot be issued until the stormwater drainage system is installed.**

External Materials

- 44 The construction of the building in appropriately coloured materials of a low reflective quality, or of materials that are painted or similarly treated with appropriately coloured paint or pigment of a low reflective quality, which merge with the landscape of the site and its surroundings.

Flooding

- 45 A flood evacuation plan is to be provided that incorporates the requirements of the Wyong Shire Local Flood Plan and the State Emergency Service. Reference to the flood evacuation plan is to be included on the title for the property.
- 46 Prior to the issue of the Occupation Certificate the surcharge gully for the development must be at a minimum level of RL1.75 metres above Australian Height Datum (when adjacent to Tuggerah Lake) and all plumbing and waste fixtures must be at a minimum level of RL1.9 metres above AHD (when adjacent to Tuggerah Lake). Irrespective of the above a minimum of 150mm must be maintained between the gully and the lowest waste fixture.

Landscaping

- 47 Prior to the issue of an Occupation Certificate, the provision and maintenance of turf to the front setback area in accordance with the provisions of Council's Development Control Plan 2005, Chapter 100 - Quality Housing. Erosion and Sediment Control fencing must remain in place until the turf is established.

Plumbing and Drainage

- 48 The hot water installation must deliver hot water not exceeding 50 degrees Celsius at the outlet of the sanitary fixtures used primarily for personal hygiene purposes. Note: Compliance with this temperature limit is optional for kitchen sinks and laundry tubs. AS/NZS 3500 Part 4.2 C1.1.6.2.
- 49 The provision of the rainwater tank in the approved location including plumbing to collect rainwater from the roof area as detailed in the BASIX Certificate. The tank is to be installed in accordance with the requirements of the National Plumbing and Drainage Code AS/NZS 3500, shall include first flow diversion devices fixed to all inflows, be provided with a functioning pressure pump, and be plumbed to service all fixtures as detailed in the BASIX Certificate. The tank must be controlled such that supplemental flows from domestic mains do not take place until the tank is at least 80% empty.
- 50 All rainwater storage tank(s) must be installed with the stormwater inlet and outlets, air gap for mains water top up at a minimum level of 500mm above the 1% AEP flood. Where the stormwater outlet cannot be located 500mm above the flood level it must be fitted with a non return valve to prevent back flow in accordance with Council's rainwater tank installation guidelines.
- 51 The prevention of any obstruction of surface drainage which could result in the disruption of the amenity, or drainage or deterioration to any other property.
- 52 All toilet cisterns, showerheads and taps on bathroom and kitchen hand basins must achieve compliance with the Water Efficiency and Labelling and Standards Scheme (WELS).
- 53 The sewer surcharge gully is to be relocated clear of the proposed building to facilitate access.

Roads

- 54 All foot paving and gutter crossing works must be approved by Council prior to issue of the Occupation/Subdivision Certificate.

Stormwater

- 55 Roof water from the building and the overflow from the water tank is to be disposed of into Council's street gutter drainage system and the existing outlet that has been provided through the kerb is to be utilised.

Vehicle Access and Parking

- 56 Prior to release of the Occupation Certificate the restoration of any vehicle access rendered redundant by the development, to standard kerb and footpath formation at no cost to Council, in accordance with Council's Development Control Plan 2005, Chapter 67 - Engineering Requirements for Development. All works must be approved by Council under the Roads Act.
- 57 The design and construction of a non-slip finish driveway with a decorative finish in the location shown on the approved plans. All works are to be completed prior to release of the Occupation Certificate.

Water and Sewer Services/Infrastructure

- 58 All water and sewer works for the development must be approved by Council prior to the issue of an Occupation Certificate.

Approved Plans

- 59 Once the development has started in accordance with the approved plans it must be continued and completed to the satisfaction of the Consent Authority.

Ongoing Operation:

The following conditions must be satisfied during use / occupation of the development.

2.5 DA 1033/2012 - Proposed 3 Lot Subdivision at North Wyong

TRIM REFERENCE: DA/1033/2012 - D03293675

MANAGER: Peter Fryar, Manager Development Assessment

AUTHOR: Mark Greer; Senior Development Planner

SUMMARY

An application has been received for an industrial subdivision at North Wyong. The application has been examined having regard to the matters for consideration detailed in section 79C of the Environmental Planning and Assessment Act (EP&A Act) and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

The application is being reported to Council as a Company Director for the Applicant is a Designated person.

Applicant	Eaton & Sons Pty Ltd
Owner	Eaton & Sons Pty Ltd
Application No	1033/2012
Description of Land	Lot 41 DP 1100416, No 1 Naples Place, Wyong
Proposed Development	3 lot subdivision
Site Area	3,990m ²
Zoning	4(a) General Industry

RECOMMENDATION

That Council grant consent, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act 1979 and other relevant issues, subject to the conditions detailed in the schedule attached to the report.

PRECIS

- The subject site is part of the North Wyong industrial estate.
- The site is zoned 4(a) (General Industrial Zone) under the provisions of Wyong Local Environmental Plan 1991 (WLEP 1919).
- The site has an area of 3,990m²
- The subdivision proposes three allotments ranging in size from 1,244m² to 1,440m²
- Development of the site is governed by the site specific control of Chapter 36 "North Wyong Industrial Area" in Development Control Plan 2005.

INTRODUCTION

The Site

The subject site is on the corner of Naples Place and Brussels Road and is a vacant parcel of land.

The land is located within the western part of a new industrial estate at North Wyong. Although not yet physically linked, a road (extension of Donaldson Road from west) will connect the estate with the existing industrial estate accessed from Lucca Road. London Drive currently forms the main estate collector road to the signalised intersection of Pacific Highway.

The site is level with no apparent ground stability issues. A sewer main and inter-allotment drainage easement extends along the northern boundary of the site.



The subject site in the western part of the North Wyong Industrial Estate

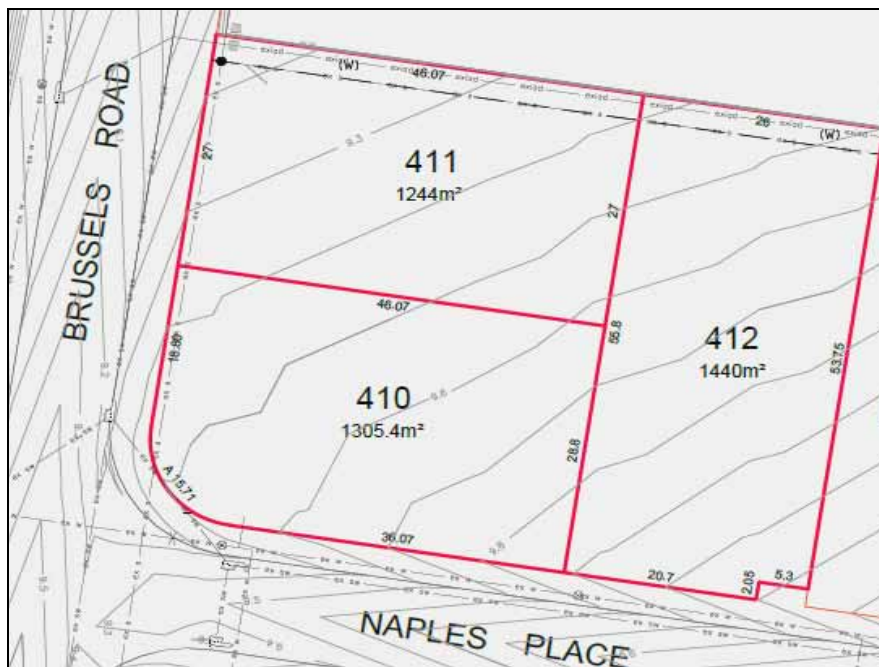


View of site from corner of Naples Place and Brussels Road

The Proposed Development

Development Consent is sought for a subdivision creating three (3) allotments (proposed lots 410, 411 and 412) with a similar size and shape from ranging 1,244m² to 1,440m² [n site area.

The subdivision proposes new water and sewer services. No other civil works are necessary or proposed.



Plan of proposed subdivision

Summary

The North Wyong industrial estate comprises approximately 50 allotments (from the first stage approval in 1993) generally with lot sizes upwards of 2,000m², consistent with the criteria for industrial subdivision development of the time of approval. Recently Council relaxed the minimum subdivision standards focusing on a merit assessment rather than dimension based criteria.

The current application proposes the creation of allotments smaller than those existing the estate or for that matter, elsewhere in other industrial areas. In order to satisfy the objectives of Chapter 36, the applicant is required to demonstrate that it can provide industrial lots that are sufficient in size to cater for future construction and building development, vehicle parking, access and loading facilities; that can maintain and enhance where possible the quality of the streetscape and encourage industrial and business development for employment generating zones by providing a variety of lot sizes for development opportunities.

This report examines the merit of the proposal taking into account current planning considerations and the practical application of the new allotments for the future use.

VARIATIONS TO POLICIES

Nil

HISTORY

The land is part of the industrial subdivision of DA 651/1993 modified on several occasions with the latest version "G" being approved in 2007.

The subject site was registered as part of the staged release in 2006 under Deposited Plan No 1100416 with a drainage easement extending through the land adjacent to the northern boundary.

PERMISSIBILITY and THE PROVISIONS OF RELEVANT INSTRUMENTS/PLANS/ POLICIES (s79C(1)(a)(i-iv):

Environmental Planning and Assessment Act 1979

The application is subject to the heads of consideration under Section 79C of the EP&A Act.

State Environmental Planning Policies

There are no State Planning Policies applicable to the proposed subdivision.

Wyong Local Environmental Plan 1991

Subdivision (including boundary adjustment) is defined under Section 4B of the EP&A Act. Clause 13 (1) of WLEP 1991 requires development consent to be obtained for the subdivision of land. There is no minimum allotment required (Development Standard) for the subdivision of Land within the 4(a) General Industrial Zone under WLEP 1991.

Draft Wyong Local Environmental Plan 2012

Wyong Council is currently preparing a new Local Environmental Plan (LEP) which will replace WLEP 1991. The new LEP recently placed on public exhibition will be based on a Standard Instrument which is being progressively implemented throughout NSW. The Standard Instrument introduces a suite of zones and planning provisions for use by local Councils. Councils may modify and add to the LEP in some circumstances to reflect local conditions.

Many of the existing zones in WLEP 1991 will readily translate into broadly equivalent zones in the Standard Instrument LEP. For example the industrial zone for the subject site in the WLEP 1991 being 4(a) is proposed to be zoned in the draft instrument 'IN1' (General Industrial) Zone.

The zone objectives under the "IN1" (General Industrial) Zone are similar to the present zone objectives under the WLEP 1991 reinforcing the provision of a wide range of industrial land uses and promotion of employment opportunities.

Development Control Plan 2005

The relevant provisions within Development Control Plan No 2005 are as follows:

- Chapter No 36 – *North Wyong Industrial Area*

Guideline for development inclusive of subdivision for the North Wyong industrial area.

- Chapter No 66 – *Subdivision*

Guideline for subdivision for residential and industrial zonings.

- Chapter No 67 – *Engineering*

Standards for construction of Engineering works associated with subdivision.

ECOLOGICALLY SUSTAINABLE PRINCIPLES

The proposal has been assessed having regard to Ecologically Sustainable Development principles and is considered to be consistent with the principles.

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

ASSESSMENT

Having regard for the matters for consideration detailed in Section 79C of the EP&A Act 1979 and other statutory requirements, Council's policies and Section 149 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

THE LIKELY IMPACTS OF THE DEVELOPMENT (s79C(1)(b)):

The application is assessed under the provisions of DCP 2005 Chapter 36 “North Wyong” and Chapter 66 “Subdivision” with the following criteria to be considered. Both chapters provide criteria relevant to development and in particular subdivision in industrial precincts.

- ***Lot design to accommodate setbacks for proposed future buildings of 15 metres from collector roads and 10 metres from minor roads.***

Each new allotment provides acceptable scope for future development. Indicative building envelopes have been provided which demonstrate compliance with setback requirements.

- ***Corner lot requirements (corner splays, sight distances and driveway locations) detailed in section 4.1.2 b, c, d, e and f, are required for industrial subdivision.***

The subdivision layout can accommodate safe sight lines in all directions at the corner of both roads. A dedicated spall is not necessary in this instance.

- ***Lots are to be generally rectangular in shape and lot boundaries shall have regard to the landform and the character of the site.***

Proposed lots 410, 411 and 412 are rectangular in shape and compliment the landform.

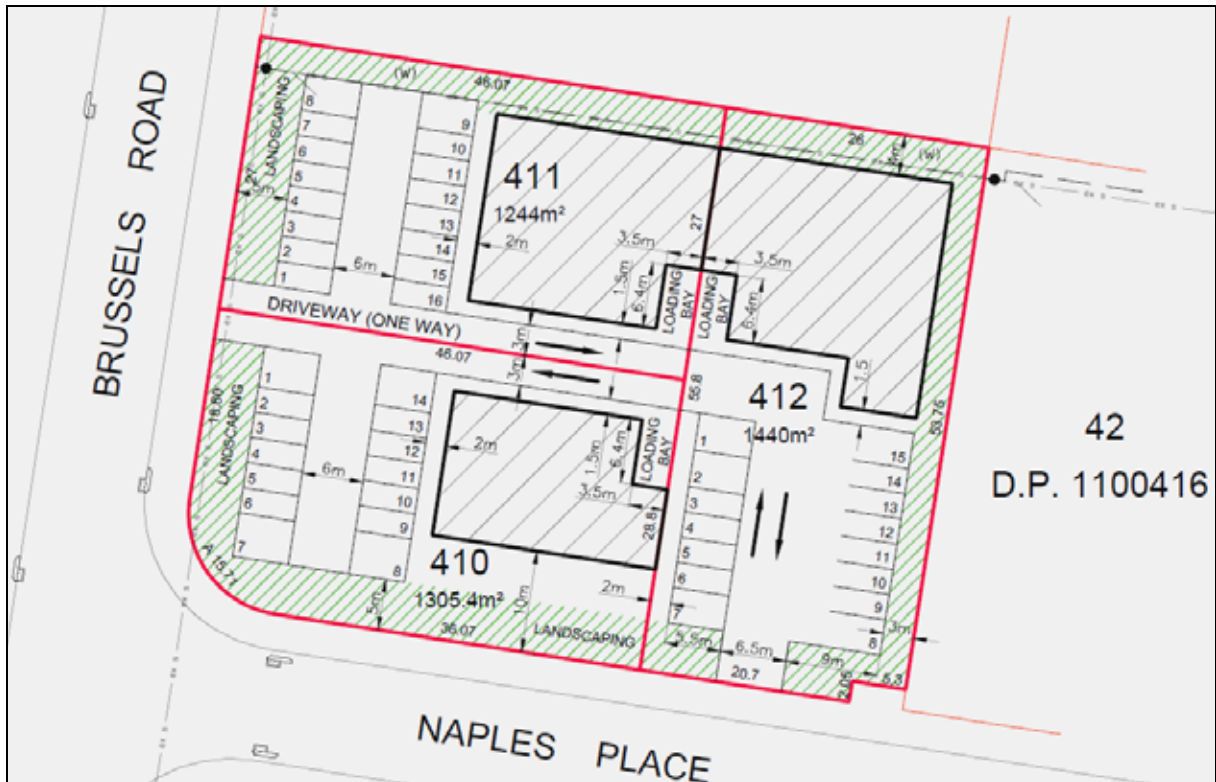
- ***Industrial and non-specific subdivision within business zones will not be approved on land with slope greater than 15%.***

All proposed lots less than 15% in slope.

- ***Lots are to be planned in order to accommodate functionality of the site. Development Control Plan No. 75 – Industrial Development, is to be read in conjunction with this plan for the provision of industrial design standards.***

The applicant submitted a conceptual layout for future development on each proposed allotment. Indicative building envelopes have been provided on the development plans demonstrating the ability of each of the proposed allotments to accommodate a small industrial building with associated carparking and loading areas. The plan shows a one-way driveway access from Brussels Road with reciprocal right-of-way across the proposed lots to accommodate vehicle movement.

2.5 DA 1033/2012 - Proposed 3 Lot Subdivision at North Wyong (contd)



Conceptual layout showing indicative building and parking areas

The purpose of the concept is to provide Council with a degree of satisfaction that future development could occur on each proposed allotment without compromising standards generally applied for industrial development. It is understood that the concept, as detailed above, is not the only format for future development of lots 410 – 412. While the conceptual layout appears to function with necessary proposed rights-of way it is possible that each allotment could establish “stand-alone” development without the need for reciprocal access arrangements.

Future development on the proposed lots would be a lesser scale than that traditionally found in the industrial zones. Historically industrial land has held a benchmark for subdivision with a minimum of 2,000m². Wyong Shire has several major precincts for industrial development. Wyong North (subject site), Berkeley Vale, Tuggerah (west of rail line) and Charmhaven are the prominent general and light industry zones supported by the recently established yet undeveloped Warnervale Employment Zone. The Tuggerah Business Park and Warnervale Business Park also provide alternate industrial and business opportunities.

However in relaxing the minimum lot standards for industrial subdivision, Council is attempting to encourage industrial and business developers to provide a variety of lot sizes for diversity in development opportunities. It is important to ensure that an allotment of industrial zoned land can be developed for industrial purposes or other land uses permissible in the zone.

- ***Industrial subdivisions which generate battleaxe allotments shall not be permitted.***

No battle axe allotments are proposed.

2.5 DA 1033/2012 - Proposed 3 Lot Subdivision at North Wyong (contd)

In summary the smaller size lot configuration provides an opportunity for an alternative market for industrial land. Clearly the size of the proposed lots would not attract large scale manufacturing industry; there is ample land up to 4,000m² in lot size available in the estate that would accommodate such businesses.

*The relationship to the regional and local **context and setting**.*

The subdivision represents a scale of development consistent with the 4(a) zoning with a contemporary view for opportunity through diversity in lot sizes for small scale industry to establish a business/land ownership compatible to the investment for the scale of the business.

*The **access, transport and traffic** management measures.*

The proposed allotments have appropriate frontage for vehicle access with no limitations in respect to sight lines or driveway grades. It is unknown the likely size of vehicles associated with the future land uses, however, based on the proposed lot sizes, it is reasonable to conclude that vehicles up to a medium rigid size are the most likely to be associated with any future industrial uses.

*The impact on the **public domain** (recreation, public open space, pedestrian links).*

Being within an industrial estate, the development is not required to dedicate any public open space.

*The impact on **utilities** supply.*

Separate sewer services will be required as part of the development.

*The effect on **heritage** significance.*

The site is not known for containing any items of Aboriginal or European heritage.

*Any effect on **other land resources**.*

The site is not recognised as having any valuable resources.

*Any impact on the conservation of **water**.*

The land does not impact the water catchment.

*Any effect on the conservation of **soils** or acid sulphate soils.*

The land is not known to exhibit a profile containing acid sulphate soil properties.

*Any effect on quality of **air and microclimate conditions**.*

The proposed subdivision is not the scale of development that creates air quality issues.

*Any effect on the **flora and fauna**.*

The site does not contain any vegetation beyond grass cover.

*The provision of **waste** facilities.*

The development is not subject to waste requirements.

*Whether the development will be **energy** efficient.*

The subdivision is not subject to energy efficiency requirements.

*Whether the development will cause **noise and vibration**.*

The subdivision does not create any construction activity and thus no acoustic issues would arise.

*Any risks from **natural hazards** (flooding, tidal inundation, bushfire, subsidence, slip etc).*

The site is not subject to the risk of flooding and does not exhibit any land stability problems.

*Any risks from **technological hazards**.*

The land is not known to have been previously contaminated.

*Whether the development provides **safety, security and crime prevention**.*

No issues to note with the subdivision layout. Future development is to consider crime prevention design methods as part of a separate development application.

*Any **social or economic impacts** in the locality.*

Subdivision of industrial land has traditionally established larger parcels than those proposed with this application. The economic impact of establishing smaller allotments in the General Industry Zone is yet to be proven given the relatively new approach that Council has adopted to industrial subdivision standards.

Notwithstanding, given that diversity for employment opportunities is a key objective, a reasonable conclusion to the question of whether lots of this size are economically viable may be found the market direction.

*Any impact of **site design and internal design**.*

No major works are necessary to establish the subdivision.

*Any **cumulative impacts**.*

No cumulative impacts anticipated with the subdivision.

THE SUITABILITY OF THE SITE FOR THE DEVELOPMENT (s79C(1)(c)):

*Whether the **proposal fits in the locality**.*

The application does not comprise any built form development and as such no assessment is undertaken on the impact of the development in the local area beyond that already noted for the subdivision.

2.5 DA 1033/2012 - Proposed 3 Lot Subdivision at North Wyong (contd)

Whether the site attributes are conducive to development.

The site does not contain any known hazards that would constrain future development opportunities.

CONCLUSION

The eastern precinct in the North Wyong industrial estate was established in 2006. Established lot sizes range from 2,000m² to 8,000m².

Wyong Shire has several major precincts for industrial development. Wyong North, Berkeley Vale, Tuggerah and Charmhaven are the main general and light industry areas supported by the recently established yet undeveloped Warnervale Employment Zone. The Tuggerah Business Park and Warnervale Business Park also provide alternate industrial and business opportunities.

Generally, the existing industrial precincts referred to above do not offer small industrial subdivision opportunities. As such the subject proposal represents a new approach to subdivision of industrial zoned land. The diverse approach to lot sizes is a step away from the conventional 2,000m² parcels typical of those previously established in the general industry zones.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Draft Conditions of Consent | D03291071 |
| 2 | SEPP No 71 Coastal Protection Checklist | D03293727 |
| 3 | Plan of Proposed Subdivision (A3 Colour) | D03293729 |

**PROPOSED CONDITIONS – DA 1033/2012
1 Naples Place, North WYONG**

Approved Plans

- 1 The development is to be undertaken in accordance with the approved development plans and specifications listed below except as modified by any conditions of consent and any amendments in red made to the approved plans:

Title	Drawing No.	Revision	Date	Drawn By
Plan of Subdivision	150189 sheet 1	A	20 September 2012	ADW Johnson

Certificates – Application and Approval

- 2 An application for a Subdivision Certificate must be submitted to and approved by the Council/Certifying Authority prior to endorsement of the plan of subdivision.

Prior to Release of Construction Certificate:

The following conditions must be satisfied prior to the release of the Construction Certificate. Conditions may require the submission of additional information with the Construction Certificate Application. Applicants should also familiarise themselves with conditions in subsequent sections and provide plans in accordance with any design requirements contained therein.

Water and Sewer Services - Design Requirements

- 3 The developer must submit an application to Council under Section 305 of the Water Management Act 2000 for any requirements for the obtaining of a Section 307 Certificate of Compliance. The application must be made prior to the issue of the Construction Certificate. **Note:** The Section 305 Notice may contain requirements associated with the development that must be completed prior to the issue of the Construction Certificate.

Prior to Commencement of Works:

The following conditions must be satisfied prior to the commencement of site works, including any works relating to demolition, excavation or vegetation removal.

No conditions

During Construction Works:

The following conditions must be satisfied during construction works.

No conditions

Prior to Release of Subdivision Certificate:

The following conditions must be satisfied prior to the release of an Occupation / Subdivision Certificate.

Statutory Certificate Requirements

- 4 An application for a Subdivision Certificate must be submitted to and approved by the Council under the Conveyancing Act 1919 prior to endorsement of the plan of subdivision. The application for this Certificate is to satisfy all of the requirements of Section 157 of the Environmental Planning and Assessment Regulation 2000.

Ongoing Operation:

The following conditions must be satisfied during use / occupation of the development.

No conditions

ATTACHMENT 2 - SEPP No 71 Coastal Protection – Checklist

	Matters for Consideration	Proposed
a	The aim of the Policy	The proposal is consistent with the aims and objectives of the policy.
b	Existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved.	The proposal is not near a public foreshore
c	Opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability.	The proposal is not near a public foreshore
d	The suitability of development given its type, location and design and its relationship with the surrounding area.	The site is suitable for subdivision in the industrial zone.
e	Any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore.	The proposal will not overshadow any public open space.
f	The scenic qualities of the New South Wales coast, and means to protect and improve these qualities.	The proposal would not be visible from an off-shore position and therefore is unlikely to create any undue visibility issues.
g	Measures to conserve animals (within the meaning of the Threatened Species Conservation Act 1995) and plants (within the meaning of that Act), and their habitats.	Not applicable
h	Measures to conserve fish (within the meaning of Part 7A of the Fisheries Management Act 1994) and marine vegetation (within the meaning of that Part), and their habitats.	Not applicable
i	Existing wildlife corridors and the impact of development on these corridors.	The proposal will not affect any identified wildlife corridor.
j	The likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards.	The subject site is not within a coastal hazard identified by any state or local guideline.
k	Measures to reduce the potential for conflict between land-based and water-based coastal activities.	Not applicable
l	Measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals.	The subject site does not contain any aboriginal sites or relics, and there are no known sites within the immediate locality.
m	Likely impacts of development on the water quality of coastal water bodies.	Not applicable
n	The conservation and preservation of items of heritage, archaeological or historic significance.	The proposal has no impact on items of heritage, archaeological or historic value.
o	Only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities.	Not applicable.
p(i)	The cumulative impacts of the proposed development on the environment.	The proposal is not considered to have any adverse cumulative impacts on the environment.
p(ii)	Measures to ensure that water and energy usage by the proposed development is efficient.	The proposal does not generate any energy or water by-products.

Plan of: Proposed Subdivision of Lot 41 in D.P. 1100416 with Indicative Layout	Location: Cnr. Brussels Road and Naples Place, North Wyong Council: Wyong Shire	Datum: NGA Origin: NGA Projection: NGA Contour Interval: 1.0m	Date: 23rd November 2012 Sheet: 1 of 1 Plan by: KT Project Manager: RJ Office: Centra Coast Plan Purpose: Indicative Layout
		Version: A (23/11/2012) Client: Eaton and Sons Survey: 8/12/01 AutoCad: SVL150189-04-002-Adwg Our Ref: 150189	



MGA



adw johnson

FOR INFORMATION ONLY

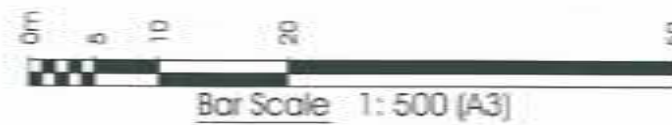


LEGEND

- SEWER MANHOLE
 - EXISTING SEWER
- | | | |
|---------|----------------|--|
| | PARKING | BUILDING ENVELOPE |
| LOT 410 | 14 SPACES | 293m ² OR 586m ² (DOUBLE STOREY) |
| LOT 411 | 16 SPACES | 385m ² OR 770m ² (DOUBLE STOREY) |
| LOT 412 | 15 SPACES | 439m ² OR 878m ² (DOUBLE STOREY) |

(W) EASEMENT TO DRAIN WATER 2, 2.5 AND 3 WIDE AND VARIABLE (D.P. 1100416)

A	23/11/2012	Initial Layout
Ver.	Date	Comment



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3.1 CPA/209092 - Evaluation and Selection of Tenders - Upgrade of Ourimbah Water Pump Station (WPS 17)

TRIM REFERENCE: CPA/209092 - D03269762

MANAGER: Robert Fulcher, Manager Asset Management

AUTHOR: John Tennant; Engineer

SUMMARY

Evaluation and selection of tenders for Contract CPA/209092 - Upgrade of Ourimbah Water Pump Station (WPS 17).

RECOMMENDATION

- 1 That Council accept the tender from the company nominated as Tenderer '3' in the attached Tender Evaluation Report, for the lump sum amount of \$782,304.00 (excl GST) for Contract CPA/209092 – Upgrade of Ourimbah Water Pump Station (WPS 17).**
- 2 That Council determine that the Tender Evaluation Report in Attachment A, remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.**
- 3 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.**

BACKGROUND

Ourimbah Water Pump Station (WPS17) forms part of the Gosford-Wyong Water Supply system. WPS 17 is owned and operated by Wyong Shire Council but jointly funded by both Wyong Shire and Gosford City Councils.

WPS17 together with the Tuggerah 2 reservoir and the Gosford/Wyong Transfer Trunk Main were constructed in 1986/1987 with a capacity of 100 ML/day for two-way water transfers between Gosford and Wyong. The two high capacity, high voltage pump sets originally installed at the station were selected on the basis of anticipated future demand predictions that have not materialised. The pump station has rarely been used since being put into service.

In November 2009 Gosford City Council commissioned Opus International Consultants Pty Ltd to review options for the future operation of WPS17, based on the current predicted Year 2050 demand for the transfer of water between the Wyong and Gosford systems of 25 ML/day. The recommended option was to remove the existing high capacity pumps and to replace them with smaller pumps of 25ML/day capacity.

3.1 CPA/209092 - Evaluation and Selection of Tenders - Upgrade of Ourimbah Water Pump Station (WPS 17) (contd)

Removal of the existing pumping machinery and high voltage switchgear was completed in 2011 and a new low voltage power supply to service the pumping station has recently been completed.

The works to be performed under this contract includes the supply and installation of two new pump sets and all associated pipework, valving and electrical switchgear.

The completion of the Mardi Suite of Works and the Mardi to Mangrove Link projects will ensure that sufficient water will be available within the Wyong system to affect transfers at the design rate.

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald, on the 11 and 18 December 2012 and in the Central Coast Express Advertiser on 12 and 19 December 2012 and on Council's eTender site.

The invitation documents called for lump sum tenders, based on a detailed specification.

A compulsory pre-tender meeting was held at the site on 15 January 2013 to allow tenderers to become familiar with the site conditions.

Tenders closed at Council's Chambers at 2.00pm on 24 January 2012.

TENDER SUBMISSIONS

The following tenders were received and are listed below:

- BCIP Pty Ltd
- Carey Constructions Pty Ltd
- Eden Constructions Pty Ltd
- Gouges Constructions Pty Ltd
- JAC Pump Services Pty Ltd
- Kerroc Constructions Pty Ltd
- Pacific Services Group Pty Ltd
- Prime Water Australia Pty Ltd
- Star Electrical Pty Ltd
- Sterling Pumps

The tender of Sterling Pumps was received late and was not admitted for consideration.

TENDER EVALUATION

All members of the Tender Evaluation Panel have signed Pecuniary Interest Declarations. No pecuniary interests were noted.

The relative ranking of tenders as determined from the total weighted score is provided in the Confidential Tender Evaluation Report – Attachment A.

All submissions were assessed in accordance with the approved evaluation criteria being:

- a) Compliance with the Tender documents;
- b) Ability to manage financial, environmental, operational and safety risk;

3.1 CPA/209092 - Evaluation and Selection of Tenders - Upgrade of Ourimbah Water Pump Station (WPS 17) (contd)

- c) Conformity with the specification;
- d) Proposed methodology/construction program;
- e) The tendered price and its structure;
- f) The tenderer's experience in the specific field;
- g) The tenderer's past performance.
- h) Level of accreditation and implementation of quality, environmental and safety management systems.

FINANCIAL IMPLICATIONS

There are sufficient funds allocated for this contract within the current year's capital works program under the Water Supply Capital Works Program (Line Item IM 141). Some funding will need to be carried over to the 2013/14 financial year.

RELEVANT LEGISLATION

The tender has been conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* and Council's Procurement Policy.

Information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed in accordance with section 10A (2) (d) of the *Local Government Act 1993*. A consistent standard for all tenderers has been used in assessing any request for confidentiality by a tenderer.

CRITICAL DATES / TIME FRAMES

It is anticipated that the contract will be awarded on 15 April 2013 and that the works will be available to be put into service by mid November 2013.

OPTIONS/ALTERNATIVES

Council has the option of not proceeding with this contract by resolving not to accept an offer from any of the Tendering parties. This option is not recommended.

PUBLIC CONSULTATION

As all the works are contained within the existing pumping station site, no public consultation specific to this project was necessary and none has occurred.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Confidential attachment "A" Evaluation and selection of tenders for Contract CPA/209092 - Upgrade of Ourimbah Water Pump Station (WPS 17) - | D03270137 |
|---|---|-----------|

4.1 Consideration of submissions to the Community Strategic Plan 2030 (revised 2013)

TRIM REFERENCE: F2012/01447 - D03290451

MANAGER: Stephen Naven, Chief Financial Officer

AUTHOR: Kathleen Morris; Manager Integrated Planning

SUMMARY

This report provides details of submissions made during the public exhibition of the Community Strategic Plan 2030 (revised 2013) for consideration by Council prior to finalisation and endorsement of the plan.

RECOMMENDATION

- 1** *That Council receive public submissions and staff recommendations listed herein concerning the exhibition draft of the Community Strategic Plan 2030 (revised 2013).*
- 2** *That Council determine the outcome of each submission and staff recommendation in terms of possible changes to the draft Plan before the final Plan is adopted.*
- 3** *That Council adopt the amendments detailed within the report.*

BACKGROUND

At its meeting on 27 February 2013 Council considered a draft Community Strategic Plan 2030 (revised 2013). The draft was formulated in accordance with the Local government Act and the Division of Local Government's Integrated Planning and Reporting Guidelines.

At that meeting Council unanimously resolved:

- "1 That Council endorse amendments to the existing Community Strategic Plan.*
- 2 That Council place the draft Community Strategic Plan on public exhibition.*
- 3 That Council receive submissions from the community and interested groups or stakeholders concerning the Draft Plan for consideration and possible inclusion in the final Plan to be adopted by Council in April 2013.*
- 4 That Council endorse the revised Engagement Strategy for the Community Strategic Plan."*

The draft Plan was exhibited for a period of 30 days from 4 March until 2 April 2013. Exhibition was undertaken in accordance with the revised Community Engagement Strategy that included:

- A series of advertisements in the local papers and on local radio

4.1 Consideration of submissions to the Community Strategic Plan 2030 (revised 2013) (contd)

- Media release issued to all media and picked up by local radio
- Inclusion in the Shire Wide (Council's regular publication in the local paper)
- Exhibition displays at Council's civic centre, depots, libraries and care and education centres
- Letters and copies of the Plan mailed to Precinct Committees
- Letters and copies of the plan mailed to CSP Community Liaison Group members
- Email notice to all staff, local MPs, Chambers of Commerce, Regional Development Australia, Department of Premier and Cabinet, neighbouring local governments and the resident e-Panel
- Electronic exhibition of the document on Councils website (including via Consultation Hub)
- Social media updates through Facebook and Twitter

CURRENT STATUS

A total of 12 submissions were received, as per the summary below.

ID	Submission detail	Staff Recommendation
1	Concerns regarding keeping the document at a high level and reflecting community aspirations (not Council aspirations) Requesting evaluation against the Plan Requesting the plan provide a balanced approach to people / community, environment, economy and governance	Acknowledge concerns and provide advice on reporting requirements and Council's strategic plan alignment
2	Concerns regarding lack of understanding of Council regarding word "sustainable"; stating that the natural and built environments are major concerns for the future; and that the lakes system is under immense impact from overdevelopment; agreeing with focus on jobs (as long as it is well thought out and sustainable); requesting focus on reasons why people want to visit and live in Wyong Shire; requesting leadership, understanding, progressive/sustainable decision making and dismissing the idea that developers and town planners have the right intentions for the community; dismissing the idea that jobs come first before the family home and a sense of belonging and pride and stating that this has become the prime objective of Council's thinking and that they have lost their way in understanding of what the ratepayers of the region want for the region's future; stating the four main objectives of the Draft Community Strategic Plan have not been heeded to over the past decade and the fiscal reports support such a statement; requesting a new direction, one that will stimulate creativity and excitement for generations to come and show the world that Wyong Shire Council is a leader, not a follower.	Acknowledge
3	Minor changes on pages 2, 6, 17 and 23 - along with the addition of items from the Central Coast Regional Action Plan that were omitted	Apply recommended changes
4	Sounds great, let's hope it all works out.	Acknowledge

4.1

Consideration of submissions to the Community Strategic Plan 2030 (revised 2013) (contd)

ID	Submission detail	Staff Recommendation
5	I agree with the general direction and points made in this strategy, subject to the cost to rate payer and suggested that community based programs and facilities should be on a user paid basis including some suggestion to decrease the libraries.	Acknowledge
6	Some points are quite ambitious but worth aiming for but the plan still contains a number of key points of personal interest including belonging and participation in the community. Plus the suggestion to include in the plan public parking at Tuggerah Station. The writer sees education and public transport being intrinsically linked to participation in community	Acknowledge
7	Suggest further work required on strategies and actual measures and targets.	Strategies will be reviewed in four years time when the plan has a major review
8	Small typo page 1 - delete 'it' from line 2 and suggest that further work is required throughout the plan around the measurement of our success. Additional items to be added are good urban design (walkability / recreation / proximity of living to service areas) plus the recognition of sustainable design in housing (orientation, passive solar design etc)	Acknowledge, amend typo and advise strategies will be reviewed in four years time when the plan has a major review
9	Include the need to inject funds into existing townships	Strategies will be reviewed in four years time when the plan has a major review
10	Relates to the difficulty in accessing the LEP	Not applicable to CSP
11	It is wonderful, mind boggling & presents an 'ideal' I would like to see achieved however concerned about the achievement of the plan based on Council's financial status	Acknowledge
12	Concerned regarding condensed nature of plan; photos not representational; addition of strategy for regional airport; specific projects (ie airport) while others not mentioned (eg airport); stating that a large portion of rates are used to lobby other governments; seeking measurement information for strategies; changes made without consultation; no transparency	Acknowledge

During the exhibition period staff also reviewed the Plan, and recommend the following changes:

ID	Page	Section	Type	Staff Recommendation
1		General		General typographical, grammatical and formatting changes throughout the document
2	2	Consultation	Add	Specific items from the Quality of Life Survey Central Coast Regional Action Plan 2013 and Central Coast Regional Strategy by Department of Planning and Infrastructure
3	4	Planning Themes	Add	The themes within this document reflect the 'quadruple bottom line' and demonstrate Council's commitment to sustainability. Monitoring and reporting on these themes will assist Council in understanding its progress towards sustainable development and the broader dimensions of sustainability.

4.1

Consideration of submissions to the Community Strategic Plan 2030 (revised 2013) (contd)

ID	Page	Section	Type	Staff Recommendation
4	6	Objective 1	Amend	We will create and support communities where individuals feel closely connected, people know their neighbours, relationships are built within local neighbourhoods, there is participation in the local community and a sense of belonging and pride in the local area
5	6	Objective 1	Amend	1g – Implementing the Regional Strategy for the Central Coast that will guide appropriate development, maintain the lifestyle and environment and include Government intervention to provide more than 45,000 jobs in the next 25 years (Regional Strategy)
6	6	Objective 2	Amend	2b - Upgrading train and public transport services between Newcastle and Sydney Central ensuring the service is safe, timely and reliable
7	6	Objective 2	Amend	2h - Improving the M1 links to Sydney to three lanes in each direction in partnership with the Federal Government (Regional Strategy)
8	9	'We will know we are succeeding ...'	Remove	Greater attendance at sporting and community events (sporting attendance is restricted to venue capacity so this is not an effective measure)
9	11	1 st Paragraph – Where are we now	Amend	Progress has been made toward the protection of resources, maintenance of processes and ecosystems and retention of amenities in the face of ongoing development through the implementation of the Tuggerah Lakes Estuary Management Plan, wetland construction, sustainable living workshops and foreshore restoration works on Lake Macquarie.
10	12	Objective 5	Amend	We will retain and maintain areas of natural value by preserving endangered species, ecological communities and biodiversity as well as supporting programs for the restoration of degraded natural areas.
11	12	Objective 5	Amend	5e - Developing and implementing a Natural Resource Management Strategy for Wyong Shire
12	12	Objective 5	Amend	5f - Ensuring sustainable development that is sympathetic to the local setting and reflects community values
13	12	Objective 6	Amend	There will be a sense of community ownership of the natural and built environment through direct public involvement with programs and services
14	12	Objective 6	Amend	We will develop and establish a range of programs and activities that create community involvement and allows the community to appreciate and embrace areas of the Shire
15	12	Objective 6	Amend	6c - Creating and promoting a network of renowned bush trails
16	12	Objective 6	Amend	6d - Establishing a community event based around our lakes and beaches
17	12	Objective 6	Amend	6e - Developing and implementing a tree planting program
18	12	Objective 6	Amend	6g - Supporting and encouraging volunteer groups and champions
19	12	Objective 6	Amend	6h - Maintaining and making available information about the environment and environmental change
20	12	Objective 6	Amend	6i - Community awareness of sustainability and environmental issues impacting Wyong Shire
21	13	Who will help us get there	Amend	Delivering against environmental objectives requires input from individuals, community groups, Council, State and

ID	Page	Section	Type	Staff Recommendation
				Federal Government agencies, local businesses and non government agencies. Council has a role to play in the delivery of strategies, which will require a partnership with the community and depend on support and resources from State Government. Delivery of strategies is supported by the following regional priorities, which are identified in detail in the Central Coast Regional Action Plan, developed by the NSW Government in December 2012.
22	13	We will know we are succeeding when	Amend	Increased rehabilitation of existing natural areas Increased preservation of endangered species and ecological communities Increased numbers of volunteers Increased community awareness of environmental issues
23	17	Regional Priority	Add	<ul style="list-style-type: none"> • Revitalise town centres in the Wyong Shire to cater for expected population growth (Delivery Lead: Department of Premier and Cabinet and Central Coast Regional Development Corporation) • Deliver effective regional planning to cater for growth and encourage increased investment (Delivery Lead: Department of Planning and Infrastructure) • Promote the Central Coast as a choice tourism and event destination (Delivery Lead: NSW Trade & Investment)
24	22	Linking to State/Regional Plans	Add	Link to CSP objective 1 under headings for both Family and Community Services and Police and Justice
25	23	The State Plan is supported by...	Add	Central Coast Regional Action Plan
26	27	Measure of Progress	Amend	Environmental sustainability: <ul style="list-style-type: none"> • Number of native species planted • Hectares of natural areas sustained • Length of riparian protection • Total waste to landfill, recycled waste, green waste • Support for environmental programs • Water quality
27	27	Measure of Progress	Amend	Community involvement in the Shire: <ul style="list-style-type: none"> • Participation in activities and programs including levels of volunteering • Visitation to lakes
28	29	Essential Services	Amend	6. Environment & Land Use: supports the natural and built environment on both private and public land by providing strategic planning and policy as well as controls over land-use in order to maintain a high quality of life and promotes sustainable use of resources on the Central Coast.
29	31	'Where can I get more information'	Add	Community Profile: www.wyong.nsw.gov.au/my-community/our-profile Central Coast Quality of Life Survey Report: www.wyong.nsw.gov.au/my-community/quality-of-life
30	32	New	Add	Table listing all CSP objectives and strategies and Council's contribution to meet these

4.1 Consideration of submissions to the Community Strategic Plan 2030 (revised 2013) (contd)

In consideration of these submissions, Council may determine to make changes to the Plan and/or note any particular issue for operational staff to take up during the course of normal operational activity.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

The Wyong Shire Council Strategic Plan 2013-17, currently being presented to Council for adoption, will require alignment to the revised Community Strategic Plan 2030 (revised 2013).

Long term Financial Strategy

The draft Long Term Financial Strategy is aligned to the objectives of the Community Strategic Plan 2030 (revised 2013).

Asset Management Strategy

The draft Asset Management Strategy is aligned to the objectives of the Community Strategic Plan 2030 (revised 2013).

Workforce Management Strategy

The draft Workforce Management Strategy is aligned to the objectives of the Community Strategic Plan 2030 (revised 2013).

Budget Impact

The budget impacts of the Community Strategic Plan are incorporated into Council's Long Term Financial Planning.

CONSULTATION

Community consultation was undertaken in accordance with the attached Community Engagement Strategy. This engagement and all submissions received during the public exhibition period are the subject of this report.

In addition to the community engagement extensive consultation was undertaken with Councillors, senior management, managers and staff in the formation of the draft Plan.

GOVERNANCE AND POLICY IMPLICATIONS

The review of the Community Strategic Plan is both a legal requirement and best practice for local government throughout New South Wales. It is the foundation on which the integrated planning framework is built.

It serves as a roadmap for future activities and programs by the community, state government and Council and provides strategic leadership for governance activities.

MATERIAL RISKS AND ISSUES

The development of the Plan reduces corporate risks arising from business directions not being aligned with the community needs and direction. At the same time, careful review of all submissions is required to ensure that final decisions give preference to the overall community good including weighing up any advantages arising from suggestions made by individual submissions.

CONCLUSION

Council has exhibited the draft Plan in accordance with the Community Engagement Strategy and the requirements of the Local Government Act.

Submissions have been analysed, summarised and presented to Council for consideration.

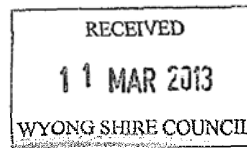
Amendment of the draft Plan as outlined in this report is proposed prior to Council considering the final Community Strategic Plan 2030 (revised 2013) for adoption.

ATTACHMENTS

- | | | | |
|----------|-------------------------------|-----------|-----------|
| 1 | CONFIDENTIAL CSP Submission 1 | Enclosure | D03312130 |
| 2 | PUBLIC CSP Submission 2 | | D03312114 |
| 3 | PUBLIC CSP Submission 3 | | D03312117 |
| 4 | PUBLIC CSP Submissions 4-11 | | D03312122 |
| 5 | PUBLIC CSP Submission 12 | | D03312128 |

CSP Submission 2

General Manager
Wyong Shire Council
PO Box 20 Wyong NSW 2259



8-3-2013

RE: DRAFT COMMUNITY STRATEGIC PLAN 2030

Dear General Manager,

As relative new kids on the block, definitely active in community issues and having a family who has chosen the Wyong Shire as the place we wish to live for the rest of our lives, we believe this places us in a unique position to comment on where we want the shire to be in twenty or so years. Looking at the future from our perspective allows us the opportunity to see what we now have and also what we now have to lose.

Like many people who chose the Central Coast as their home, we came from the Western Suburbs of Sydney. Not idyllic, yet it allowed us the opportunity and the means to raise our family which limited our opportunity to spread our wings.

Holidaying with our family as youngsters at The Entrance in the Gilperren's holiday cottages. Prawning at the wall, before it was built or fishing off the old wooden bridge, brings back many pleasurable moments.

We have seen many changes, not all favourable in our eyes. We understand that nothing stays the same, nor should it or would we expect it to, yet like most residents there is a total lack of understanding by council when it comes to the word "Sustainable".

My experiences dealing with environmental issues due to housing developments and or industrial nightmares are immense. Commissions of Inquiries, hearing panels and consultation with twelve local governments over twenty years, gives me some insight into the process and the overwhelming dilemma the general community has in maintaining their sense of belonging and pride.

The Wyong Shire community has been bombarded with an infinite number of draft planning instruments to consider and respond to. Draft Strategic Plans, Draft Community Strategic Plans, Master Plans, rate rises, Community land rezoning changes, development applications and the list goes on. Way too much for the average ratepayer to comprehend, yet the community has responded by telling council unequivocally that the natural and built environments are major concerns for the future.

The lies I have heard from developers and big business under oath is astonishing in many of the inquiries I have attended and addressed. The results of those lies have ended with unrealistic or devastating outcomes and in some cases to deaths from health issues related to those lies.

Wyang shire is repeatedly branded as having the projected doubling of its population and an increase of 22,000 more dwellings. I agree that we are a prime target being sandwiched between NSW's two major cities, yet this does not mean that we lose our sense of belonging or our unique pride in why we are continually targeted, that being our wonderful environment and natural beauty.

The Central Coast is an amazing region of diverse geographical terrains, but we are slowly losing them. Why? Because we don't understand its dynamics or just how sensitive the catchment is from human impact and change. If we want to be just another suburban sprawl, then we continue down the same path every local government is pursuing. If we want sustainability, we need to think outside the square.

Council's Draft Community Plan mentions that we are a world away from pressure and pollution with shimmering waterways, yet again this is putting icing over a cracked cake. Our lakes system is under immense impact from overdevelopment and what that brings. Continual water quality issues, deaths of bird and fish species, erosion, nutrient overloads and the list goes on. Historians and environmentalists have written about the catchment issues for decades, yet the political and bureaucratic processes have their heads in the sand, or should I say silt. If council were to speak and listen to the volunteers working on the ground, you would get a completely different perspective.

The top priority for managing our progress is seen by bureaucratic processes as Jobs, Jobs, Jobs and I agree as long as it is well thought out and totally sustainable. Unfortunately bean counters are not generally environmentalists.

We do have the opportunity to show leadership by thinking outside of that square and prospering as a region, as long as we don't blow away the reasons why people want to visit and live in the Wyong Shire.

Town Planners continually put developments before infrastructure, as it is their job to develop and the consequences that follow are not of their concern and may be dealt with by some other department or someone else in the future. You don't have to look too far to see examples of poor environmental and social management brought about by the process we are asked and expected to support.

The state government is currently suggesting that community consultation be taken out of the DA process as we know it. Wyong Shire Council will have no say in this matter and the people will lose any rights they have today.

Leading by example is simple as long as the powers to be are willing to listen. Mass developments, be it housing or industrial, eventually leads to further environmental and social issues that accumulate generation after generation.

This then leads to transport and road issues, water and electricity consumption issues, health issues and a gambit of other unforeseen problems that may never be addressed. These issues are current with Wyong Shire Council being in debt to the tune of \$12Million and having a backlog of asset maintenance issues reaching unsustainable amounts.

There is a fine balancing trick between just becoming another statistical suburban region with all their ongoing issues or becoming a progressive, envied, environmentally conscious and exciting region for others to follow, visit and or make their home.

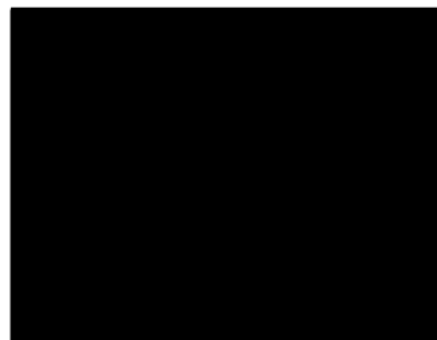
We believe that Wyong Shire Council will be supported by the general community if they show leadership, understanding, progressive/sustainable decision making and dismiss the idea that developers and town planners have the right intentions for the community, taken right out of the debate.

Our family have become territorial locals, we do believe that we live in utopia and during our time on this planet, we will continue to have community input into the direction the region takes.

We have opposed developments like Woolworths at Lake Munmorah, not just to object but to expose the unknown and what is about to happen to our utopia. Big business is not concerned with our concerns for the region, they are only concerned about the almighty profit and market dominance. How many more major supermarkets can we handle? At last count with 10km from our home there were nine existing with one proposed, not including our local grocery stores.

We truly believe that the fallacy that jobs come first before the family home and a sense of belonging and pride, has become the prime objective of council's thinking and that they have lost their way in understanding of what the ratepayers of the region want for their region's future. Remember the iconic Australian film "The Castle", as it is also our home.

As we see it, the four main objectives of the Draft Community Strategic Plan have not been heeded to over the past decade and the fiscal reports support such a statement. We need a new direction, one that will stimulate creativity and excitement for generations to come and show the world that Wyong Shire Council is a leader, not a follower.



[Redacted]

CSP Submission 3

[Redacted]

[Redacted]

You have done a great job on the review of the CSP. I found it very easy to read and the layout is fantastic. The *'Who will Help Us Get There ?'* pages are an excellent way to link into the Central Coast Regional Action Plan.

I have marked up pages 2,6,17 and 23 with some minor comments. On Page 17 I have added 3 additional 'Grow The Economy' priorities from the Regional Action Plan that are relevant to Wyong.

Please call me with any questions.

[Redacted]

[Redacted]

Department of Premier and Cabinet

[Redacted]

02/04/2013

*Central Coast Regional Action Plan 2013
 & Central Coast Regional
 Challenges by A&E*

What is Council's role?

Wyong Shire Council's role is to capture the issues and pressures that affect our community, identify community priorities and aspirations and partner with all members of the community to deliver against the objectives that have been identified within this Plan.

In the delivery of the Community Strategic Plan Council acts as:

- Delivery lead:** Delivering specific actions
- Advocate:** Campaigning others to deliver
- Partner:** Undertaking actions in conjunction with others
- Observer:** Monitoring and reporting on the actions of others

The Community Strategic Plan drives the priorities for the delivery of Council services, which are planned through a short and mid-term planning process. Activities to deliver the Community Strategic Plan are published annually in Council's Strategic Plan under twelve principal activities: community and education; community recreation; economic and property development; Council enterprises; regulatory, environment and land use; waste management; roads; drainage; sewer services; water supply and administration.

To ensure Council has the capacity to deliver these activities it produces resourcing strategies for workforce management, long term financial planning, asset management and information management that allow it to consider community needs when undertaking its corporate strategic planning.

Who is responsible for its delivery?

The Community Strategic Plan is owned by the whole community and as such, the whole community is responsible for its delivery.

This includes community members, community groups, government, businesses and non government agencies – really anyone who lives, works, plays or stays in our Shire.

Within the plan we have identified who will help us deliver the strategies - this list is not exhaustive. If we are to succeed in creating the community that we have envisioned within this Plan, we need to work together.

How did we develop the Plan?

With over 153,000 residents, numerous organisations and thousands of businesses, each with their own priorities on what they would like to see to improve the quality of life and ensure the long term sustainability of the Shire, it is essential that the Plan draws on different avenues to build the most representative vision for the future.

The Plan is developed from community priorities that are designed to identify where we need to focus on to improve our quality of life, while remaining prepared to respond proactively to changes and challenges as they unfold.

This draft Plan is a review of the Community Strategic Plan endorsed by Council in 2011 which was based on extensive consultation from 2007-2010 that saw over 5,000 community members participate in various styles of community engagement. The consultation topics were designed to capture our community's priorities for the future and included community visioning, quality of life, youth engagement and community planning.

This 2013 review includes consideration of consultation that involved over 2,900 community members during 2011 and 2012 on topics including: learning communities, State Plan 2021, NSW Long Term Transport Master Plan, Council service priorities and standards and quality of life. This consultation identified the community priorities of skills enhancement, local job opportunities, local investment, access to learning, improved transport times and accessibility, environmental protection, support for young people and their families, local roads and drainage and effective governance.

This highlighted that the community's focus has not altered over the past 18 months. The amendments made in this updated version of the Community Strategic Plan were therefore limited to formatting, to make the document easier to read. The new additions are the inclusion of an assessment framework, so that we can track how we are going and the inclusion of all strategies, including those numbered 1 to 14 in the back of the previous plan, to ensure all strategies had focus during the plan's 20 year delivery horizon.

It should also be noted that development of the Community Strategic Plan is based on the NSW Government's social justice strategy framework. This means that we have tried to the best of our ability to engage our entire community in the process of identifying what is important to meet the four interrelated principles of equity, rights, access and participation.

2

IN THE FUTURE WYONG SHIRE

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

We will create and support communities where individuals feel closely connected, people know their neighbours, relationships are built within local neighbourhoods, there is participation in the local community and a sense of belongingness and pride in the local area.

We will achieve this through:

- 1a Expanding and supporting programs that increase participation among all ages
- 1b Expanding and supporting programs and activities that encourage and enhance neighbourhood connections
- 1c Encouraging and valuing genuine youth and seniors participation in the community
- 1d Expanding and resourcing children and family service programs
- 1e Developing and implementing the Wyong shire-wide Settlement Strategy
- 1f Improving the effectiveness of the system of connections that tie towns/suburbs and facilities of the Shire together as well as connecting to the wider region
- 1g Implementing the Regional Strategy for the Central Coast that will guide appropriate development, maintain the lifestyle and environment and include Government intervention to provide more than 35,000 jobs in the next 25 years (Regional Strategy)
- 1h Planning and delivering a new Town Centre at Warnervale including a new railway station and transport interchange (Regional Strategy)
 - 1i Having residents as active participants in setting the direction of their communities
 - 1j Ensuring communities are safe and have a clear perception of security
 - 1k Providing individuals with access to a variety of housing types that enable residents to buy or rent accommodation locally
 - 1l Taking a long-term integrated approach to the provision of both new and existing infrastructure

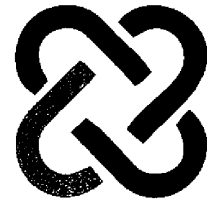
2 There will be ease of travel within the Shire, and to other regional centres and cities. Travel will be available at all hours and will be safe, clean and affordable

There will be availability of affordable, safe and clean transport options to easily travel both within the Shire and to other regional centres and cities.

We will achieve this through:

- 2a Ensuring public and private bus services are timely, clean, safe and affordable
- 2b Upgrading train and public transport services between Williamstown and Sydney Central ensuring the service is safe, timely and reliable
- 2c Improving and linking the bicycle/shared pathway network and related facilities to encourage more cycling opportunities
- 2d Improving commuter parking at railway stations
- 2e Improving commuter hubs along the freeway
- 2f Creating a better public transport system including new outer suburban train carriages, upgrades of the Tuggerah station, rail maintenance upgrades and better local bus services (Regional Strategy)
- 2g Ongoing upgrading of roads in the region including The Entrance Road and Pacific Highway (Regional Strategy)
- 2h Improving the F3 links to Sydney to three lanes in each direction partnership with the Federal Government (Regional Strategy)
 - 2i Providing an integrated transport system that satisfies users' needs
 - 2j Supporting commuters and their families
 - 2k Supporting the development of a regional airport within the Shire

6






WHO WILL HELP US GET THERE?

Delivering against economic objectives requires input from business groups and networks, Council, State and Federal agencies, telecommunication providers, visitors and tourism agencies to help generate business interest, increase opportunities for local employment, invest in local tourism and support the economic growth of our region. Council has an important function as a partner, advocate and in monitoring achievement against these objectives. While it has primary responsibility for some of the strategies it will need to work in close partnership with the above partners to deliver results. Delivery of strategies is supported by the following regional priorities, which are identified in detail in the Central Coast Regional Action Plan, developed by the NSW Government in December 2012.

Regional Priority	Delivery Lead
Grow the economy of the Central Coast and provide sustainable employment	
Partner with local stakeholders to encourage regional economic growth and employment	NSW Trade & Investment Central Coast Broadband Infrastructure Group
Support key regional industries and local businesses to grow	NSW Trade & Investment Small Business Commissioner Department of Primary Industries
Support increased productivity by cutting government red tape	Service NSW

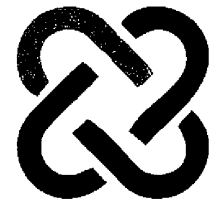
- Revitalize Town Centres in the Wyong Shire to cater for expected population growth
- Deliver effective Regional Planning to cater for growth and encourage increased investment

We will know we are succeeding when there is...

-  Reduced unemployment
-  Increased local jobs
-  Increased access to high quality information communications technology

- Promote the Central Coast as a choice tourism & event destination

17



NSW State Plan 2021	Link to CSP Objectives
Restore Accountability to Government	
29. Restore confidence and integrity in the planning system	Civic Leadership – overriding principles
30. Restore trust in State and Local Government as a service provider	
31. Improve government transparency by increasing access to government information	
32. Involve the community in decision making on government policy, services and projects	

The State Plan is supported by the following regional strategies:

- *Central Coast Regional Action Plan*
- Central Coast Regional Economic Development and Employment Strategy
- Regional Development Australia Central Coast Regional Plan 2012-2017
- Central Coast Regional Transport Plan
- Central Coast Health Services Development Plan
- Regional Homelessness Action Plan 2010-2014 – Central Coast
- Central Coast Regional Strategy
- Hunter Central Rivers Action Plan 2006-2016
- Hawkesbury Nepean Catchment Action Plan 2007-2016

Information from the two year Central Coast Regional Action Plan – 2012-2014 is included under the planning themes. Detailed information on specific actions can be found within the Regional Action Plan, with the short term focus on deliverables that will:

- Grow the economy of the Central Coast and provide sustainable employment
- Enhance skills development and education outcomes
- Improve transport connectivity and regional roads
- Deliver coordinated support for the community, families and in particular, our disadvantaged and vulnerable members
- Improve access to health services and promote healthy lifestyles
- Protect our natural environment and achieve balanced outcomes between development and conservation

We will know we are succeeding when there is...



Increased community participation in Council engagement activities



Increased community satisfaction in the delivery and management of infrastructure assets

CSP Submission 4-11



CONSULTATION HUB - ONLINE COMMENTS 2013

Draft Community Strategic Plan 2030
Sounds great, lets hope it all works out.
I agree with the general direction and points made in this strategy, if done in a way that the general rate payer is not burdened with the cost of the programs proposed. I Feel that in general that the policy for community based programs and facilities should be on a user paid basis eg: Sports Fields, Community Halls, Etc. Libraries should be decreased to one or two main libraries and a satellite system in place for surrounding area's eg: Donga / Trailer setup, that provides a service once a week in specific locations with WIFI access, as running multiple libraries currently and in the future is a costly and a wasteful exercise as most research material and reading material is web based, so to continue to build and facilitate the current library network is a waste of financial resources. In short I am happy with the direction the Council is taking, but refuse to pay for resources in which myself and family do not use.
<p>Why an airport when we already have one? also 1 hour away is Newcastle airport so what is the problem? Is it so that when this "Chinese them park" is done the y can fly directly in and out?</p> <p>Lets concentrate on basic delivery, not on making the shire bigger so that we will have more income from rates etc.</p>
<p>Well set out plan with benchmarks. Some points are quite ambitious but worth aiming for such as world class health facilities.</p> <p>Three main points are of interest to me:</p> <p>A) the low percentage of people who have completed high school, at only 30%.</p> <p>B) public transport</p> <p>C) community involvement.</p> <p>My connection is from 3 or 4 years ago when I tried but failed teaching a room full of teenaged high school drop outs at Wyong in the BreakThru program. They had no sense of community beyond their iPad contact lists and those they had lunch with or hung out with.</p> <p>My opinion is that having a sense of belonging and participation in the community encourages some form of ambition or hope for the future which in turn gives inspiration to study and achieve a good (higher) education.</p> <p>Public Transport</p>

Looking around the streets and shopping centres from The Entrance to Bateau Bay to Tuggerah and along the main roads I see many busses and a frequent rail service. Closer observation shows a 1 hourly service for residents in the Retirement Village quarter of Bateau Bay, number 21. Also no lift at Tuggerah Station as well as a real need for expanded public parking at Tuggerah Station. I know public transport is a State responsibility but the Council can work in collaboration with the State in areas such as car parks.

Community Involvement is a slightly more intangible facet of life. However I see education and public transport being intrinsically linked to participation in community.

Community involvement can lead to the need for personal education so that a resident can have a talent or qualification no share with the community. Greater education also enables people to participate more. Transport links people who may not be able to drive or afford to own a car with others in the community and transport facilitates community involvement, which in my opinion feeds education which goes around to feed community activity.

Your Community Strategic Plan is little more than touchy, feely warm fuzzies. Simple concepts like a SWOT analysis with actual measures and actual targets. For example if you say you know you are succeeding when you have increased levels of community interaction and participation, why not do some work here and set targets for what specific community interaction and participation and how much and to what end. For example a riot is community interaction, it is not usually productive. Do you see how useless these general comments are.

Yes I know you reference other documents but you need some meat in the actual strategic plan as it is supposed to be the leading vision of clarity not a blur.

Yes, economy, ecosystem, education, accountability, community interaction all matter. However your strategies are outdated and bordering on redundant. Consider taking a brief moment to observe what is going on in the world.

A few glaringly obvious trends kick you in the guts: (1) In 20 years we have gone from 90% of retiring workers having worked in the same business for 20 years plus to people working in the same job for no longer than 3 years; (2) The requirement for travel for work is increasing due to specialization, globalisation and the size of companies; (3) Wages have remained flat for 15 years whilst the cost of assets have tripled, the cost of living has more than doubled (this trend is not sustainable - we have to address affordability or become 3rd world people); (4) Weather variation is increasing. The top level of ocean has heated causing increased power of storms (think floods, dams, power, trees down, impact on crops etc); (5) How does Wyong Council want to address Asia's demand for education, energy, resources will increase significantly (Is it purely an income opportunity or more directional e.g. towards educating and providing means for learning how to measure and live within means without overpopulation); (6) Technology is growing exponentially, there is both a call needed for the precautionary principle and a need to address the increasing multiplicity of technologies available; (7) People have had enough of working like dogs for corporations. All this OSH, yet I get weeks where I am asked to work 90 to 110 hours. There is no life in that. Don't you see when this happens we have no time for community, family, health or tax returns - the system

sucks the life out of you. More people are finding their work meaningless in corporations existing purely for quarterly returns. We want our lives back. Let us not have a repeat of "Let them eat cake" by squeezing every last minute and dollar out of them whilst over-centralizing everything like we are useless brainless lemmings, when the fact is the bigger the organisation the harder it is and the more highly organised it needs to be to not be completely stupid.

The trends I cover above are part of the increasing rate of change. Sustainability is an oxymoron. Australia is an ancient continent and studies show that the sea levels, the flora and fauna have changed, over time. What we need is resilience for healthy, happy people and ecosystems that are ready for change (hot, cold, wet, dry etc) and have the appropriate redundancies built in. Where adaptation is untenable, then readiness for transformation and the ability for transformability is critical.

Governments need to relearn socio-eco-political best practice. You need to plan for the multiplicity of how to address the 4 types of goods (common pool, public, private and toll goods) and the best practices for addressing these. Old modes of community engagement need upgrading. There are places where you need to discover the inexhaustible global evidence of where it is appropriate to facilitate USER LEADERSHIP for the input into norms, rules and to have increased open communication amongst them may manage our resources and needs more effectively and affordably where the government is not running things with outsider contractors.

People need a life. People are trying to escape Sydney and come to the coast for a life but most of them still work in Sydney. We need a major relocalization project.

People are sick of all the WASTE. Good systems and natural systems have no waste. For example windbreaks for orchards and connections between forests are important but tall trees planted amongst powerlines wastes our money -stupidity. Everyone knows things like the prefab that usually costs \$200K was somehow built by government for \$1 million, yet the main office, sick bay and staff room is rotting and leaking and letting off VOC's for the last 15 years.

Regards equitable rates: If one were to make an equation of end use of that which rates money was spent on it would be to do with the number of people, their proximity to your infrastructure and their use. So why do you charge purely based on land size? Why do people struggling to get a farm up and going (often no income in early years) have to pay ridiculously high rates. Most of us in country use less of what you spend money on and struggle to get buy, yet food security in the future is critical, especially with increased climate change. Why are we singled out here in the country with the least facilities to pay the most? There is no public swimming pool here in Kulnura nor within 50km from our place. There is no train, no bus that goes for end of work day. We pay the most yet have the least. What on earth makes you enforce 250m between bore and onsite sewer outlet - that is untenable for most places. Get real. Get with the times and make appropriate rulings. Sewage is not waste anyway it is a resource, only you dictate that your public facilities must take and process it. It costs \$1000 a truck load for me to buy composted human manure so why should I have to pay you to take it away. What sort of dictatorship is this when I don't even own my own shit.

I am happy to come down there and introduce you to the concepts of best practice in

working with complex systems, resilience and the particular elements of permaculture that you have not gotten hold of. With these 3 you will be head and shoulders over most councils and government departments. In return you could teach me the concept of diplomacy.

small typo p1 delete 'it' from line 2

Identifying the Delivery Lead is fine .. but needs some metrics around 'know we are succeeding whenp9 p13 p 17 and (governance ... succeeding ??) or we'll end up with assessments (like on p11) that please everyone .. but which may not actually reflect reality ...

p13 needs some concept of good urban design (walkability / recreation / proximity of living to service areas) + recognition of sustainable design in housing (orientation, passive solar design etc) - (local / WSC) governance needs some metrics too ... (or is this on p 23) I know there are some indicators on pp26-27 .. but no baseline data .. even in the full 332 pp doc ..

Inject funds into existing townships...not into new development such

[REDACTED]
[REDACTED]
[REDACTED] expense!

And now this mayor, whom planted his independent cohorts to pretend to care for the lakes etc still imagines he is popular. Watch your back doug eaton there are a lot of silent people who don't want you.

My first concern relates to the difficulty in accessing the LEP as it is not easily retrieved from Council's website unless one knows exactly where to go. A direct link would have made life much easier!

However, that aside, after finally locating and being able to read the documents (especially those relating to the Gorokan and Lake Haven areas) I am concerned that Council's reclassification of land in both of these suburbs will ultimately result in loss of scrub land and open spaces. I am aware that many of the lands proposed for reclassification are currently unused by people and therefore considered a financial burden; however, not all development should be about the comfort of the human species.

In the 32 years I have resided in my home I have witnessed a steady decline in the amount of wildlife in these areas while human habitation has increased. Coupled with this is a very distinct loss of flora, which is not only vital for aesthetic reasons but also the filtering of carbon from our atmosphere and habitats for native fauna.

Not all land needs to be 'used' by humans to be deemed useful. I am also wary of Council's reasoning behind the reclassifications of which the majority are said to be for drainage or sewage purposes. I believe that there is another agenda - possible that of future building developments. Council needs to keep these green areas as there are so few left in our area of the shire.

It is wonderful, mind boggling & presents an 'ideal' I would like to see achieved. However, knowing the present financial status of Wyong Council I can't see much of the plan being achieved even by 2030.

I believe there should be a more specific comment about widening the F3 from Tuggerah to Warnervale and maybe as far as Morisset, from 2 lanes to 3. When the Warnervale township and industrial area develop this will be critical.

I also believe that council should make an effort to have more building blocks around the 1000sqm size as this would allow more retention of native trees and shrubs.

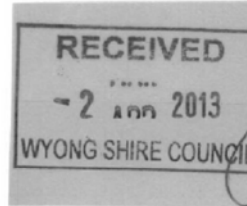
Park and ride locations along the Pacific Highway could also be of benefit.

My feedback is in relation to the increase in childcare fees (page 263). I have attached a spreadsheet comparing the fees of local and comparative long day care centres to show that Wyong Council will have the most expensive fees in the local area.

I think this goes against all of the values that wyong council stand for - unity, care, respect - one of your guiding principles is 'To plan, promote and provide for the needs of children', and 'To carry out our functions in a manner that promotes equity and accessibility' - how is making the cost of childcare prohibitive doing this?

We have had 2 fee rises in the past year, and this one takes the cake by making Wyong Council more expensive than centres that are trying to make a profit, when you claim not to be.

My say is that Council are taking too much from those who can least afford it. Making it harder for parents to return to the workforce and denying children the opportunity to socialise and learn.



Draft Community Strategic Plan 2030 Feedback

2nd April 2013

This document has been condensed quite considerably, not just "updated" from the one 5 years ago and with that, information and meaning has been lost from the original document or other agendas have been added. The wording from the original document was specifically chosen to be "readable" and simple explanations were necessary to help with understanding more about WSC and to break down those communication barriers that exist for ordinary residents that are not privy to WSC employee terms or jargon. I believe some of the explanations or "vision" may have been lost or not sure of the significance in this draft. For example the grey colour scheme is this the new corporate colours? The images, are some of them a realistic representation of the Shire? Do we identify with them? "Ideal" does not equal perfection! To some people "Ideal" may mean something different and we need to represent this diversity. A photo of a disabled wheel chair access to a beach for example.

There have been objectives added and the wording of the objectives has changed for example 2k now states, "Supporting the development of a regional airport in the Shire" Elected representatives that may or may not be representing the resident's viewpoint have added this objective without community consultation from recommendations. This point was not in the original document on page 17. In your letter it stated there were no changes or additions to the original objectives.

The Precinct meetings have had many residents express concern for a Regional Type 3 Airport near such a large population, which will continue to be developed to house, the growing population needs of the state. This has been a contentious issue and to see it appear in this document prior to the DLEP being adopted formally is concerning. I will not go into the many environmental and financial reasons of why this idea is flawed and clearly the need to protect this water catchment area for future generations. I have provided these reasons in my comments on the DLEP to WSC previously.

You mention the "Regional airport" and Warnervale Town Centre but neglect to mention other projects like the "Art House" in Vision Principle 3 in Our Community or indeed the "Chinese Theme Park" in this document. Why are some projects mentioned and not others?

This document also simplifies the link between other levels of government and the need for local council to lobby for these improved services in our Shire. Locals are not aware of the money, staff time etc. spent on attracting funds for many projects from other levels of government and simply putting in brackets (Regional) does not clearly create an understanding of this to the community.

A great deal of our rates is used for this purpose.

The use of the arrows to illustrate meeting the objectives by "We will know we are succeeding when there is..." is a great visual indicator however where will the data be shown to back up these measurements. For example on page 9 of the document how will you measure increased use of and satisfaction with public transport? This should be the state government's responsibility to provide this data as the state government provides public transport.

"Increased usage of Council community facilities", could mean hiring to private businesses or functions and not to community groups or not for profit groups. The community and residents need to be able to see more clearly how these objectives will be measured and indeed where the data comes from and where it can be found. There are many more examples of other levels of government and their responsibility to provide services and measure the success of these services relating to transport, health, employment and education.

Fiscal responsibility mentioned on page 21, the paragraph explaining accountability??? I am not sure what you are trying to explain here? Is it the escape clause that ultimately WSC will spend and be accountable to their KPI's and not accountable to the community?? How do we know we get value for money? Where is this reported or indeed shared with residents??

Transparency was a key point during the consultation process and after participating in the last round of consultations recently about rate rises and the DLEP the community again raise the accountability side of fiscal responsibility, mismanagement and transparency. This has not changed and yet this document skims over these overriding principles on page 20 with a huge happy face on page 21. I find this a poor choice of image.

Leadership should show an example of leadership like "mentoring" not a parent "piggy backing" a child.

I find many of the images in this document contrived and posed. It should look like Wyong Shire not models from a photo shoot dressed in matching outfits.

Is this your "Ideal" or the community's ideal?

The childcare centre photo is the type of realistic image appropriate for this kind of document.

I am not sure why I am even bothering to comment on this plan other than to indicate that changes have been made without consultation. The presentation or choice of images is not a realistic visual representation of the Shire and I am a little disappointed in the fact you still do not convince the public of what information you will provide to the public on page 25 to explain how you will measure "Increased community satisfaction in the delivery and management of infrastructure assets" for example. The annual report provides a financial balance sheet showing where money has been spent, but how did money get saved? Why was this value for money? Etc etc.

After actually listening to many people at the consultation stages of many processes and exhibition periods recently, Wyong Shire Council still fail to answer their questions adequately and present the information they would like to know more about. Transparency, transparency, transparency!

4.2 Consideration of submissions to the Wyong Shire Council 2013-2017 Strategic Plan

TRIM REFERENCE: F2012/01427 - D03290602

MANAGER: Stephen Naven, Chief Financial Officer

AUTHOR: Kathleen Morris; Manager Integrated Planning

SUMMARY

This report provides for Council's consideration details of submissions made during the public exhibition of the Wyong Shire Council 2013-2017 Strategic Plan prior to finalisation and adoption of the plan.

RECOMMENDATION

- 1 That Council receive submissions made by the community in respect of the exhibition draft of the Wyong Shire Council 2013-2017 Strategic Plan.**
- 2 That Council determine the outcome of each submission in terms of possible changes to the draft Plan before the final Plan is adopted.**
- 3 That Council adopt the amendments detailed within the report.**

BACKGROUND

At its meeting held on 27 February 2013 Council unanimously resolved:

- "1 That Council adopt the amended Draft Wyong Shire Council 2013-17 Strategic Plan (the Draft Plan) for public exhibition as considered in item 5.7.1, Supplementary Report to Item 5.7 - Exhibition of Draft Wyong Shire Council 2013-17 Strategic Plan (incorporating the 4 year Delivery Program, Operational Plan and Resourcing Strategies).*
- 2 That Council receive submissions from the community and interested groups or stakeholders concerning the Draft Plan for consideration and possible inclusion in the final Plan to be adopted by Council in April 2013.*
- 3 That Council note that no loan monies will be required during 2013/14 to support the planned activities.*
- 4 That Council note that the Plan includes options for funding capital works and these will not be defined until advice is received from the Independent Pricing and Regulatory Tribunal (IPART) on the outcome of Council's application for a Special Rate Variation.*

4.2 Consideration of submissions to the Wyong Shire Council 2013-2017 Strategic Plan (contd)

- 5 *That Council note that the Plan does not consider the draft or final outcome of the IPART pricing decision for Water and Sewerage and that this will be included once the decision has been received.*
- 6 *That Council note the Plan's links to the Community Strategic Plan (CSP) may require updating once the revised CSP is adopted.*
- 7 *That Council authorise the General Manager to make appropriate corrections in the Draft Plan to eliminate numerical inconsistencies and typing errors."*

The draft Plan was exhibited for a period of 30 days from 4 March until 2 April 2013. Exhibition was undertaken in accordance with the revised Community Engagement Strategy that included:

- A series of advertisements in the local papers and on local radio
- Media release issued to all media and picked up by local radio
- Inclusion in the Shire Wide (Council's regular publication in the local paper)
- Exhibition displays at Council's civic centre, depots, libraries and care and education centres
- Letters and copies of the Plan mailed to Precinct Committees
- Letters and copies of the plan mailed to CSP Community Liaison Group members
- Email notice to all staff, local MPs, Chambers of Commerce, Regional Development Australia, Department of Premier and Cabinet, neighbouring local governments and the resident e-Panel
- Electronic exhibition of the document on Councils website (including via Consultation Hub)
- Social media updates through Facebook and Twitter

CURRENT STATUS

A total of 29 submissions were received, as per the summary below.

ID	Section the submission related to	Page no the submission relates to	Submission detail	Staff Recommendation
1	Fees & Charges	Page 254 - 01.31002	Objecting to charging children for reservation on their library cards	The library reservation fee be reduced to \$1.10 for 2013/14 (in line with Senior Citizens Reservation Fee)
2	General		Expressing concern about the state of Wyong township, the lack of parks and the mosquito problems, requesting senior management reside in the Shire and the performing arts centre be built at the same location as the tennis club	Respond addressing concerns
3	IPART application		Objecting to the increase in rates	Acknowledge
4	IPART application		Objecting to the increase in rates	Acknowledge
5	Fees & Charges	Page 263	Child care fees	Proposed changes be implemented

ID	Section the submission related to	Page no the submission relates to	Submission detail	Staff Recommendation
6	IPART application	Part 2	Objecting to Council's application for a special rate variation	Acknowledge
7	Fees & Charges	Page 263	Please stop the childcare fee rise	Proposed changes be implemented
8	Fees & Charges	Page 263 - 04.11012	Birthday cakes should be included in the cost	Birthday cakes be provided at a cost of \$10
9	Various		Information request regarding iconic sites (particularly income, costs, community benefits, masterplan and funding for Long Jetting and The Entrance North masterplans); criteria for determining work priorities; application of social justice principles; consultation over airport and theme park; investment strategy; addressing service demands during natural disasters; youth employment	Respond providing information
10	IPART application	Part 2	Objecting to Council's application for a special rate variation and request Council operate within a 3.4% increase	Acknowledge
11	Various		Seeking consideration of precinct committee dates when seeking public submission; greater direct consultation with the precinct committees; information on capital funding for stormwater; list of works undertaken in the Lake Macquarie catchment, allocation of stormwater management charges (in particular noting there is no proposed expenditure on stormwater management in the Lake Macquarie communities); explanation of difference between drainage and stormwater (page 111); Mannering Colliery VPA funding expenditure	Respond providing information
12	Various		Making comment on sections of the plan including fiscal & asset sustainability, economic development, principal activities 1 to 9 - seeking equitable distribution of projects and funding; providing comment and the workforce management strategy	Respond addressing concerns
13	Fees & Charges	Page 254 - 01.31002	Objecting to charging children for reservation on their library cards.	The library reservation fee be reduced to \$1.10 for 2013/14 (in line with Senior Citizens Reservation Fee)

ID	Section the submission related to	Page no the submission relates to	Submission detail	Staff Recommendation
14	General		Supporting the marketing of community buildings, improvement of library services, community recreation, iconic sites, town centre development, environment and land use initiatives and roads. Recommended more support to volunteer groups, attention to developing walkways, focus on connectedness of landmarks, caravan site at Canton Beach, promotion of iconic sites in Wyong, pedestrian crossing of Wilfred Barrett Drive	Respond providing information
15	IPART application		Objecting to any increase in rates over the amount set by IPART Objecting to the inclusion of the regional airport and asking for it to be removed	Acknowledge
16	General		Seeking explanation of worsening financial situation post election; concerned at accelerating rate of rezoning; objecting to increased weed removal; requesting information on whether development application fees are cost recovery; seeking commitment to integrate development and the environment; requesting iconic site numbers be limited to address environmental issues; seeking assurance that planned Chinese Theme Park development will not degrade the wetland; seeking partnership with Council for tree planting and volunteers; requesting Council outline how it ensures compliance with environment legislation; requesting to move dredging to another classification; seeking justification of wrack harvesting with research; ensure the community is engaged in land-use planning; noting no mention of sea level rise or climate change impacts	Respond addressing concerns

ID	Section the submission related to	Page no the submission relates to	Submission detail	Staff Recommendation
17	General		<p>Concerned about the large number of documents on public exhibition; Council is not a property developer; don't spend money promoting the 'brand'; stop putting off the identification of natural assets; reinstate community positions to the Tuggerah Lakes Estuary management Committee; object to rates application - where is s94 collected from Ourimbah; why has the financial responsibility for water not transferred to the new authority; distrustful of iconic site development strategy; objecting to wrack collection; concerned over accelerated road paving plans without review of environmental factors; do not support airport; disappointed no consideration of east coast high speed rail link</p>	Respond addressing concerns
18	Part 2 Special Rate Variation		<p>Council's asset maintenance gap should be resourced by reducing funding to non-essential projects and administration; object to rate payers funding economic development (Iconic Development Sites); not support Council funds on an airport; opposed to products that provide little or no economical benefit; reduction in new road developments unless funded by developers; Council should focus on Waste and Water services (including stormwater and sewerage)</p>	Respond addressing concerns
19	General		<p>Glad to see a focus on encouraging business through rates incentives and improving the health of Tuggerah Lakes; suggested developing a regular water quality monitoring programme; concern over proposed regional airport due to noise impact; suggested that Council erects a display outside chambers and in local papers to illustrate the state of assets; suggested Council advertise local businesses in community halls, sports fields, on the sides of vehicles</p>	Respond addressing items raised
20	General		<p>Could not find your on-line feedback form</p>	No response required

ID	Section the submission related to	Page no the submission relates to	Submission detail	Staff Recommendation
21	General		Raised concern over Councils favourable economic requirements over social and environmental components; praised the work of the GM in containing the operating deficit; suggested Council look at a business model currently run by Lake Macquarie City Council called "Civil lake"	Acknowledge
22	General		The 6.9% increase to IPART is appropriate on the proviso that the increased funds cannot be utilised for any other purpose	Acknowledge
23	General		Question the need for an additional airport at this stage, based around concerns for air and noise pollution, damage to our drinking water supply and destruction of our natural environment	Respond addressing concerns
24	General		A "motherhood" statement. Lots of words, no details, except for the usual about The Entrance/Tuggerah Lakes. Other parts of Council's area rarely receive any mention	Acknowledge
25	General		Concern over kerb and guttering in the northern part of the shire.	Respond addressing concerns
26	General		Question the point of consultation due to the varying response between the community and Council. Cannot see the advantage of a regional airport nor an Arts Centre.	Respond addressing concerns
27	General		Question the need for an action plans in place to save money	Respond addressing concerns
28	Capital expenditure projects		Item 8-300 - Noting that a shared pathway should have been constructed under the VPA; seeking attention to tennis courts in Acacia Avenue; requesting provision for Lake Munmorah beach renourishment; noting delay in funding for Acacia Avenue Skateboard Park; appreciating the proposed Lake Munmorah Civic Centre	Respond addressing items raised

Council may, in its consideration of these submissions determine to note any particular issue as being a consideration for operational staff to take up during the course of normal operational activity.

4.2 Consideration of submissions to the Wyong Shire Council 2013-2017 Strategic Plan (contd)

Recommendations from the above submissions are to:

- Reduce the birthday cake fee (04.11012) from \$15 to \$10 (inc. GST)
- Reduce the library reservation for children (that is pre-school, junior and young adult under 18yrs) to \$1.10 (inc. GST)

COUNCIL'S INTERNAL REVIEW OF THE DRAFT PLAN

Council is not required to make submissions to its own plans however it has an obligation to ensure that in its fine tuning of the document, that any material change is avoided otherwise it would be appropriate to consult formally with the Community a second time.

During the exhibition period staff continued to make many minor adjustments to the narrative, formatting and correction of typos as permitted by Council's resolution to place the draft Plan on exhibition.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

The Wyong Shire Council Strategic Plan 2013-17 is aligned to the Community Strategic Plan.

Long term Financial Strategy

The draft Long Term Financial Strategy is aligned to the objectives of the Community Strategic Plan.

Asset Management Strategy

The draft Asset Management Strategy is aligned to the objectives of the Community Strategic Plan.

Workforce Management Strategy

The draft Workforce Management Strategy is aligned to the objectives of the Community Strategic Plan.

Budget Impact

The budget impacts of the Community Strategic Plan are incorporated into Council's Long Term Financial Planning.

CONSULTATION

Community consultation was in accordance with the approved Community Engagement Strategy. This engagement and all submissions received during the public exhibition period are the subject of this report.

In addition to the Community consultation extensive consultation was undertaken with Councillors, senior management, managers and staff for the formation of the draft Plan.

GOVERNANCE AND POLICY IMPLICATIONS

The exhibition of the Wyong Shire Council 2013-2017 Strategic Plan is an important step in ensuring good governance based on the integrated planning framework. The integrated planning framework provides an additional avenue for transparency and community input into Council detailed corporate planning. As such, it serves as an essential component of good governance as a basis for corporate management that responds to the needs and vision of our growing community.

MATERIAL RISKS AND ISSUES

The exhibition of the Plan and the community consultation reduces corporate risks arising from business directions not being aligned with the community needs and direction. At the same time, careful review of all submissions is required to ensure that final decisions give preference to the overall community good when weighting up any advantages arising from suggestions made by individual submissions.

CONCLUSION

Council has exhibited the draft Plan in accordance with the Community Engagement Strategy and the requirements of the Act.

Submissions have been analysed and summarised received generally raised concerns regarding Councils proposed rates and charges from those individuals or businesses most directly impacted by cost increases.

Amendment of the draft Plan as outlined in this report is proposed prior to Council considering the final Wyong Shire Council 2013-2017 Strategic Plan for adoption.

ATTACHMENTS

1	PUBLIC WSC SP Submission 1	D03312457
2	PUBLIC WSC SP Submission 2	D03312458
3	PUBLIC WSC SP Submission 3	D03312460
4	PUBLIC WSC SP Submission 4	D03312461
5	PUBLIC WSC SP Submission 5	D03312462
6	PUBLIC WSC SP Submission 6	D03312463
7	PUBLIC WSC SP Submission 7	D03312465
8	PUBLIC WSC SP Submission 8	D03312466
9	PUBLIC WSC SP Submission 9	D03312468
10	PUBLIC WSC SP Submission 10	D03312469
11	PUBLIC WSC SP Submission 11	D03312470
12	PUBLIC WSC SP Submission 12	D03312472
13	PUBLIC WSC SP Submission 13	D03312474
14	PUBLIC WSC SP Submission 14	D03312475
15	PUBLIC WSC SP Submission 15	D03312478
16	PUBLIC WSC SP Submission 16	D03312479
17	PUBLIC WSC SP Submission 17	D03312482
18	PUBLIC WSC SP Submissions 18-27	D03312483
19	PUBLIC WSC SP Submission 28	D03312484

[REDACTED]

[REDACTED]

WSC SP Submission 1

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: Fees and Charges

I think that we should not be charging children for reservation on their library cards.

[REDACTED]

D03272881

14th February, 2013

Dear Sir

SCANNED
18 FEB 2013
0046

WSC SP Submission 2
RECEIVED
15 FEB 2013
WYONG SHIRE COUNCIL

I have been living & paying rates at the above address for over 53 years. The eastern side of the railway is starting to look so neglected; obviously there is no pride and this area is used by train travellers going to the races & sporting people etc going to Baker Park. You talk about creating jobs & the races bringing in revenue to Wyong.

Council should take a look at how untidy the town looks approaching from the south i.e. the grass etc next to Ray White's real estate - there is dead palms & rubbish in the main street, palms & grass just not cleaned up (lacking pride). Wyong town always seems a mess in most parts.

Is it possible to employ people; some senior management staff who live in the shire? as they would have a pride in the area & understand the needs required. If you travel into a clean town most people will try & keep it that way. We had more staff doing roads, gutters etc when I first started paying rates; we have no nice parks in our part of the shire.

Rackleigh Street going to Marathon Street is a real mosquito home - hope the Ross-River mosquito doesn't fend out about it.

Perhaps if you built the "Performing Arts Centre" on the land where the Tennis Club was you would be able to still get an income from

2

our big hall by hiring it out etc.
& beside there is no parking there & over
on the land where the Tennis Club was has
more parking & could be shared with the Horse
Club Car Park & it's closer for people to
come by rail for a show.

I do realize you need to plan ahead but
don't feel confident it will be ~~as~~ you
have mentioned how much has been saved
20 million but at what cost - everything
is run down & it sounds like we still
have to maintain services.





WSC SP Submission 3



I wish it to be noted that I object to the increase of 6.9% to our rates. We have only recently moved into the area and find the rates more expensive than when we lived on the northern beaches.

We are now pensioners and are struggling to afford the current quarterly payments as it is.

You have many caravan parks in this area which are a big resource and must be bringing money into the council. Other areas do not have this but the rates are still cheaper.





WSC SP Submission 4



[Redacted text block]

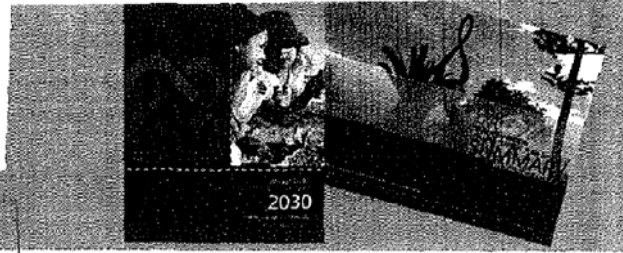


to the General Manger
Wyong Shire Council

Just wanted to add my objections to all the others your collecting about the rise in rates.
Its all very well you rating me out of my property, but one day no one will be able to afford to live in Wyong Shire.
I, like so many have been made redundant form my job, yes it will happen to you one day, but unlike you I didnt receive a big fat payout.
Many people in my area are self funded retirees, Im actually only 53, so a long time to fund my very meagre life style, please try and have thoughts for your residents welfare, life is hard enough,
kind regards,



HAVE YOUR SAY



FEEDBACK FORM

TO BE RETURNED BY 2 APRIL 2013

18 MAR 2013

WYONG SHIRE COUNCIL

WSC SP Submission 5

If you have any comments on the Draft Community Strategic Plan 2030 (revised) or the Draft Wyong Shire Council 2013-2017 Strategic Plan please provide a submission on the following form. If you are referring to a specific part of the plan please tell us which page(s).

I am amazed that in this economy Council would "ONCE AGAIN" put up their fees and hit the pockets of hard working parents.

I would like to know what you are going to do with all of the increases that you propose. Will you pay your amazing staff more - I think not! Well, you up-date Karinya - no you won't! Will you employ a teacher for the children who are going to school next year - NO!

If you require more space, please attach additional pages to this form.

Name: [Redacted]

Address: [Redacted]

Contact details are required if you would like feedback or to be kept informed of the Community Strategic Plan's progress.

[Redacted]

Preferred contact number

[Redacted]

PTA

Interested in being involved in future engagement? Council conducts regular engagement on many projects. By ticking the circle that is at the start of this note, we will place your details on our Resident ePanel. Find out more go to www.wyong.nsw.gov.au/get-involved

Drop this form off to any Council Library or the Council Civic Centre (2 Hely Street, Wyong) or
Email: wsc@wyong.nsw.gov.au Fax: 02 4351 2098 Post: PO Box 20 Wyong NSW 2259 www.wyong.nsw.gov.au/get-involved

You cant fill the spots at
Karinga now, so how do you
think putting up fees will help.

We pay as part of our fees for our
children to have afternoon tea,
then tell me why I have to pay
\$ 15-00 for my child to have a
birthday cake with the people she loves
at Karinga.

You people that sit in your office
and make these rules need to get
out and spend a week with your
great staff and have a taste of
reality!

All Council cares about is hitting
working people - increase "child-care",
"increase rates"!

Shame on you Council!



WSC SP Submission 6

[Redacted text block]



The General Manager
Wyong Shire Council
Hely Street
Wyong NSW 2259

Dear Sir

I am writing with regards to the submission made by Wyong Shire Council to IPart for another increase in the yearly rate payments made by land owners in the Wyong Shire.

I can't believe that once again you wish to increase our rate payments under the disguise of ageing infrastructure, roads need fixing/repairing and Council run facilities need improving. Wyong Shire Council is now in the area of starting to bleed ratepayers dry. How much money do you expect that we can pay before ratepayers start going in bankruptcy? How many more increases do you think the ratepayers can afford to make?

Maybe another solution needs to be found to keep Council expenses down instead of raising the rates. Maybe your salary increases should not have been approved. Maybe someone should go out and have a serious look at the Council crews that repair (and I use that word very loosely) our roads. Usually at least two to three trucks, two people to hold the stop/go signs, one person with a shovel and at least three men standing around talking, eating their lunch or on their phones. Maybe money could be saved on these wasted salaries. Maybe less money could be spend on putting in footpaths in areas that don't need footpaths. Curb and guttering on The Corso at Lakehaven on a road that borders a grass area in front of a reserve – was this really a necessity? Putting in useless roundabouts on The Corso at Charmhaven that are too wide that a large car can't even go around them – they have to go over the edges of them. Maybe your "conferences" and "meetings" should be held in the Council Chambers instead of going to motels/resorts/weekends away – all at the ratepayers expense. Maybe even getting rid of the rude staff that work at the Council, so that when we, yet again have to phone and ask to make payment arrangements, we are not made to feel that we are criminals and that we should be thankful to the Council for making us pay these bills.

With costs increasing monthly for all households, including electricity, gas, petrol, food and



insurances – surely you can see that yet another increase in rates will just about kill people financially, especially when we see no good use of the money. I live in Gorokan and shop locally or in Tuggerah/Wyong – what do I care if Warnervale has a new shopping centre, sports field or good roads to drive on! Gorokan doesn't have good roads, hardly any curb and guttering, etc. We don't care if your buildings are getting older – that is your problem. Better management and investment could have saved this increase from happening. I am truly at the end of my financial rope and within the next year will be very close to having to sell my "great Australian dream" house just to make ends meet, because financial utility bills have risen too high.

I think Wyong Shire Council should think twice about doing this to it's residents. It is truly unfair.

██████████

28/03/2013

HAVE YOUR SAY



FEEDBACK FORM



(TO BE RETURNED BY 2 APRIL 2013)

WSC SP Submission 7

If you have any comments on the Draft Community Strategic Plan 2030 (revised) or the Draft Wyong Shire Council 2013-2017 Strategic Plan please provide a submission on the following form. If you are referring to a specific part of the plan please tell us which page(s).

Why are fee's going up again ???
they are high enough, soon they
will be so high I won't be able
to send my child ~~to~~ to
childcare.

When is it going to
End?

Please stop the childcare fee
 rise 

If you require more space, please attach additional pages to this form.

Name

Address

Preferred contact number

Email

Interested in being involved in future engagement? Council conducts regular engagement on many projects. By ticking the circle that is at the start of this note, we will place your details on our Resident ePanel. Find out more go to www.wyong.nsw.gov.au/get-involved

Contact details are required if you would like feedback or to be kept informed of the Community Strategic Plan's progress.

Drop this form off to any Council Library or the Council Civic Centre (2 Hely Street, Wyong) or
Email: wsc@wyong.nsw.gov.au Fax: 02 4351 2098 Post: PO Box 20, Wyong NSW 2259 www.wyong.nsw.gov.au/get-involved

HAVE YOUR SAY



FEEDBACK FORM

(TO BE RETURNED BY 2 APRIL 2013)

WSC SP Submission 8

If you have any comments on the Draft Community Strategic Plan 2030 (revised) or the Draft Wyong Shire Council 2013-2017 Strategic Plan please provide a submission on the following form. If you are referring to a specific part of the plan please tell us which page(s).

Childcare cost increases.

Don't parents already pay for afternoon tea so why shouldn't the birthday cakes be included in that cost rather than parents having to pay \$15 on top.

If you require more space, please attach additional pages to this form.

Name

Address

Preferred contact number

Email

Contact details are required if you would like feedback or to be kept informed of the Community Strategic Plan's progress.

Interested in being involved in future engagement? Council conducts regular engagement on many projects. By ticking the circle that is at the start of this note, we will place your details on our Resident ePanel. Find out more go to www.wyong.nsw.gov.au/get-involved

Drop this form off to any Council Library or the Council Civic Centre (2 Hely Street, Wyong) or
Email: wsc@wyong.nsw.gov.au Fax: 02 4351 2098 Post: PO Box 20, Wyong NSW 2259 www.wyong.nsw.gov.au/get-involved

WSC SP Submission 9

Thank you for the invitation to meet with you but I do not have the time or energy as we have been inundated by Council's proposed changes - 8 in the past 6 months . The more recent are the rate variation and reclassification of council and - which has dominated the Community's attention and this has further been dumped on by the Draft LEPs, SS and DCPs.

It is such a shame as Council's 2015-1017 Strategic Plan and Draft Community Strategic Plan 2030 are excellent documents - it is the first time, the community has been provided with a list of work which will be undertaken or not - depending on the income from the different rate rises.

My query is - as there are 28 Iconic sites for the Shire - 9 are in The Entrance Peninsula - is there a strategy/financials/ business plan for these projected income/employment generated from the key sites:

Questions

1. How much income is expected to be generated from the iconic sites in the form of rates from the highrise properties (for The Entrance Peninsula 35 - 16 storeys of apartments, shops etc.should yield considerable income from rates)
2. How much will it cost Council by providing such key sites incentives e.g. waiver or reduced fees for certification, reduce, deferring or eliminating Council ordinary rates ?
3. What is the expected combined value of the " benefit to the community" --- what are some of these - library, museum, wave pool ...(should these be included in Council assets) - have the cost of the operation and maintenance of such "community benefits" being considered?
4. Will the community benefits remain in The Entrance Peninsula or will they be used in other areas of the Shire
5. Can the "community benefits" be for the Council's core business - local roads, footpaths, curb and guttering for our Precinct - etc.
6. Can you direct me to info on how Council will implement The Entrance Town Centre Masterplan.
7. Is there a strategic and funding for The Long Jetty and The Entrance North Master Plans?

Other questions

1. What criteria has been used to determine the list of work and priorities in the planning?
2. How have social justice principles been applied?
3. Who were consulted over the proposed airport and the Chinese Theme Park
4. The push for investment in the Shire is to attract more overseas investment especially from China - what strategy has been considered for the social and cultural implications of such investments and potential increase in migrants to the Shire -
5. Has there be consideration of increase in demand for services resulting from more frequent natural disasters - e.g, flooding, bush fires
6. Council has a strategy to employ more young people in apprenticeships - what about a strategy to employ older people, many who have been forced to retire early or cannot get jobs etc... or have to seek employment due to the loss of superannuation savings



from the GFC



Please call me if your require any more information.



[REDACTED]

WSC SP Submission 10

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

I hereby advise that I have sent an objection to IPART, with regards to Council's submission for a 6.9% increase in rates. My objection is primarily based on a philosophy of "Living within our means". Like many other ratepayers, I elected councilors to run the business of our shire efficiently and within a budget supported by the independent regulator (IPART). IPART has made a decision and applied a rates cap of 3.4% for this year. I accept that increase because it is the structure that has been set up to determine such decisions. For my part, I will reorganise my financial affairs to provide for the 3.4% rates increase because I take my responsibility seriously. I now expect Council to be responsible and also work with the 3.4% increase. It is pointless having an independent umpire if Council can simply apply for the decision to be overturned.

It also appears that Council has not respected rate payer's money in the past, with waste of around ten million dollars in recent years which has now been rained in as savings. Rates are not the only income of Council and I suggest that further work needs to be done by Councilors and paid employees of Council, to better manage Wyong Shire in accordance with the objects of their reason for existence.

Capital expenditure should in part be determined by affordability. Government grants and ongoing maintenance. Once in place, replacement should be provided for, through depreciation of the assets and not become a debt to current rate payers. Costs associated with population growth should be planned and provided for under a user pay philosophy. If Council has a problem operating Council's business within normal business constraints and practices, then maybe it is time to bring in the administrators to sought the mess out and train staff before handing the reigns back to elected Councilors.

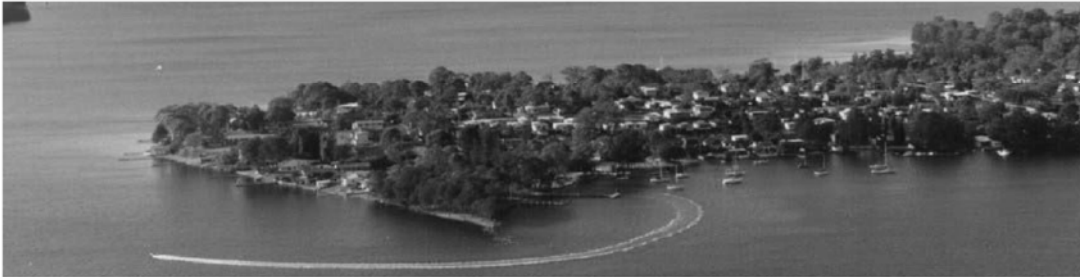
Finally, we have an independent umpire in IPART and I strongly abject to Council asking for their decision to be overturned.

[REDACTED]
[REDACTED]
[REDACTED]

28/03/2013

WSC SP Submission 11

MANNERING PARK COMMUNITY PRECINCT COMMITTEE



**PO Box 7061
MANNERING PARK
NSW 2259**

ABN 47054613735

29th March 2013

The General Manager
Wyong Shire Council
PO Box 20 NSW
2259

RE: COMMENTS ON WSC 2013-17 STRATEGIC PLAN

Dear Michael,

On behalf of the Mannerling Park Community Precinct Committee I would make the following comments and observations on the 2013-17 Strategic Plan.

On reviewing our Precinct's last year's submission and council's response it is not surprising that you receive so few submissions, as commented by the mayor in the media recently. The response last year from council was that the plan was adopted without change, therefore, why bother?

Once again this year similar questions are raised:

1. Although the time for public submissions may not be in council's control the release dates for public submissions are. I would ask that in future council more closely consider the meeting dates for the various Precincts when advertising for public submissions.

MANNERING PARK COMMUNITY PRECINCT COMMITTEE meet 3rd Monday of the month.

Page 1 of 3

EMAIL: manneringparkprecinctcommittee@yahoo.com

WEB: www.manneringpark.nsw.au

2. With the document being so large, and therefore making it difficult for many in the community to comprehend the full extent of its contents, **I would suggest that greater direct consultation with the Precincts be undertaken both before and after the plan is released.** The councils Precinct guidelines state that the council established Precincts to:
 - a. encourages the involvement of all residents in the decision making processes of Council to enhance the amenity of the area
 - b. improve communication and trust between Council and its residents
 - c. improve the quality of council's decisions and actions and thus strengthen Council's representation of the community
 - d. provide a vehicle for information to freely flow between Council and the community
 - e. encourage social interaction within the community to establish participation and pride in local areas.

The current timing of the release of strategic documents and the subsequent submission period does not allow full conformance with these five key Precinct guidelines. Consultations before would allow the council to gather a wider range of input before the plans production and public release, while consultations after the release would allow council to more fully outline the plans contents and encourage debate and discussion of the following year's plan.
3. Part 3 Page 97 Item 9-013: There is an allocation of funding in the capital works program of \$800000 for Road and Stormwater upgrades at Gwandalan. As it is both a road and stormwater upgrade portion of the works should be funded via the Ordinary Rates not totally by the Stormwater Levy.
4. Part 3 Page 99 Stormwater Management Charge. Of the "Management Measures" outlined what works have been done in the Lake Macquarie catchment?
5. Last year we requested information that has still not been provided. This information is again requested so we can try and get a level of transparency to the council's allocation of Stormwater Management Charge funds. Once again can the council explain:
 - a. What criteria are used to allocate the "Stormwater Management Charge" funds?
 - b. How much of the charge collected from each community is spent in the community paying the charge?
 - c. How much money raised from past years levies on Lake Macquarie communities is council currently holding and what are council's future plans for these funds?
6. Part 3 Page 111. The Stormwater Management Charge levy is over and above the drainage funding allocation that would normally be allocated to an area in the absence of the levy. Based on the fact that there is no funding for drainage in any of the Lake Macquarie communities, how can council demonstrate that funds that would normally be spent on stormwater/drainage in the Lake Macquarie communities is not being diverted elsewhere in the shire.
7. Part 3 Page 111. The last paragraph states "Drainage maintenance includes those works undertaken to ensure the constructed drainage asset is functional". If this is the case why then

MANNERING PARK COMMUNITY PRECINCT COMMITTEE meet 3rd Monday of the month.

Page 2 of 3

EMAIL: manneringparkprecinctcommittee@yahoo.com

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has the drainage in Dunvegan Street Mannering Park been allowed to remain dysfunctional and no attempt by council to rectify this dysfunction been undertaken?

8. Part 3 Page 111. The last sentence states that the "works funded by this drainage charge are different to the works funded by the Stormwater Management Charge". Can council therefore explain what assets in Mannering Park are considered as "Drainage" and what assets are considered "Stormwater"? We require transparency in the allocation of funds to these largely similar assets.
9. Since 2008 Mannering Colliery was required by their E.A. Conditions of Consent to pay \$02.5/tonne of coal produced into a Voluntary Planning Agreement. This funding was to be used for environmental works around the southern shores of Lake Macquarie. Unfortunately the VPA did not nominate a suitable financial structure in which these funds should be allocated which would have provided the colliery and the communities affected with a level of transparency over the spending of these funds. Therefore can council advise
 - a. How much money has been received from Centennial Coal, the owners of Mannering Colliery, since the commencement of the VPA
 - b. What projects have been funded from this VPA and what were the costs.
 - c. What projects will be undertaken this financial year using funds from the VPA

[REDACTED]

Chairman Mannering Park Precinct Committee

MANNERING PARK COMMUNITY PRECINCT COMMITTEE meet 3rd Monday of the month.

Page 3 of 3

EMAIL: manneringparkprecinctcommittee@yahoo.com

WEB: www.manneringpark.nsw.au

WSC SP Submission 12

Mr Michael Whittaker
General Manager
Wyong Shire Council
20 Hely St
Wyong 2259
NSW
2nd April, 2013

Re; Wyong Shire Council Strategic Plan 2013-2017 submission

Dear Michael,

Firstly may I commence my submission by acknowledging the enormous task Wyong Shire Council has in delivering services equitably across the Wyong Shire. The strategic plan however does not indicate whether an equitable allocation of funds is going to start to flow to areas within the shire that have NOT been included to date. This omission in the document creates a sense of business as usual, with the parts of the shire requiring basic support watching their rates being spent disproportionately into the same areas as the past.

This submission attempts to highlight some of the inequities focusing on the Budgewoi Halekulani Buff Point area outlined in the draft strategic plan 2013 -2017 & assumes option 3 - 6.9% SRV including rate peg is approved by IPART.

Part 3 Operational Plan & 4 year Delivery Program

Fiscal & Asset Sustainability (Page 37). The Wyong Council's Asset management Strategy detailing \$121million needing to be spent to address the unsatisfactory condition of our \$2.5billion infrastructure portfolio & utilising the same on-ground work culture that exists is unachievable. Under the workforce management strategy of this submission I have attempted to provide a strategy that Wyong Council could adopt.

A major renovation of the Wyong Local Environmental Plan (Page 37) should not be used specifically for the promotion of development. There is a great need within the Wyong Shire community to use this opportunity to enhance the social & environmental integrity of our shire in conjunction with sustainable development.

Long term provision for a regional type 3 airport,(Page 37) in a time when added population pressures & development of the Warnervale Town Centre plus North Warnervale Rail Station, demonstrates a complete disregard for the well- being of northern communities of the shire in particular Wyee. In relation to noise, air quality, biodiversity & carbon emissions a joint study on aviation capacity in the Sydney region found that the Wallarah airport site is unsuitable in terms of noise impacts due to proximity to urban development. The most sustainable option for future transport needs on the Central Coast is a combination of high speed rail, F3 freeway duplication and a light rail loop following the coastline integrated into the existing rail network.

Economic Development (Page 38). The fiscal balance within this section of the strategic plan is heavily weighted towards traditional development with a total disregard for intergenerational equity. Excluding such matters as our carbon footprint, or any commitment to renewable energy can only lead to short term gain for developers & Wyong Council, with long term pain for the community.

The 4 year delivery program & operational plan.

Principal Activity 1 – Community & Education

The significant component within this section of the document is the inequitable delivery of programs across the shire. Eg. Capital Expenditure Projects Page 64 item 1-015 The Art House – Wyong \$1 million dollars allocated when the annual budget for both Community education & Capital Expenditure for the Shire 2013/2014 is \$2,614,906.00. No funding allocation has been directed in this activity area for Budgewoi, Buff Point, & Halekulani communities.

Principal Activity 2 – Community Recreation Actions

This activity has no budgetary allowance for Budgewoi Buff point & Halekulani. An allowance is provided for vandalised infrastructure shire wide where there is no linkage or process to have perpetrators of anti- social behaviour made accountable.

Principal Activity 3 – Economic & Property development

This activity epitomises the inequitable distribution of funds across the shire, with the added impost of the management of Warnervale Town Centre. No funding allocation for the Budgewoi Master Plan when \$860,000.00 is allocated for retiling the Entrance foreshore is a true testament to extreme nature of the inequity within our shire. This coupled with the Entrance receiving \$200,000.00 for re-design of memorial park when communities within the shire are struggling for basic services brings into question this entire process.

The Budgewoi town master plan initially indicated a funding allocation to target improvements & upgrades to the community of Budgewoi, Buff Point, & Halekulani. The local precinct committee sort to positively improve our community with a range of targeted improvements. The list was presented at the Strategic Planning Consultative meeting. Listed below are the items endorsed by the Budgewoi Buff Point Halekulani Precinct Committee held on March 6, 2013 & presented to the consultant at the Strategic Planning meeting

- Tenth Ave, Budgewoi shared pathway zone to be made in to pedestrian landscaped area with tree beautification and seating. Tenth Ave vehicle speed limit to remain 10 klms with a 2 lane road limiting parking to the shop side only allowing for landscaping and seating enhancing the area with the potential for coffee shops and community space.
- Town entry Beatification with community input in planning and planting of locally indigenous plants.
- Improve roundabouts with appropriate native plants (replacing concrete)
Community input in planting with locally indigenous plants.
- Entry Sign to depict history at Budgewoi town entry adjacent Slade Park, to be incorporated in town entry beautification of roundabouts and tree planting along Ourringo Street.
- Upgrading the walkway from Budgewoi Holiday Park to Budgewoi Road to complement the local pathways in the town giving connectivity from Budgewoi Holiday Park to Lake Budgewoi and Lakes Beach.
- Dunk Island Foot Bridge at McKensie Park to be placed onto the Wyong Council heritage register as an iconic structure.
- Alcohol Free Zones extended in East Budgewoi with Clear Signage in all AFZ with maps in Liquor outlets to inform the public and to assist with enforcement of the AFZ.

- Toilets Ocean Street Beach car park (Podgewoi Park) to meet the needs of the growing usage of this beach access.
- 85m long timber walkway & fishing bays counter levered 2m over Budgewoi Creek at rear of shops for tourism and public access to waterways & recreational usage.
- Mosaics as community project to brighten entries with these incorporated in the town entries and other town projects.
- Tennis courts off Scenic Rd require repair & maintenance to enhance safety and usage.
- Amphitheatre or grandstand for public performance and community entertainment placed adjacent to the Public Hall at Budgewoi Oval.
- Signage to the walkways in and around the townships and the lakes. To enhance local awareness, usage and tourism.
- All enhancements in the local area to meet the needs of the Disability Precinct Committee protocols. This will both assist the local disabled and aging population while enhancing the potential for an additional tourism for the local community.

Principal Activity 4 – Council Enterprises

Again Budgewoi Buff Point Halekulani have missed out on Crown reserves support from Council Holiday Parks (cluster funding) even when Budgewoi Beach Dunecare Inc are rehabilitating lands within the Budgewoi Holiday Park reserve through funding provided by Hunter Central Rivers Catchment Management Authority. In 2008/9 \$94,000.00 cluster funding was allocated for stream-bank rehabilitation at McKenzie Reserve (adjacent Budgewoi Holiday park), nothing has been carried out to this day. Attempts by Budgewoi Beach Dunecare Inc to formalise a partnership between Budgewoi Beach Dunecare Inc & Wyong Council Budgewoi Holiday Park are still in progress.

Principal Activity 6 – Environment & Land Use Actions

Funding of natural resource management activities is once again confined to the areas in which in past years a disproportionate funding allocation has occurred. Eg Budgewoi Beach Dunecare Inc provided in 2011/2012 via in-kind & sponsorship support, \$120,000.00 on Coastal Zone management & maintenance for Budgewoi/Lakes beach. The Wyong Council contribution via the Landcare program was \$5,000.00 for the same period. This inequity is having a negative effect on the active volunteer community in the entire northern “A” ward of the shire in relation to their engagement in land use planning.

Principal Activity 7 – Waste Management

Wyong Council has a proud record of waste management, which has seen the Wyong Shire lead the way in proactive sustainable waste management strategies.

Principal Activity 8 & 9 – Roads & stormwater action

The roads section of this activity is where community engagement & Shire wide equitable distribution is at its lowest ebb. Once again Budgewoi Buff Point Halekulani area is towards the bottom of the priority list with this activity particularly when option 3 is invoked. The storm water principle activity across the shire being maintained on an as-needs basis is totally unsatisfactory in stemming sediment inflow into our lagoon (Tuggerah Lakes) system. Increased funding for new & improved gross pollutant traps is welcomed providing a totally revised maintenance & monitoring regime follows these primary works.

Workforce management Strategy (WMS) (Page 156)

The objectives of the WMS are comprehensive & provide the intent for Wyong Council's workforce to be managed effectively have positive goals to aspire to. Unfortunately these WMS goals & aspirations are being trashed by a small minority of employees who are at the coal face in relation to on-ground works in daily view of the community. If Wyong Council intends to continue "business as usual" in areas where on-ground works & maintenance are carried out & be fair & equitable to the majority of their employees, these sections of Wyong Council require a "cultural shift" to attain efficiency requirements that would see these departments competitive with the private sector & regain the respect of the community.

A look at Lake Macquarie City Council "CivilLake" business model is an example of how on-ground work efficiency can be achieved with the added bonus of returning the infrastructure back log into an effective & profitable section of Council. Page 19 of the strategic plan dealing with effectiveness in which is outlined a minuscule amount of gains at the expense of outcomes for maintaining assets, compared to the cultural shift that is required to direct Wyong Council future towards economic sustainability.

The strategic plan needs to provide a greater balance of resources across the shire & ensure the economic imperative does not override the social, environmental & sustainable pillars of the quadruple bottom line.

Regards

██████████

President Budgewoi Buff Point Precinct Committee

President Budgewoi Beach Dunecare Inc

[REDACTED]

[REDACTED]

WSC SP Submission 13

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

I wish to express my concern for the fact that if I put a book on reservation for my child, I then have to pay a fee of \$3 to borrow the book.

I do not believe it is in the best interest for children if there is a fee for them to read. Especially as many of the books my children are interested you only have 1 and maybe 2 copies off

I believe that there shouldnot be a reservation fee for children or at the very least the same fee as it is for pensioners/concession of \$1.

Thankyou

[REDACTED]

[REDACTED]

WSC SP Submission 14



NORAH HEAD COMMUNITY PRECINCT COMMITTEE

PO Box 166 Toukley 2263



E precinctcommittee@norahhead.nsw.au
W www.norahhead.nsw.au

The General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

2nd April 2013

Dear Sir,

Re-Draft Strategic Plan/Management Plan 2013

- We would like to acknowledge the quality of both documents, The Draft Community Strategic Plan and the Draft Strategic Plan Summary 2013 – 2017. The documents are clear and easy to comprehend and the contextual information about the Wyong Shire sets a sound foundation for the future direction of the Wyong Shire.
- We would also like to advise that we felt that the time frame for the response was inadequate.

The following comments relate to the 2013-2014 Principal Activities.

Principal Activity 1: Community and Education

- We support the improvement of community building usage through marketing as a way of utilising existing structures with activities that are of value to the local communities as well as providing some revenue for Council. Some caution regarding activities may need to be demonstrated.
- We support the improvement of library services especially in regard to access to technology.

Principal Activity 2: Community Recreation

- We support all these initiatives
- The final point in particular has merit i.e. *'delivering improvements to natural areas and public domain through volunteer groups.'* Volunteer groups can play a vital role in positive contributions to the community. It is suggested that Council present to volunteer groups a range of small and practical strategies that can be undertaken. It should be noted that too many restrictions or perceived 'red tape' can lessen the enthusiasm of volunteer groups.

- We suggest that attention is given to developing walkways, both formal and natural, as incentives for community health and recreation. The concept of *“Walking Wyong Shire”* could be a complement to the cycleway initiative.

Principal Activity 3: Economic and Property Development

- We support the Iconic Sites initiative, especially the caravan sites at Canton Beach.
- Further information about what is meant by *‘growing Council’s revenues from property holdings’* AND *‘Establishing new Council land classifications’* would be appreciated
- We support long-term strategies to develop the Shire’s various main town centres. We recommend that a focus could be on creating a greater sense of connectedness between the various unconnected but important features of the main towns. Toukley is a good example where the Village Green has been a good initiative in providing a central focus with green space and seating and a children’s playground. Civic type buildings and landmarks that assist in creating a greater sense of community (War Memorial, Fire Station, Police Station, Post Office, and Library etc.) are however, disconnected from this space. Ways to overcome this could include a map in the Village Green with such landmarks/buildings clearly identified with accessible and attractive walkways being signposted to such sites. A clock tower is also a way of enhancing public spaces.
Creating a link between past and present could also connect communities and create a stronger sense of belonging and pride. In the case of Toukley some visual representations of pioneers, earlier activities etc. could be incorporated into public spaces. The historic pictures along The Entrance Channel Boardwalk are such examples as are the plaques near the tuckeroo trees that line the oval at the southern gateway to Budgewoi.

Principal Activity 6: Environment and Land Use

- We support these initiatives although more explanation of the new Local Environment Plan and associated strategies is sought.
- The development of iconic sites (as mentioned previously) is important. It is recommended that prompt attention be given to the caravan site at Canton Beach as a first step to reclaiming the area as a place people may wish to visit. This is an area with a strong history that could be showcased along with the natural beauty of the area. An attractive and accessible walking path from the Toukley Town Centre, from Harry Moore Oval and from the Toukley RSL could be undertaken as a means to connect this iconic site with the town itself.
- One of the most beautiful areas in the Shire is Norah Head and the Norah Head Lighthouse is a well-publicised feature of the area. The upgrade to the Lighthouse car park in recent years has much improved vehicular accessibility to the area. To encourage tourist and local appreciation of the area a walkway from Bungary Road and Jenny Dixon Reserve, connecting to the Bush Street Reserve and Nature Track could be undertaken.
- In addition to iconic sites there exist some areas in the Wyong Shire that could be promoted at certain times of the year such as Soldiers Beach car park as a viewing platform for whale migration. Another that comes to mind is the glorious showing of flannel flowers that occurs each year around August/ September. The heathland area near View Street and Barton Street at Norah Head is one such example. As this area is now under the management of the local Aboriginal Land Council it could provide a strong link with our indigenous members of the community. Given also that the flannel flower is the emblem of Wyong Council a

real opportunity to promote and make a connection with the natural beauty of the flowers seems a worthy endeavour.

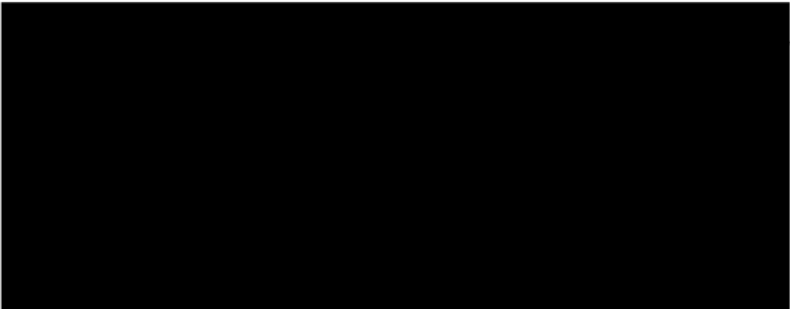
Principal Activity 8: Roads

- We support each of these points but also recommend an increase in footpaths to encourage pedestrian activity.
- In terms of the Norah Head/ Noraville area we also strongly recommend that a pedestrian crossing is provided to allow the crossing of Wilfred Barrett Drive near Bungary Road and Denison Street.

I can be contacted on [REDACTED] should you require further information.

Yours faithfully

[REDACTED]
President



Dear Sir,

RE DRAFT STRATEGIC PLAN 2013-2014

In regard to the Special Rate Variation.

WE strongly object to any rate increase above that as set by iPART
This council has not demonstrated it's ability to manage funds.
This council does not have community support for such an increase.
This councils own consultation process demonstrated very clearly the lack of support for such an increase with the vast majority of residents who responded to polls rejecting such an increase. via phone (51%), online (66%) and return mail surveys (68%)
these are councils own documented figures. (Option 1)

In regard to a proposed airport.
Again this council has not proceeded with adequate community consultation.
It was only a few years ago that an extension to Warnervale Airport was rejected.
The Federal government has no interest in pursuing an airport in this region.
Wyong Shire Council must remove this proposed airport form the Strategic plan.

Wyong Shire Council needs to demonstrate it's ability to responsibly manage its financial position.
We absolutely oppose any application to increase rates above the NSW Govt rate pegged increases of 3.4%
We absolutely are against any proposed airport in the Shire.

regards



03/04/2013



Community Environment Network Inc.

An alliance of community and environment groups from Lake Macquarie, Wyong and Gosford.

General Manager
Wyong Shire Council
PO Box 20
WYONG 2259

2nd April 2013

Re Wyong draft Strategic Plan Submission

Dear Sir,

CEN is an organization which works across the Central Coast and has approximately 400 members including 80 groups. Our mission is to support *Ecologically Sustainable Development* (ESD) and to oppose threats to ESD.

CEN has not been able to fully assess the Plan due to the large number of documents that Council has placed on Public Exhibition since early January 2013. Listed as follows:

1. Tree Management DCP – Closed 30th January;
2. Draft LEP, DCP and Settlement Strategy – Closed 20th February with Informal extensions until 22nd March.
3. Rates Survey – Closed 15th February to council;
4. Warnervale Town Centre Biocertification – Closed 25th February
5. Public Hearing on Land Reclassification – 2nd April.
6. Draft Wyong Strategic Plan – Closes 2nd April to Council.
7. Developer Incentives Policy – Closes 5th April to Council;
8. Rates Increase – Closes 8th April to IPART

CEN is also unclear on the announcements last year (24th August 2012, attached) on the council financial position just before the council elections and the contradictory situation seeking extraordinary rate increases now. Council **should provide an explanation to ratepayers** as the worsening financial situation seems to be related to the election. The election resulted in a developer dominated council and CEN is also concerned that ratepayers will be picking up more of the capital costs from developments, particularly rezoning.

In recent decisions, Council has made know its desire to have a faster rate of rezonings. An example is the recent decision to apply for 'Gateway' approval on Jilliby 2 and the Old Farm at Mardi. Wadalbah East which is part of the part of the Metropolitan Urban Development Program will also impact ratepayers. CEN is concerned at this accelerating rate of rezoning. It will have an impact on Councils' Capital works program, impact on the environment generally and the lakes in particular. These costs will be borne by ratepayers. An example is where residents will need to pick up large costs of on-site sewerage in rural areas due to the unsuitability of Clay/Shale soils for in ground effluent disposal.

To maintain the lakes condition will require an accelerating expenditure just to maintain the current condition. In addition, Council plans to increase expenditure on treating the symptoms of increased development in the lakes i.e. weed growth. Increasing weed removal from the Lakes

is a poor strategy which will only provide a subjective improvement to foreshore appearance in some areas. It is not sustainable and will incur increasing costs as the development footprint increases. Council **should not** be increasing ratepayers costs while pandering to self serving landholders and developers aspirations for rezoning and quicker financial gain.

In the Strategy Plan the costs of processing development applications is listed: Line 25. *Processing of development applications \$2,331,000.* It is unclear if this cost allows for the increased rate of land rezoning. All costs of developments **should be on a cost recovery basis and borne by the developer** not the ratepayers. The strategy of council to increase the speed of land release needs to be justified when land releases in western Sydney are at a lower cost to government and substantial in number according to recent State Government announcements.

Quoting the Strategic Plan:

Environment Strategy (2016/17)

The focus for 2016/17 is the Shire's environment and will include:

■ *Completion of the identification and base line information about our Natural Assets incorporating options for financing the long-term management and maintenance of these natural assets*

■ *Completion of biodiversity mapping ready for consideration in the next review of the Shire wide Local Environmental Plan*

■ *Incorporation data and outcomes from the Natural Assets Strategy and biodiversity mapping into a 10 year Natural Resources Sustainability Strategy*

■ *Continued implementation of best value and pragmatic Coastal Management Solutions*

■ *Continued implementation of programs within the Tuggerah Lakes Estuary Management Plan as funding becomes available*

Comment:

Much of the information needed for biodiversity mapping is already in council hands and has been rejected by councillors when presented as a strategy. **What is missing is a commitment** to a comprehensive strategy to integrate development and the environment to achieve sustainable solutions. This does not need to wait until 2016/17 when so much spot rezoning is happening.

Iconic Sites

The new Department will manage significant development projects such as:

■ *Development of 28 "Iconic Development Sites" throughout the Shire – at The Entrance, Wyong, Long Jetty, Toukley, Kanwal, Lake Haven and Warnervale. These are sites that have the ability to provide significant economic benefit to the community, stimulate further development and provide a significant public domain. It means Council will work closely with land owners and developers to determine the greatest potential for the sites and to provide maximum assistance by streamlining the impact of planning controls wherever possible*

Comment:

The Iconic Sites approach is good as it focuses priorities and effort. There is a need to limit the number of Iconic Sites and to address environmental issues early where they are likely to occur.

Major Projects

Major Project	Environmental Impact	Comments
Iconic Sites	Significant impact in some instances depending on watering down of environmental conditions.	Limit number to ensure highest priorities are addressed.
Theme Park	See Note 1	See Note 1
Property Portfolio Strategy	Loss of Community Land including EECs.	Land should be fully assessed and not disposed of if it has environmental or social values to the local communities.
Wrack Removal	Degrades Sea Grasses and Protected Fish Species Habitat	Concentrate expenditure on preventing nutrients entering lake and low cost sustainable solutions such as Salt Marsh and shoreline remediation
Airport	Huge impact if it proceeds due to clearing, adaptive soils and biodiversity of Northern part of Shire	Support existing Warnervale Airport as continuing low scale facility

Note 1 CEN is concerned at proposals around the Chinese Theme Park. We seek **an assurance** that the planned development will not further degrade Porters Creek wetland and the Endangered Ecological Communities that exist in that area. Clearing of vegetation is the major cause of degradation and pollution into Tuggerah Lakes. There are community concerns in regard to the arrangements for payment to council for the land as these represent substantial opportunity costs which will be borne by ratepayers. The proposed rezoning after the sale to permit usage of the site as a theme park would also seem to deprive ratepayers of a financial benefit with the land value increase.

Other Sections:

Page 66: Tree Planting and Volunteers – CEN is engaged in both these activities and we operate a Community Wildplant Nursery at Pioneer Dairy. All plants grown are indigenous species, a significant effort is by volunteers and Council **should partner with CEN** to maximize the community benefit of this endeavour.

Page 78: Compliance it is unclear if council is meeting compliance obligations. CEN encourages an approach based on education as the first strand unless the offence is significant. Council **should outline how it intends to ensure compliance** with environmental approvals, regulations, laws and policies.

Page 80: Dredging is not an environmental activity. It is an engineering activity for recreation, navigation or flood control that creates environmental impacts. Dredging **should be moved** to another classification.

Page 81: Areas of natural value will be enhanced and retained to a high level in the context of ongoing development. In particular wrack harvesting is discussed. This is a very poor approach to managing pollutant inputs to the lakes. Council **needs to justify the**

current wrack harvesting with decent research and real answers not dogma. Previous attempts by CEN to have this discussed have been met with stony silence. The damage to foreshore areas of seagrass from the Harvester is often substantial and alternatives which may be more cost effective and less environmentally damaging **should be researched and considered.** It is surprising that the enhancement of Salt Marsh is not included in this section. Enhancement of Salt Marsh is a more cost effective and sustainable method of Wrack removal. This may be readily observed in Lake Macquarie where wind waves generated during one 'Southerly Blow' remove many tonnes of Wrack onto Salt Marsh to dry out at no cost to council.

Page 82: *Ensuring that the community is fully engaged in land-use planning and Managing natural assets so that they provide services at a standard required by the community both today and in the future. Is a statement supported by CEN.*

Page 100: Stormwater Management Charge and Plan is supported by CEN.

Climate Change and Sea Level Rise

No mention is made in the Plan to manage the impacts of Climate Change or Sea Level Rise, both of which will rise and increase costs over the price path. Council has decided to reject expert advice on both of these impacts and may have difficulty funding Directors Liability Insurance which adequately protects ratepayers. In addition, essential works to protect ratepayers interests may not be undertaken.

CEN would appreciate the opportunity to discuss these issues with council at some appropriate stage. Thank you for the opportunity to comment.

Yours sincerely,



Chairman

Attachment:

Media Releases 2012

Hard work results in \$18 million budget turnaround in two years

24 Aug 2012

Wyong Shire Council is ahead of schedule by more than \$2 million in its quest to reach a break-even financial position by 2014/15.

"Preliminary end of year figures from our most recent quarterly review show our financial situation is far healthier than we had budgeted," Chief Financial Officer Stephen Naven said.

Two years ago, Council faced an operating deficit of \$30 million.

WSC SP Submission 17

Ourimbah Precinct Committee
P.O. Box 71, Ourimbah. NSW 2258

Mr Michael Whittaker
General Manager
Wyang Shire Council

2nd April 2013

**Re: Submission on Draft LEP
Council's draft Strategic Plan 2013-2017 and Annual Plan
Draft Wyong Local Environmental Plan**

Dear Sir,

1. Quantity and timing of documentation

An inordinate number of substantial planning documents have been made available for public comment over the Christmas / New Year period, when Precinct Committees are least able to deal with them. The amount of material has been excessive and has overwhelmed even our most enthusiastic members.

Releasing such a block of documents within such a short space of time has caused substantial unease within the community, and increased feelings of alienation from and mistrust of, Wyong Council within the wider community.

We would ask that Council be more considerate of volunteer's time in future, and release such documents with a more appropriate schedule, with realistic community response times.

Short notice of Council run information sessions is also inappropriate. We ask that in future Council use the existing Precinct Committee structure for these sessions. There is not sufficient goodwill within the community for citizens to go to the council chambers for a council run meeting. Precinct Committees are more trusted sources of information, and are an appropriate forum for Council Officers to answer questions from local residents.

[REDACTED]

[REDACTED]



Council's draft Strategic Plan 2013-2017 and Annual Plan

1. Property portfolio

We are most disturbed to read that Council will 'implement a Property Investment Portfolio to reduce the rate burden on our community'. Council is not a property developer. It should not have any property developer mates. It should not risk residents' money on property investments. Council will have huge conflict of interests in managing a property portfolio for profit, at the same time as it is the consent authority for developments.

2. Marketing exercise

We disapprove of Council spending money to 'to improve the brand'. An increase in regard for Council is best done by Council effectively doing their job, not by a expensive marketing strategy paid for by residents

3. Environment strategy.

We have been reading for over twenty years how Council will 'identify Natural Assets'. Of course the longer Council resists this, the easier the job is as more of our natural assets are destroyed. This should have been completed decades ago. More than just a list is needed.

4. Tuggerah Lakes Estuary Management

We were dismayed that Community representation on the very effective, prizewinning, Tuggerah Lakes Estuary Management Committee was basically destroyed. We ask that the community positions be reinstated immediately.

5. Rate increase

We object most strongly to Council's application to IPART for a larger than normal rate increase. For many decades, the residents of Ourimbah have seen Council collect s94 contributions from local Ourimbah developments without spending any of this money on local facilities. We have no confidence that Ourimbah residents will benefit from any rate increase. We are not sympathetic to subsidising infrastructure for new developments. Additional infrastructure requirements should be paid for by developers or residents of new developments, not existing rate payers. We object to subsidising parks (for example) for new parts of the Shire when there is not even a swing for Ourimbah children.

6. Water related costs

We do not understand why Council retains financial responsibility for water pumping, treatment and so on. Why have these costs not been moved to the new Water Authority, and why should residents of Ourimbah who are denied access to these services, be required to pay for them? From the plan, it would seem that Council is taking responsibility for all these water and sewerage costs.

7. Iconic sites

The community is most distrustful of Councils "iconic site" development strategy. This sounds like a platform for accommodating mates.

8. Dredging and wrack collection.

We object most strongly to any dredging or wrack collection without more appropriate scientific investigations. These are generally environmentally damaging procedures carried out simply to 'tidy-up' in the short term, with no view of long term solutions.

9. Road Paving

We are concerned at Wyong Council's accelerated road paving plans. For example, Dog Trap Road was paved in 2007, without any review of environmental factors or existing drainage systems. Since that time, every rain storm has caused a problem by the speeding up and concentration of water flows. The road continuously slumps at the side, or fails around creek-lines, and the Council has been forced to spend huge sums shoring up the road. Traffic speed has increased enormously, and the road is now too dangerous to be used by walkers, horse riders, or, indeed, the local wildlife. It would have been better left as a dirt road until it could be properly reshaped, redrained, widened, and only then paved.

10. Complaints management

We agree that Council needs to implement an effective, trackable, complaints system.

11. Airfield / Airport

We do not support the establishment of an airfield at Bushell's Ridge.

12. We were disappointed not to see some consideration of a possible route for an east coast high speed rail link. Of course Council is not the decision maker for this sort of infrastructure, but when this new transport corridor is required, we need to have a regional plan if we want to have a say.

Yours sincerely,



Chairperson

Ourimbah Precinct Committee

For and on behalf of Ourimbah Precinct Committee and Members.



CONSULTATION HUB - ONLINE COMMENTS 2013

Draft Corporate Strategic Plan
<ul style="list-style-type: none"> • Council's asset maintenance gap should be resourced by reducing funding to non-essential projects and administration. • It is not a local councils' essential function to spend rate payers funds to fund economic development; especially at the expense of asset maintenance and other essential services. In these tough economic times, it is irresponsible use rate payer's funds to 'advance Iconic Development sites'. I do not believe it is council's responsibility to develop the Warnervale Town Centre. I do not support Council expenditure of funds on an airport. • It is a key council responsibility to protect the environmental assets of the area; eg weed maintenance and to enforce regulations. However, I am opposed to projects which provide little ecological benefit and are very expensive, such as the lake sea grass/wrack harvesting, dredging. In particular, there is no need to double the wrack harvesting. • In these difficult economic times, there is justification to putting on hold new road developments that have not been funded by Developer Contributions and other works and infrastructure which should be funded by Developers themselves, • Council should focus on Waste and Water services (including stormwater and sewage), Regulatory obligations and community and environmental projects where possible. I support Council's support of Landcare and Tuggerah Lakes projects (except for boat ramps, dredging and wrack harvesting), I support Council's maintenance of assets such as gross pollutant traps.
<p>Overall</p> <p>Overall, congratulations. I think the Wyong Council is on the right track, having achieved substantial savings and now looking to close the asset gap through an increase in rates. It is the only responsible and correct course of action.</p> <p>The stakes are high. If the Council doesn't succeed in this, our community assets will degrade even further, resulting in a substandard environment for our community and attracting the wrong kinds of people to our region and levels of increasing damaging criminality, increasing vandalism, more welfare dependence and thereby increasing the costs still further and leading to a downward spiral into slum-like conditions that will be impossible to get out of.</p> <p>Glad to see</p> <p>I am particularly glad to see the following:</p>

A focus on encouraging business through rates incentives and the like. I am glad to see this because because increasing the local opportunities for employment is vital in order for Wyong to become a vibrant self-sustaining community, rather than just an uninspiring dormitory suburb with endless commutes to Sydney that reduce quality of life and cost the community in time and money.

I believe the improving the health of the Tuggerah Lakes is important for attracting the right kinds of people to live in our community and for restoring the lakes so that tourists come here for their holidays to swim off at least a few clean white beaches that are maintained on the edges of the lake. Therefore i enthusiastically approve of the increases in Dredging activities proposed by Council and Wrack Removal doubling in volume. Great! These should result in an improvement to the quality of our Tuggerah Lakes.

I would also like to suggest:

A regular water quality monitoring programme at selected sites around the Tuggerah Lakes. Armed with this data, we can evaluate the success of various strategies for improvement, like increasing dredging activities and doubling the volumes of wrack removal.

If we have this water quality measuring programme in place, we can run a 12 month trial period of deepening the channel at The Entrance and measuring what effect that has on the water quality and fish populations in the lake.

Without this data, it is hard to know whether actions taken are improving things or not.

Not so sure about

I am not so sure about the proposed Bushells Ridge regional airport. I do, or course, accept that this will result in some local employment opportunities, which is a good thing. But i am concerned over the noise impact on residents in the shire. I also think this money could be spent in better ways, like creating a tourist icon at The Entrance, such as a large Waterworld for example, that will attract people from all over the state and possibly even from other states. THEN we can build a regional airport out of the funds that all these extra tourists are bringing to our shire. Otherwise we risk building a white elephant with no airlines wanting to land here.

Getting more support

I realise that Wyong Council is struggling to attract popular support for raising rates. I suggest that the Council erects a large Thermometer-style display outside the council chambers in Wyong that illustrates the state of our assets and is adjusted each month as our assets improve/decline with spending increases/reductions. Council should also publish this Thermometer in the local papers. That way people can get regular reminders on the "temperature" of our assets, just like we get regular reminders on the water storage figures in our dams.

Advertising local businesses

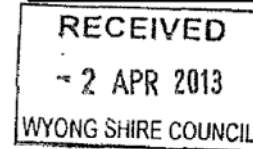
Council might be able to raise additional income by advertising local businesses in

<p>community halls, on community sports fields, on the sides of their vehicles etc. This will help local businesses increase their sales and also give Council some more money to fund rate incentives for businesses.</p>
<p>There is a increasing issue with the direction WSC is moving, by overriding both the social & environmental components of our community to favour economic requirements. I praise the work mainly by WSC General Manager in containing the operating deficit. Unfortunately without a complete new direction of at least the open space & recreation department WSC is going to battle to contain deficits into the future. Lake Macquarie City Council for example run a business model for most external works programs called "Civil Lake" where they compete with external contractors for all works & have been able to produce a surplus of 5 million dollars last financial year. The other area where it appears business as usual is the disparity between expenditure in some locations eg The Entrance area & other parts of the shire.</p>
<p>The 6.9% increase to IPART is appropriate on the proviso that the increased funds cannot be utilised for any other purpose.</p>
<p>I cannot see that we have any need for another airport at this stage, Warnervale is adequate for the area. If a larger facility is needed, Newcastle is not that far away. There are too many issues with an airport at Bushells Ridge. Air and noise pollution, damage to our drinking water supply, destruction of our natural environment are only a few of the reasons why the residents will not want an airport in their back yards.</p>
<p>A "motherhood" statement. Lots of words, no details, except for the usual about the The Entrance/Tuggerah Lakes. Other parts of Council's area rarely receive any mention.</p>
<p>I have noted that there is 1048km of roads and 1021km of kerbing that leaves 27km not kerbed. oes that include kerb and guttering? If it does the northern end must be the largest area not kerbed and gutted. n the 28 years i have lived here the council have repaired the gutter outside my home 7 times. Is the cost of repair more than putting in guttering [REDACTED]</p>
<p>I am concerned that whilst the majority of residents voted for the lower of the three special rate rises the proposal put to Council was for the adoption of the higher rate rise. This beggars the question : what is the point of consultation?</p> <p>I truly cannot see the advantage both practical and cost of a regional airport given that both Sydney & Williamstown are less than 100kms distance.</p> <p>I can see no merit in these times of 'parsimony' why the Arts Centre is still being considered.</p>
<p>so to understand it you've asked to increase rates by +6%/year, have introduced a whole range of extra fees (swimming pool fees, copy fees etc) but don't have any action plans in place to save money ? I only read the summary.</p>

WSC SP Submission 28

LAKE MUNMORAH/CHAIN VALLEY BAY PRECINCT COMMITTEE

General Manager
Wyang Shire Council
P O Box 20
WYONG NSW 2259
2nd April 2013



Dear Sir

Re: Submission to draft WSC 2013 – 2017 Strategic Plan

In response to the exhibition of the above mentioned document, we wish to submit the following issues in relation to the Capital Expenditure Projects:

1. At p.97, Item 8-300 there is provision, by way of contribution, for construction of a shared pathway from Saliene Ave to Tall Timbers Road, opposite the Woolworths shopping complex. This stage, coupled with the stage from Colongra Bay Road to Tall Timbers Road, should have been completed prior to “occupation” by Woolworths, pursuant to the VPA between Woolworths and Council. Refer Council endorsement at its meeting of 12th May 2010. It appears that Council has not complied with the VPA, given that the Shopping Centre is to be officially opened on 1st August this year.
2. There is provision for tennis court upgrades at Bateau Bay and Charmhaven (see p.67). However, there is no mention of the Tennis Courts in Acacia Ave, one of which is in urgent need of surface replacement as previously discussed with Council Officer [REDACTED]
3. There is no provision for the Lake Munmorah Beach renourishment (refer LA/211/2010). This is despite advice [REDACTED] on 13.3.12, that Council had funding sign-off in August 2011. This followed advice [REDACTED] on 24.11.10, that Council approved the application in the week ended 19.11.10.
4. The precinct has received advice from Council Officers that the upgrade of the Acacia Ave Skateboard Park, proposed for 2014/15 has been put back five years. The Precinct has been pressing for many years to have this sub-standard facility upgraded.
5. On a more positive note, the Precinct fully supports the proposed Lake Munmorah Civic Centre identified in the Strategic Plan as a major project of critical importance.

[REDACTED]
Chairperson

PO Box 6129 • lake munmorah • 2259
[REDACTED]

4.3 Adoption of Community Strategic Plan 2030 (Revised 2013)

TRIM REFERENCE: F2012/01447 - D03299708
MANAGER: Stephen Naven, Chief Financial Officer
AUTHOR: Kathleen Morris; Manager Integrated Planning

SUMMARY

This report presents the Community Strategic Plan 2030 (revised 2013) for Council's consideration and endorsement.

RECOMMENDATION

That Council endorse the Community Strategic Plan 2030 (revised 2013) as exhibited, with the changes determined in the separate report to Council that considered submissions to the Plan.

BACKGROUND

At its meeting on 27 February 2013 Council considered a draft Community Strategic Plan 2030 (revised 2013). The draft was formulated in accordance with the Local Government Act and the Division of Local Government Integrated Planning and Reporting Guidelines.

At that meeting Council unanimously resolved:

- "1 That Council endorse amendments to the existing Community Strategic Plan.*
- 2 That Council place the draft Community Strategic Plan on public exhibition.*
- 3 That Council receive submissions from the community and interested groups or stakeholders concerning the Draft Plan for consideration and possible inclusion in the final Plan to be adopted by Council in April 2013.*
- 4 That Council endorse the revised Engagement Strategy for the Community Strategic Plan."*

The draft Plan was exhibited for a period of 30 days from 4 March until 2 April 2013. Exhibition was undertaken in accordance with the revised Community Engagement Strategy that included:

- A series of advertisements in the local papers and on local radio
- Media release issued to all media and picked up by local radio
- Inclusion in the Shire Wide (Council's regular publication in the local paper)
- Exhibition displays at Council's civic centre, depots, libraries and care and education centres
- Letters and copies of the Plan mailed to Precinct Committees
- Letters and copies of the plan mailed to CSP Community Liaison Group members

DRAFT

4.3 Adoption of Community Strategic Plan 2030 (Revised 2013) (contd)

- Email notice to all staff, local MPs, Chambers of Commerce, Regional Development Australia, Department of Premier and Cabinet, neighbouring local governments and the resident e-Panel
- Electronic exhibition of the document on Councils website (including via Consultation Hub)
- Social media updates through Facebook and Twitter

CURRENT STATUS

The Plan meets legislative requirements as follows:

	Requirement	Reference	Comment
	<i>Reviewing the CSP</i>		
1.21	CSP is reviewed every four years (ie review to be completed by 30 June following local government elections)	EE - 1.9	Reviewed 2013 in accordance with legislation
1.22	Revised CSP has been rolled forward so still has a minimum 10 year timeframe	EE - 1.9	The draft review covers the period to 2030
1.23	Report on progress on implementation of CSP and effectiveness in achieving its objectives over last 4 years has been presented to final meeting of outgoing council	EE 1.10	Not required as Council categorized Group 3 Council under the Integrated Planning & Reporting staged implementation
1.24	Information that informed the CSP has been reviewed	EE 1.11	The review incorporated information from a number of community consultation forums
1.25	The Community Engagement Strategy has been reviewed	EE 1.11	Adopted by Council in December 2012 – amended in February 2013
1.26	The revised Community Engagement Strategy was implemented for the CSP review	EE 1.11	Achieved (as attached)

Submissions

Council were provided copies of all public submissions along with staff recommendations, which were considered in a separate report.

THE PROPOSAL

The proposed Plan has been formulated to provide strategic direction from the community for the future of the Wyong Shire. It provides the following eight key objectives under quadruple bottom line planning themes of Community, Environment, Economy and Civic Leadership; plus 67 strategies for achieving the community's vision.

- Vibrant, caring and connected communities
- Ease of travel
- Access to facilities, programs and services
- Educated, innovative and creative communities
- Enhanced areas of natural value
- Community ownership of the natural and built environment
- Strong sustainable business sector and increased local employment
- Advanced information communication technology

It is proposed that Council adopt the Community Strategic Plan 2030 (revised 2013) as adjusted during the exhibition period and with the changes adopted in the separate submissions report.

STRATEGIC LINKS

Wyong Shire Council Strategic Plan

The Wyong Shire Council Strategic Plan 2013-2017, is aligned to the Community Strategic Plan and designed to deliver outcomes against the objectives and strategies identified to deliver the community's vision.

Budget Impact

The budget impacts of delivering the Community Strategic Plan are considered in Council's Long Term Financial Planning, part of the Wyong Shire Council 2013-2017 Strategic Plan.

CONSULTATION

The formation of the Plan has required extensive consultation between Councillors, Council staff and the community. Public exhibition was held for a period of 30 days from 4 March to 2 April 2013, in accordance with the attached Community Engagement Strategy (as attached).

This engagement and all submissions received during the public exhibition period are the subject of a separate report to Council which precedes this report seeking adoption of a Plan.

GOVERNANCE AND POLICY IMPLICATIONS

This review of the Community Strategic Plan is a significant milestone in implementing the integrated planning framework and providing an improved structured approach to civic leadership and governance.

The Community Strategic Plan is the foundation on which the integrated planning framework is built, serving as a roadmap for future activities and programs by the community, state government and Council and providing strategic leadership for governance activities.

MATERIAL RISKS AND ISSUES

While the Community Strategic Plan has been reviewed to consider possible changes within the community, risks can still arise if it is not reviewed and updated to reflect the best strategies and directions for achieving the community's priority objectives. Council's 2013-2017 Strategic Plan mitigates significant risks by determining how the community vision will be delivered.

CONCLUSION

Council has formulated the Community Strategic Plan 2030 (revised 2013) in accordance with the Local Government Act and the Division of Local Government Integrated Planning and Reporting Guidelines.

The draft Plan was exhibited in accordance with legislation and Council has considered the submissions received in response to the exhibition.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Community Engagement Strategic Wyong Shire Council 2013-2017 Strategic Plan & Community Strategic Plan 2030 (revised 2013) | D03303045 |
|---|--|-----------|

PROJECT MANAGEMENT SYSTEM	ENGAGEMENT PLAN	PROJECT NAME: Draft Wyong Shire Council 2013-2017 Strategic Plan (WSC SP) and Draft Community Strategic Plan 2030 (revised 2013) (CSP) Public Exhibition	PROJECT TEAM/MANAGER: Integrated Planning – Kathleen Morris
<p>Level of Impact/Interest: (please tick)</p> <p><input type="checkbox"/> Level 1 – High WSC</p> <p><input type="checkbox"/> Level 2 – High Local area</p> <p><input checked="" type="checkbox"/> Level 3 – Low WSC</p> <p><input checked="" type="checkbox"/> Level 4 – Low Local area</p>	<p>Exhibition of the draft Plans is not likely to raise significant concerns or issues by the Council or the Community however the impact of the decision made from the Special Rate Variation may result in significant concerns.</p>	<p>Negotiable/Non Negotiable: The contents of the draft 2013-17 WSC Strategic Plan is open to change arising from community consultation during the exhibition period and the determination of the Special rate variation from IPART. The contents of the draft Community Strategic Plan 2030 (Revised) is open to change arising from community consultation during the exhibition period.</p> <p>Overall Approach Summary</p> <ul style="list-style-type: none"> To inform, educate and consult with the community concerning the draft Plan's during the public exhibition. To ensure that legal requirements for community consultation for Integrated Planning are met. To use exhibition of the Plan as an opportunity to showcase the range of services Council will provide to the community in 2013-2017. To build on community consultation that has taken place during formulation of the draft WSC Strategic Plan and the prior consultation conducted for the Community Strategic Plan 2030 	<p>Stakeholders/Target Audience:</p> <ul style="list-style-type: none"> Community (including Precinct Committees, Progress Associations and & other groups) Residents and ratepayers Councillors State Government Agencies (including the Department of Premier and Cabinet and Regional Development Australia) Adjoining local councils
<p>1. Pre-exhibition</p>	<p>Key purpose of engagement</p> <p>To ensure all exhibition aids are prepared in advance and systems are in place to record, track and follow-up input received.</p>	<p>Key messages</p> <p><u>Draft 2013-17 WSC Strategic Plan</u></p> <ol style="list-style-type: none"> The key corporate challenges in 2013-17 The need for ongoing fiscal responsibility Highlights of OPEX and CAPEX in 2013/14 and beyond How Council will measure and reports its progress <p><u>Community Strategic Plan 2030</u></p> <ol style="list-style-type: none"> The planning themes of the plan The long term aspirations of the community The long term strategies to meet the aspirations of the community 	<p>Key engagement activities</p> <p>Publication & Aids</p> <ul style="list-style-type: none"> Finalise draft 2013-17 WSC Strategic Plan and draft Community Strategic Plan 2030 (revised) and issue hard and soft copy to: Councillors, Executive Team, Customer Contact, Libraries, Care & Education Centres, Precinct Committees, Depots and Staff (via intranet and email) Develop and print condensed summary of draft 2013-17 WSC Strategic Plan and issue to: Councillors, Executive Team, Customer Contact, Libraries, Care & Education Centres, Precinct Committees, Depots and Staff (via intranet and email) Formulate and print community feedback forms as part of the summary booklet plus provide additional single page feedback forms and issue to Customer Contact, Libraries, Care & Education Centres, Precinct Committees and Depots Arrange exhibition notification to Precinct Committees, adjoining local Councils, MP's, Resident ePanel and Community Liaison Group Arrange systems for recording all submissions and responses (using Council's record management system TRIM)
<p>Stage</p>	<p>Timing</p>	<p>Stakeholders targeted</p> <ul style="list-style-type: none"> Community Residents and ratepayers 	<p>Responsibility</p> <ul style="list-style-type: none"> Integrated Planning
<p>Stage</p>	<p>Timing</p>	<p>Stakeholders targeted</p> <ul style="list-style-type: none"> Community Residents and ratepayers 	<p>Responsibility</p> <ul style="list-style-type: none"> Integrated Planning
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<p>Stage</p>	<p>Timing</p>	<p>Stakeholders targeted</p> <ul style="list-style-type: none"> Community Residents and ratepayers 	<p>Responsibility</p> <ul style="list-style-type: none"> Integrated Planning
<p>Stage</p>	<p>Timing</p>	<p>Stakeholders targeted</p> <ul style="list-style-type: none"> Community Residents and ratepayers 	<p>Responsibility</p> <ul style="list-style-type: none"> Integrated Planning
<p>Stage</p>	<p>Timing</p>	<p>Stakeholders targeted</p> <ul style="list-style-type: none"> Community Residents and ratepayers 	<p>Responsibility</p> <ul style="list-style-type: none"> Integrated Planning
<p>Stage</p>	<p>Timing</p>	<p>Stakeholders targeted</p> <ul style="list-style-type: none"> Community Residents and ratepayers 	<p>Responsibility</p> <ul style="list-style-type: none"> Integrated Planning
<p>Stage</p>	<p>Timing</p>	<p>Stakeholders targeted</p> <ul style="list-style-type: none"> Community Residents and ratepayers 	<p>Responsibility</p> <ul style="list-style-type: none"> Integrated Planning

Stage	Timing	Key purpose of engagement	Key messages	Key engagement activities	Stakeholders targeted	Responsibility	Evaluation
				<ul style="list-style-type: none"> Advertising in local newspaper Central Coast Express Advocate (Wyong): <ul style="list-style-type: none"> - Shirewide Wednesday 6th March, Wednesday 13th March, Wednesday 20th March, Wednesday 27th March - ¼ page 9 Friday 8th March and Friday 22nd March - ½ page 9 Friday 15th March and Friday 29th March Advertising in the Rural Grape vine and the Village green (1 advertisement each publication) <ul style="list-style-type: none"> - ½ page advertisement to be included in the Rural Grapevine March Issue - ½ page advertisement to be included in the Village Grapevine March Issue Exhibition notification letter to Precinct Committees, adjoining local Councils, MP's Radio publicity <ul style="list-style-type: none"> Week - Monday 18th March 2013 Week - Monday 25th March 2013 Social media publicity via Facebook and Twitter Display Plans and the summary document on Councils website including a feedback form Inform Councilors of advertisement methods and locations of hardcopy documents 	<ul style="list-style-type: none"> General residents and ratepayers Regional community groups Precinct Committees State Government Agencies Local adjoining Councils Groups impacted by draft Plans 	<ul style="list-style-type: none"> Community Engagement 	<ul style="list-style-type: none"> Feedback form
2. Exhibition	During March 2013	To inform, educate and consult with the community.	<ol style="list-style-type: none"> The community's objectives and strategies The key corporate challenges in 2013-17 The need for ongoing fiscal responsibility Highlights of OPEX and CAPEX in 2013/14 and beyond 	<ul style="list-style-type: none"> Provide initial acknowledgment to all written submissions received (with the exception of those that do not provide contact details) Workshop/presentations on request 	<ul style="list-style-type: none"> Councillors Residents and ratepayers Community 	<ul style="list-style-type: none"> Integrated Planning Integrated Planning 	<ul style="list-style-type: none"> Response from Councilors Feedback registration form
3. Post Exhibition	During April 2013	To meet the legislated requirements with regard to publication.		<ul style="list-style-type: none"> Provide report to Council on submissions including: <ul style="list-style-type: none"> - a list of details of all submissions - a copy of all written submissions received Provide a report to Council for endorsement of the CSP and WSC SP Respond to each submission received providing details of final decisions made 	<ul style="list-style-type: none"> Groups and individuals who have made submissions Councillors All stakeholders Groups and individuals who have made submissions 	<ul style="list-style-type: none"> Integrated Planning Integrated Planning Integrated Planning 	<ul style="list-style-type: none"> Community/press response Community/press response Response to final letters

WSC Engagement Plan Template v1.0

4.4 Adoption of the Wyong Shire Council 2013-2017 Strategic Plan (incorporating the Four Year Delivery Program, Operational Plan and Resourcing Strategy)

TRIM REFERENCE: F2012/01427 - D03302786

MANAGER: Stephen Naven, Chief Financial Officer

AUTHOR: Kathleen Morris; Manager Integrated Planning

SUMMARY

This report presents the Wyong Shire Council 2013-2017 Strategic Plan for Council's consideration and adoption.

RECOMMENDATION

- 1 That Council adopt the Wyong Shire Council 2013-2017 Strategic Plan (containing the Resourcing Strategy that includes long-term financial planning, workforce management planning and asset management planning, the four year delivery program, the operational plan and the statement of revenue policy) as exhibited, and with the changes proposed in this report and as determined in the separate report which considered submissions to the Plan.**
- 2 That Council authorise the General Manager to make final minor changes to the plan to ensure correctness and clarity.**
- 3 That Council approve the estimates of income and expenditure as detailed in the Plan.**
- 4 That Council set the rates, charges and fees for 2013/14 as detailed in the Statement of Revenue Policy and incorporating the changes outlined in this report.**
- 5 That Council authorise the General Manager to waive or reduce fees in particular cases.**
- 6 That Council delegate to the General Manager the authority to borrow from financial institutions in the event that further LIRS funding becomes available.**
- 7 That Council set the rate and charge rebates to pensioners for the year 2013/14 in accordance with the relevant legislation and Council's current policy.**
- 8 That Council is of the opinion that the following rateable land will derive benefit from the business related costs of The Entrance Town Centre Management that are funded in part or whole by The Entrance Town Centre Special Rate:**
 - a All land used for business purposes and categorised as such in accordance with section 518 of the Local Government Act 1993 in the suburb known as The Entrance.**

**4.4 Adoption of the Wyong Shire Council 2013-2017 Strategic Plan
(incorporating the Four Year Delivery Program, Operational Plan and
Resourcing Strategy) (contd)**

- b 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.**
- c All land used as rental accommodation and which is categorised as Residential under Section 516 of the Local Government Act, 1993 which 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.**
- 9 That Council is of the opinion that the following rateable land will derive benefit from the business related costs of the Greater Toukley Vision that are funded in part or whole by the Non Residential Properties Toukley Area Special Rate:**
- a All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburbs known as Toukley, Canton Beach, Noraville and Norah Head.**
- 10 That Council is of the opinion that the following rateable land will derive benefit from the business related costs of the Wyong-Tuggerah Chamber of Commerce that are funded in part or whole by the Non Residential Properties Wyong Area Special Rate :**
- a All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburb known as Watanobbi.**
- b All land used for business purposes and categorised as such in accordance with section 518 of the Local Government Act 1993 in the suburb known as Wyong, bounded by the following:**
- North of the Wyong River from Tacoma in the east to the F3 Freeway in the west;**
 - East of the F3 Freeway from the Wyong River to the suburb boundary between Wyong and Warnervale but to exclude Lot 32 DP 814964;**
 - South of the northern Wyong boundary to its intersection with the Pacific Highway and then south of the Pacific Highway to the**
 - Intersection of Pollock Avenue, but to include Lot 400 DP 1114793 (being to the north of the Pacific Highway);**
 - The eastern boundary of the suburb of Wyong from Johns Road to Wyong River.**

BACKGROUND

At its meeting on 27 February 2013 Council considered a draft Wyong Shire Council 2013-2017 Strategic Plan. The draft was formulated in accordance with the Local Government Act and the Division of Local Government Integrated Planning and Reporting Guidelines.

4.4 Adoption of the Wyong Shire Council 2013-2017 Strategic Plan (incorporating the Four Year Delivery Program, Operational Plan and Resourcing Strategy) (contd)

At that meeting Council unanimously resolved:

- “1 That Council adopt the amended Draft Wyong Shire Council 2013-17 Strategic Plan (the Draft Plan) for public exhibition as considered in item 5.7.1, Supplementary Report to Item 5.7 - Exhibition of Draft Wyong Shire Council 2013-17 Strategic Plan (incorporating the 4 year Delivery Program, Operational Plan and Resourcing Strategies).
- 2 That Council receive submissions from the community and interested groups or stakeholders concerning the Draft Plan for consideration and possible inclusion in the final Plan to be adopted by Council in April 2013.
- 3 That Council note that no loan monies will be required during 2013/14 to support the planned activities.
- 4 That Council note that the Plan includes options for funding capital works and these will not be defined until advice is received from the Independent Pricing and Regulatory Tribunal (IPART) on the outcome of Council's application for a Special Rate Variation.
- 5 That Council note that the Plan does not consider the draft or final outcome of the IPART pricing decision for Water and Sewerage and that this will be included once the decision has been received.
- 6 That Council note the Plan's links to the Community Strategic Plan (CSP) may require updating once the revised CSP is adopted.
- 7 That Council authorise the General Manager to make appropriate corrections in the Draft Plan to eliminate numerical inconsistencies and typing errors.
- 8 That Council receive and the report on Supplementary Report to Item 5.7 - Exhibition of Draft Wyong Shire Council 2013-17 Strategic Plan (incorporating the 4 year Delivery Program, Operational Plan and Resourcing Strategies).”

The Guidelines require Council to adopt a four year delivery program and annual operational plan detailing the principal activities it will undertake to achieve the objectives established in the Community Strategic Plan. It also requires the adoption of a strategy for the provision of resources required to implement the Community Strategic Plan.

The Plan is required to be adopted prior to 30th June, with Council bringing forward the date for adoption to meet the requirements of the Independent Pricing and Regulatory Tribunal (IPART) with regard to its application for a special rate variation.

The draft Plan was exhibited for a period of 30 days from 4 March until 2 April 2013. Exhibition was undertaken in accordance with the revised Community Engagement Strategy that included:

- A series of advertisements in the local papers and on local radio
- Media release issued to all media and picked up by local radio
- Inclusion in the Wyong Shire Council Shire Wide newspaper article

4.4 Adoption of the Wyong Shire Council 2013-2017 Strategic Plan (incorporating the Four Year Delivery Program, Operational Plan and Resourcing Strategy) (contd)

- Exhibition displays at Council's civic centre, depots, libraries and care and education centres
- Letters and copies of the Plan mailed to Precinct Committees
- Letters and copies of the plan mailed to CSP Community Liaison Group members
- Email notice to all staff, local MPs, Chambers of Commerce, Regional Development Australia, Department of Premier and Cabinet, neighbouring local governments and the resident e-Panel
- Electronic exhibition of the document on Councils website (including via Consultation Hub)
- Social media updates through Facebook and Twitter
- Posters used in exhibition

CURRENT STATUS

The Wyong Shire Council Strategic Plan 2013-2017 incorporates all elements required by legislation and the Integrated Planning Framework, as follows:

Requirement	Reference	Comment
Resourcing Strategy		
A long-term resourcing strategy exists to achieve the objectives established by the CSP which Council is responsible for	A - s403 (a)	Refer Part 4 of the Draft Plan
The resourcing strategy includes long-term financial planning, workforce management planning and asset management planning	A - S403 (b)	Refer Part 4 of the Draft Plan
Long Term Financial Planning (LTFP)		
Council has prepared a long-term financial plan	EE - 2.1	Refer Part 4 of the Draft Plan
LTFP was used to inform decisions during finalisation of CSP	EE - 2.2	Achieved
LTFP was used to inform the development of the Delivery Program	EE - 2.2	Achieved
LTFP has a minimum 10 year timeframe	EE - 2.3	Achieved
LTFP is updated at least annually during development of Operational Plan	EE - 2.4	Achieved
LTFP reviewed in detail as part of 4-yearly review of CSP	EE - 2.5	Achieved
LTFP includes projected income and expenditure, balance sheet and cash flow statement	EE - 2.6	Achieved
LTFP includes planning assumptions used to develop the plan	EE - 2.6	Achieved
LTFP includes sensitivity analysis - highlights factors/ assumptions most likely to affect the plan	EE - 2.6	Achieved

**4.4 Adoption of the Wyong Shire Council 2013-2017 Strategic Plan
(incorporating the Four Year Delivery Program, Operational Plan and
Resourcing Strategy) (contd)**

Requirement	Reference	Comment
LTFP includes financial modelling for different scenarios, eg planned/optimistic/conservative	EE - 2.6	Achieved
LTFP includes methods of monitoring financial performance	EE - 2.6	Achieved
<i>Workforce Management Planning</i>		
Workforce Management Strategy exists that addresses the HR requirements of Delivery Program	EE - 2.7	Refer Part 4
Workforce Management Strategy has a minimum 4 year timeframe	EE - 2.8	Achieved
<i>Asset Management Planning (AM)</i>		
Council has accounted for and planned for all existing assets and any new asset solutions proposed in CSP and Delivery Program	EE - 2.9	Refer Part 4
AM exists to support the CSP and Delivery Program	EE - 2.10	Achieved
AM Plan/s exist to support the CSP and Delivery Program	EE - 2.10	Achieved
Asset Management Strategy and Plan/s have a minimum 10 year timeframe	EE - 2.11	Achieved
AM Strategy includes a Council endorsed AM Policy	EE - 2.12	Refer Part 4
AM Strategy identifies assets critical to council's operations, and outlines risk management strategies for these assets	EE - 2.13	Achieved
AM Strategy includes specific actions required to improve AM capability and projected resource requirements and timeframes	EE - 2.14	Achieved
AM plan/s encompass all assets under council's control	EE - 2.15	Achieved
AM plan/s identify asset service standards	EE - 2.16	Achieved
AM plan/s contain long-term projections of asset maintenance, rehabilitation and replacement costs.	EE - 2.17	Achieved
Condition of assets is reported in annual financial statements	EE - 2.18 Local Government Code of Accounting Practice and Financial Reporting	Achieved
<i>Four Year Delivery Program (DP)</i>		
DP directly addresses the objectives and strategies of the CSP, identifying the principal activities council will undertake in response	EE - 3.2	Refer Part 3

4.4

**Adoption of the Wyong Shire Council 2013-2017 Strategic Plan
(incorporating the Four Year Delivery Program, Operational Plan and
Resourcing Strategy) (contd)**

Requirement	Reference	Comment
DP details principal activities to be undertaken to achieve the objectives established in the CSP	A - s404 (1)	Refer Part 3
DP details principal activities to be undertaken within resources available under Resourcing Strategy	A - s404 (1)	Refer Part 3
DP informs and is informed by the Resourcing Strategy	EE - 3.3	Achieved
DP addresses full range of council's operations	EE - 3.4	Achieved
DP allocates high level responsibilities for each action or set of actions	EE - 3.5	Achieved
Financial estimates for 4 year period are included in DP	EE - 3.6	Achieved
Priorities and expected levels of service expressed by the community during CSP development have been considered in preparation of DP	EE - 3.7	Achieved
DP prepared after each ordinary election of councillors to cover 4 year period commencing following 1 July	A - s404 (3)	As presented
DP prepared and adopted by 30 June in year following election	EE - 3.1	Anticipated adoption in April 2013
The draft DP was on public exhibition for at least 28 days	A - s404 (4) EE - 3.8	Public exhibition 4 March to 1 April 2013 (30 days)
Comments from the community from draft exhibition period were considered prior to endorsement of final DP	A - s404 (4) EE - 3.8	Considered under separate report
Proposed amendments to DP were included in business paper with reasons, and tabled and resolved at next Council meeting	EE - 3.11	Achieved
DP was re-exhibited for public response when significant amendments were proposed	EE - 3.12	To be determined
GM has ensured progress reports are provided to council with respect to DP at least every 6 months	EE - 3.8	Quarterly reports are provided
DP includes a method of assessment to determine effectiveness of each principal activity in achieving objectives	A - s404 (2)	Key performance indicators are included in the Plan
DP reviewed each year during preparation of Operational Plan	EE - 3.9	Achieved
If DP is rolled forward beyond Council's elected term, DP is consistent with CSP and Resourcing Strategy	EE - 3.10	Not applicable to this review
Operational Plan (OP)		
OP exists, and was adopted prior to beginning of financial year	A - s405 (1)	Draft OP included for endorsement for public exhibition

**4.4 Adoption of the Wyong Shire Council 2013-2017 Strategic Plan
(incorporating the Four Year Delivery Program, Operational Plan and
Resourcing Strategy) (contd)**

Requirement	Reference	Comment
OP outlines the activities to be undertaken for the year as part of DP	A - s405 (1)	Refer Part 3
OP has been prepared as a sub-plan of DP, and directly addresses actions outlined in DP, identifying projects, programs or activities Council will undertake in the year to address these actions	EE - 3.13	Refer Part 3
OP includes a Statement of Revenue Policy	A - s405 (2)	Refer Part 5
OP's Statement of Revenue Policy includes estimated income and expenditure	R - cl 201(1) (a)	Refer Part 5
OP's Statement of Revenue Policy includes ordinary rates and special rates	R - cl 201(1) (b)	Refer Part 5
OP's Statement of Revenue Policy includes proposed fees and charges	R - cl 201(1) (c) R - cl 201(1) (d)	Refer Part 5
OP's Statement of Revenue Policy includes proposed pricing methodology	R - cl 201(1) (e)	Refer Part 5
OP's Statement of Revenue Policy includes proposed borrowings	R - cl 201(1) (f)	Refer Part 5
OP includes a detailed budget for the activities to be undertaken in the year	EE - 3.16	Refer Part 5
OP is accompanied by a map showing where various rates apply	A - s405 (4)	Refer Part 5
OP allocates responsibilities for each project, program or activity	EE - 3.14	Refer Part 3
OP identifies suitable measures to determine effectiveness of projects, programs and activities undertaken	EE - 3.15	Refer Parts 3 and 6
The draft OP was on public exhibition for at least 28 days	A - s405 (3) A - s405 (5)	Public exhibition 4 March to 1 April 2013 (30 days)
Comments from the community from draft exhibition period were considered prior to endorsement of final OP	A - s405 (3) A - s405 (5)	Considered under separate report
OP was posted on council's website within 28 days of adoption	A - s405 (6)	To be completed once Plan is adopted
Budget review statement and revision of estimates was reported to Council within 2 months of the end of each quarter (except June quarter)	R - cl 203	To be achieved via Quarterly Reporting

Submissions

Council were provided copies of all public submissions along with staff recommendations, which were considered in a separate report.

4.4 Adoption of the Wyong Shire Council 2013-2017 Strategic Plan (incorporating the Four Year Delivery Program, Operational Plan and Resourcing Strategy) (contd)

THE PROPOSAL

It is proposed that Council adopt the final Wyong Shire Council 2013-2017 Strategic Plan, as adjusted during public exhibition.

The proposed Plan has been formulated to provide a robust pathway to long-term financial sustainability that ensures Wyong Shire Council:

- Has an ongoing ability for the next four years to its current level and/or a chosen level of service
- Can address its asset infrastructure backlog
- Has the ability to meet the financial impact of any likely significant unplanned event (e.g. major flooding)

In addition to its fiscal responsibilities Council also has responsibilities to deliver the community, environmental, economic and civic leadership goals of the community in considering its activities and contribution to the Community Strategic Plan.

Construction of the Plan

The major elements of the plan are:

- Corporate strategic direction
- Council's contribution to the Community Strategic Plan
- Four Year Delivery Program
- Operational Plan 2013/14
- Major Projects
- Key performance indicators
- Budget for 2013/14 and projected budget for the following four years (including a capital works program)
- Workforce Management Strategy
- Information Management Strategy
- Asset Management Strategy
- Long Term Financial Strategy
- Statement of Revenue Policy (including Fees and Charges)

Major features of the Plan

- 2013/14 Operational Plan and Four Year Delivery Program budgets based on clear deliverables and affordability of services (i.e. living with the income available)
- Recognition that the pathway from deficit to achieving financial break-even will take time (estimated to be achieved in 2015)

4.4 Adoption of the Wyong Shire Council 2013-2017 Strategic Plan (incorporating the Four Year Delivery Program, Operational Plan and Resourcing Strategy) (contd)

- Recognition that the timeliness of addressing the asset infrastructure backlog is based on the results of the application for a Special Rate Variation
- A capital works budget of \$90.69m for 2013/14 (based on a successful special rate variation of 6.9%)
- Principal Activity and service costs based on the “fully absorbed” methodology to allow for transparent recovery of costs through income
- Acknowledgment of the impact of the establishment of the Central Coast Water Corporation
- Increased fees and charges with continued focus on cost recovery and user-pay principles
- Clear linkages to the Community Strategic Plan

CHANGES (proposed) FROM THE DRAFT PLAN (as exhibited)

Council has previously considered submissions proposing changes to the draft Plan arising from exhibition and made determinations in respect of the subject matter raised in the submissions.

It is proposed the Draft Plan be modified with the following staff recommendations in addition to the minor changes to narrative improvement/alignment, rigour of detail, accuracy/correctness, numerical alignment, finally formatting and typos:

Recommended Adjustments (notable)

ID	Part	Page	Item
1	Whole document		Minor grammatical and wording changes
2	Whole document		Linkages updated to the Community Strategic Plan 2030 (revised 2013)
3	1	8	Wyong Shire Population projections 2011-2031 – Statistics for Dwellings (2011) replaced New houses statistics
4	1	8	Community profile – statistics added and wording changes to ensure consistency between this plan and the Community Strategic Plan Shopping centre statistics removed due to inaccuracy
5	1	11	CSP Objectives reworded to match recommended CSP changes
6	2	20	Maximise other income – additional wording added to include “A process is in place to consider the rationalisation of existing assets.”
7	2	24	Additional wording added to the comparison tables for clarity - additional wording “greater than the rate peg and less than 9.5%”
8	2	26	Impact of the options on general Fund capital expenditure table – the Rate Peg was explained to include 3% per year thereafter
9	3	40-41	Rewording of the section “Central Coast Water Corporation” and “Central Coast Joint Services Business”
10	3	49	Change in the figures for Option 1 – 3.4% Rate peg as a result of the addition of \$29,106 under Option 1 Rate Peg for Local Library Priority Grant
11	3	63	Inclusion of \$29,106 under Option 1 Rate Peg for Local Library Priority Grant (item 1-017)

**4.4 Adoption of the Wyong Shire Council 2013-2017 Strategic Plan
(incorporating the Four Year Delivery Program, Operational Plan and
Resourcing Strategy) (contd)**

ID	Part	Page	Item
12	3	64	1-015 – Re-phase capital expenditure related to the Arthouse
13	3	65	Remove <i>Make improvements to six playgrounds across the Shire</i> from Key Highlights as no capital expenditure has been allocated to playgrounds in 2013/14
14	3	66	Additional Item added - PA02.01.07 >400 Landcare volunteers
15	3	66	Removal of wording stating “Resurfacing all four courts” as the budget only allows for resurfacing of 3 courts
16	3	84	Item Number 6-003 ‘Refurbish beach accesses’ will be delivered by Open Space
17	4	160	Additional statistics added for non-English speaking background
18	4	191	New pie graph - Capital work program summary by expenditure type due to the change in value for the Gap
19	5	247	Holidays Parks Fees & Charges – Statement regarding discounts has been added
20	5	256	02.21027 – Group Fitness Licence Fee – 10 to 18 clients – reduced to \$575 in line with all licence fees
21	5	258	02.21058 – Eastern Road Oval 2 – renamed to Eastern Road Top Oval
22	5	265, 266, 269, 270, 274, 275, 279, 280	Headings for Holiday Parks: 04.34000, 04.35000 and 04.36000, 04.44000, 04.45000, 04.46000, 04.55000, 04.56000 , 04.5700, 04.6500, 04.66000, 04.67000 – Amended to reflect CPI in 2013 (not 2012)
23		268, 272, 277, 282	Holiday Parks 04.38018, 04.48019, 04.59015, 04.69016 times changed from 2pm to noon
24	5	302	Waste Fees for Organic Materials Reduction in the fees for item number 07.10031, 07.10032, 07.10033, 07.10034, 07.10035
25	5	313	Section 603 Local Government Act Certificate Increase per certificate fee from \$65 to \$70 as per DLG Circular to Councils on 21 March 2013. This is a regulatory fee and must be amended to \$70 as per the Circular
26	6		Appendix 1 – Strategic Planning Inputs – Community Strategic Plan Objectives updated to reflect revised Community Strategic Plan
27	6		Appendix 4 – Council’s contribution to meet the Community Strategic Plan objectives – Table updated to reflect revised Community Strategic Plan
28	6		Appendix 5 – Renaming Annual Plan to Operational Plan; removal of reference to service levels (not reflective of document or terminology that is used in reporting)

STRATEGIC LINKS

Link to Community Strategic Plan 2030

The Wyong Shire Strategic Plan 2013-2017 clearly shows what Council intends to do during 2013/14 and in the subsequent three years to achieve the community’s priorities outlined in the updated Community Strategic Plan 2030 (revised 2013) through specific service delivery while at the same time ensuring that there is “best value” provision of essential community services.

Financial Implications

The Wyong Shire Strategic Plan 2013-2017 provides for a sustainable pathway towards operating “break-even” point by 2015 as detailed in Council’s Long Term Financial Strategy .

4.4 Adoption of the Wyong Shire Council 2013-2017 Strategic Plan (incorporating the Four Year Delivery Program, Operational Plan and Resourcing Strategy) (contd)

Any departure from planned expenditure programs will have a negative effect on that target unless balancing (i.e. cost savings) strategies accompany changes in expenditure priorities.

Special Rate Variation

The outcome of the special rate variation application to the Independent Pricing and Regulatory Tribunal for a 6.9% increase (including rate peg of 3.4%) may impact the ordinary rate revenue and deliverables outlined in the capital expenditure budgets provided in the plan. Any adjustments will be made during Council's Quarter 1 reporting.

Water and Sewer Pricing

The outcome of the Independent Pricing and Regulatory Tribunal's (IPART) determination on water and sewer pricing is not yet known and therefore has not been included in the Plan. The figures provided in the Plan are based on the application made to IPART.

CONSULTATION

The formation of the Plan has required extensive consultation between Councillors, Council staff and the community. Community consultation was in accordance with an approved Community Engagement strategy.

This engagement and all submissions received during the public exhibition period are the subject of a separate report to Council which precedes this report seeking adoption of a Plan.

GOVERNANCE AND POLICY IMPLICATIONS

The Plan complies with the integrated planning framework and provides a structured approach to civic leadership and governance. It provides a clear roadmap for activities of major projects and identifies the assets, workforce and financial resources necessary to achieve it and various programs and provides a system for measuring and monitoring the results over the course of the plan.

MATERIAL RISKS AND ISSUES

Formation and adoption of Council's Strategic Plan 2013-2017 provides clear direction for the upcoming financial year and beyond. The accompanying asset, workforce, information management and long term financial strategies ensure that limited resources are allocated on a priority bases and are available to maintain essential community services while providing programs for the forthcoming year. In doing so, it migrates significant risks arising from ad hoc decision-making and provides long term direction.

CONCLUSION

Council has formulated the Wyong shire Strategic Plan 2013-2017 in accordance with the Integrated Planning Framework as detailed in the Local Government Act and the DLG Planning and Reporting Guidelines.

Council has enhanced the minimum requirements for the Plan by encapsulating the (IPRF) in a Strategic Plan that adds Council's business and service considerations along with a detailed Information Technology Strategy.

Council has determined that it will only provide services within its available income (i.e. living within its means).

4.4 Adoption of the Wyong Shire Council 2013-2017 Strategic Plan (incorporating the Four Year Delivery Program, Operational Plan and Resourcing Strategy) (contd)

Council has demonstrated a direct connection between the Community Strategic Plan 2030 (revised 2013), Council's strategies as a business and the services that it will provide to the community.

The draft Plan as been exhibited in accordance with the legislation and Council has considered the submissions received in response to the exhibition.

Final proposed changes to the draft plan resulting from submissions are detailed herein.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Community Engagement Strategic Wyong Shire Council 2013-2017
Strategic Plan & Community Strategic Plan 2030 (revised) | D03303045 |
|---|--|-----------|

Stage	Timing	Key purpose of engagement	Key messages	Key engagement activities	Stakeholders targeted	Responsibility	Evaluation
1. Pre-exhibition	During February 2013	To ensure all exhibition aids are prepared in advance and systems are in place to record, track and follow-up input received.	<p>Draft 2013-17 WSC Strategic Plan</p> <ol style="list-style-type: none"> The key corporate challenges in 2013-17 The need for ongoing fiscal responsibility Highlights of OPEX and CAPEX in 2013/14 and beyond How Council will measure and reports its progress <p>Community Strategic Plan 2030</p> <ol style="list-style-type: none"> The planning themes of the plan The long term aspirations of the community The long term strategies to meet the aspirations of the community 	<p>Publication & Aids</p> <ul style="list-style-type: none"> Finalise draft 2013-17 WSC Strategic Plan and draft Community Strategic Plan 2030 (revised) and issue hard and soft copy to: Councillors, Executive Team, Customer Contact, Libraries, Care & Education Centres, Precinct Committees, Depots and Staff (via intranet and email) Develop and print condensed summary of draft 2013-17 WSC Strategic Plan and issue to: Councillors, Executive Team, Customer Contact, Libraries, Care & Education Centres, Precinct Committees, Depots and Staff (via intranet and email) Formulate and print community feedback forms as part of the summary booklet plus provide additional single page feedback forms and issue to Customer Contact, Libraries, Care & Education Centres, Precinct Committees and Depots Arrange exhibition notification to Precinct Committees, adjoining local Councils, MP's, Resident ePanel and Community Liaison Group Arrange systems for recording all submissions and responses (using Council's record management system TRIM) 	<ul style="list-style-type: none"> Community Residents and ratepayers 	<ul style="list-style-type: none"> Integrated Planning 	<ul style="list-style-type: none"> Level of interest and the extent of demand for viewing the documents during exhibition
		<p>Exhibition of the draft Plans is not likely to raise significant concerns or issues by the Council or the Community however the impact of the decision made from the Special Rate Variation may result in significant concerns.</p>		<p>Overall Approach Summary</p> <ul style="list-style-type: none"> To inform, educate and consult with the community concerning the draft Plan's during the public exhibition. To ensure that legal requirements for community consultation for Integrated Planning are met. To use exhibition of the Plan as an opportunity to showcase the range of services Council will provide to the community in 2013-2017. To build on community consultation that has taken place during formulation of the draft WSC Strategic Plan and the prior consultation conducted for the Community Strategic Plan 2030 	<p>Stakeholders targeted</p> <ul style="list-style-type: none"> Community Residents and ratepayers 	<p>PROJECT NAME: Draft Wyong Shire Council 2013-2017 Strategic Plan (WSC SP) and Draft Community Strategic Plan 2030 (revised 2013) (CSP) Public Exhibition</p>	<p>PROJECT TEAM/MANAGER: Integrated Planning – Kathleen Morris</p>
		<p>ENGAGEMENT PLAN</p> <p>Level of Impact/Interest: (please tick)</p> <p><input type="checkbox"/> Level 1 – High WSC</p> <p><input type="checkbox"/> Level 2 – High Local area</p> <p><input checked="" type="checkbox"/> Level 3 – Low WSC</p> <p><input checked="" type="checkbox"/> Level 4 – Low Local area</p>		<p>Negotiable/Non Negotiable:</p> <p>The contents of the draft 2013-17 WSC Strategic Plan is open to change arising from community consultation during the exhibition period and the determination of the Special rate variation from IPART.</p> <p>The contents of the draft Community Strategic Plan 2030 (Revised) is open to change arising from community consultation during the exhibition period.</p>	<p>Stakeholders/Target Audience:</p> <ul style="list-style-type: none"> Community (including Precinct Committees, Progress Associations and & other groups) Residents and ratepayers Councillors State Government Agencies (including the Department of Premier and Cabinet and Regional Development Australia) Adjoining local councils 		

Stage	Timing	Key purpose of engagement	Key messages	Key engagement activities	Stakeholders targeted	Responsibility	Evaluation
				<ul style="list-style-type: none"> Advertising in local newspaper Central Coast Express Advocate (Wyong): <ul style="list-style-type: none"> - Shirewide Wednesday 6th March, Wednesday 13th March, Wednesday 20th March, Wednesday 27th March - ¼ page 9 Friday 8th March and Friday 22nd March - ½ page 9 Friday 15th March and Friday 29th March Advertising in the Rural Grape vine and the Village green (1 advertisement each publication) <ul style="list-style-type: none"> - ½ page advertisement to be included in the Rural Grapevine March Issue - ½ page advertisement to be included in the Village Grapevine March Issue Exhibition notification letter to Precinct Committees, adjoining local Councils, MP's Radio publicity <ul style="list-style-type: none"> Week - Monday 18th March 2013 Week - Monday 25th March 2013 Social media publicity via Facebook and Twitter Display Plans and the summary document on Councils website including a feedback form Inform Councilors of advertisement methods and locations of hardcopy documents Provide initial acknowledgment to all written submissions received (with the exception of those that do not provide contact details) Workshop/presentations on request 	<ul style="list-style-type: none"> General residents and ratepayers Regional community groups Precinct Committees State Government Agencies Local adjoining Councils Groups impacted by draft Plans 	<ul style="list-style-type: none"> Community Engagement 	<ul style="list-style-type: none"> Feedback form
2. Exhibition	During March 2013	To inform, educate and consult with the community.	<ol style="list-style-type: none"> The community's objectives and strategies The key corporate challenges in 2013-17 The need for ongoing fiscal responsibility Highlights of QPEX and CAPEX in 2013/14 and beyond 	<ul style="list-style-type: none"> Councillors Residents and ratepayers Community 	<ul style="list-style-type: none"> Integrated Planning Integrated Planning 	<ul style="list-style-type: none"> Response from Councilors Feedback registration form 	
3. Post Exhibition	During April 2013	To meet the legislated requirements with regard to publication.		<ul style="list-style-type: none"> Provide report to Council on submissions including: <ul style="list-style-type: none"> - a list of details of all submissions - a copy of all written submissions received Provide a report to Council for endorsement of the CSP and WSC SP Respond to each submission received providing details of final decisions made 	<ul style="list-style-type: none"> Groups and individuals who have made submissions Councillors All stakeholders Groups and individuals who have made submissions 	<ul style="list-style-type: none"> Integrated Planning Integrated Planning Integrated Planning 	<ul style="list-style-type: none"> Community/press response Community/press response Response to final letters

WSC Engagement Plan Template v1.0

4.5 Grants Advisory Group - 22 March 2013

TRIM REFERENCE: F2008/02110 - D03301527

MANAGER: Julie Vaughan, Manager Community and Cultural Development

AUTHOR: Kay Matthews; Administration Assistant

SUMMARY

A meeting of the Wyong Shire Grants Advisory Group was held on the 22 March 2013.

RECOMMENDATION

- 1 ***That Council receive the draft minutes of the Wyong Shire Grants Advisory Group held on 22 March 2013.***
- 2 ***That Council allocate \$56,192.83 from the 2012-13 Community Benefit Grants Program Round 2 as follows:***

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Staff Funding Recommended excl. GST</i>
<i>Australian Seabird Rescue (ASR) Central Coast</i>	<i>Promotion of ASR - to increase membership in order to continue services</i>	<i>\$3,063.83</i>
<i>Central Coast Domestic Violence Committee</i>	<i>Say No to Violence 2013 - White Ribbon Walk to campaign to stop violence against women</i>	<i>\$4,300.00</i>
<i>Coastal a Capella</i>	<i>Performance Costumes - competing in Australian Sweet Adeline Competition in May, costumes not updated since 2009</i>	<i>\$1,080.00</i>
<i>Compass Housing - for Community Drug Action Team (CDAT) – Killarney Berkeley Tumbi (KBT)</i>	<i>KBT CDAT Funfest at Banksia Family Centre - to raise awareness of the impact of drug and alcohol misuse.</i>	<i>\$2,890.00</i>
<i>Lions Club of Gwandalan</i>	<i>Purchase of mobile fridge trailer - required for safe catering for a multitude of functions annually of up to 1000 people</i>	<i>\$3,000.00</i>
<i>Ocean and Coastal Care Initiatives - for Whale Dreamers Festival</i>	<i>Whale Dreamers Festival - information, speakers and whale watching at Norah Head Lighthouse</i>	<i>\$3,250.00</i>

<i>The Fathers Table</i>	<i>The Fathers Table - community outreach project providing hot meals, food, blankets, basic clothing and a safe meeting place, targeting homelessness and poverty in the Wyong area</i>	<i>\$3,280.00</i>
<i>Wyong District Museum and Historical Society</i>	<i>To purchase items necessary to preserve and store historical artifacts for future display in the Museum</i>	<i>\$1,200.00</i>
<i>Wyong Family History Group</i>	<i>Purchase of quality overhead projector for use at group activities</i>	<i>\$1,274.00</i>

- 3 That Council allocate \$12,000.00 from the 2012-13 Community Benefit Grant program to the Central Coast Woodturners Co-op Ltd on the condition that they can fund the remainder to purchase equipment:

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Staff Funding Recommended excl. GST</i>
<i>Central Coast Woodturners Co-op Ltd</i>	<i>Purchase of dust extractor - to protect health of members, passers by and other tenants in same complex</i>	<i>\$12,000.00</i>

**It was noted that Councillor Nayna was against the Central Coast Woodturners Co-op Ltd application.*

- 4 That Council defer the following Community Benefit Grants applications until the next round after consultation with Wyong Shire Council (WSC) staff, for the reasons as indicated in the table below:

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Staff Assessment</i>
<i>Central Coast Ugnay Kabayan (People's Link)</i>	<i>Usap Kultura - Community Based Socio-cultural café in Wyong Shire</i>	<i>Recommend to defer - project has merit but lacks specific details including program plan. Recommend resubmit following consultation with WSC Cultural Planner</i>
<i>Toukley Neighbourhood Centre</i>	<i>Kathleen's Creative Millinery - instruction and workshops for students, in construction of headwear</i>	<i>Recommend defer application. Current application has merit but lacks specific details including costings, activities and timeframes. Request applicant to discuss further with WSC Community and Cultural Development (CCD) and submit in next round of funding</i>

<p>Rotary Club of Wyong for R.Y.D.A. Central Coast</p>	<p>Rotary Youth Driver Awareness (RYDA) Program - series of one day out of school programs delivering practical road safety information targetting attitude and awareness of young drivers and their passengers</p>	<p>Recommend defer until clarification is sought on alternate State funding sources</p>
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5 That Council decline the following Community Benefit Grant applications for the reasons as indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project Name and Summary	Staff Assessment
<p>Fusion Central Coast Inc - auspice for Melinda Page</p>	<p>Behind Blue Eyes - funding to produce and print a therapeutic book on surviving life's traumas. Book to be available free of charge to relevant community groups and Council libraries</p>	<p>Not recommended - Project represents an individual seeking to publish a book. More suitable for sponsorship rather than community grant</p>
<p>Migrant North NSW - Association of Filipino Migrant and Workers Inc</p>	<p>'MANGGAGAWA' - Community Education focusing on career options for disadvantaged women and youth through leadership training</p>	<p>Not recommended. Project lacks detail and a specific budget. Applicant recommended to discuss proposal with WSC CCD Unit before re-applying</p>
<p>Razorbacks Rugby Club</p>	<p>Pedestrian Bridge Repairs - bridge linking Chittaway Road with the Ourimbah Campus destroyed in February floods.</p>	<p>Not recommended – Occupational Health and Safety issue to be addressed outside the Grants Process. Forwarded to WSC Sport Leisure and Recreation (SLR)</p> <p>The committee views this as needing urgent council repair</p>
<p>Regional Development Australia, Central Coast</p>	<p>Project Wi-Fi - provision of free Wi-Fi access at one location each at Wyong, The Entrance and Gravity Youth Centre.</p>	<p>Not recommended. Application has merit, but project lacks key details and relevant permissions. Applicant recommended to discuss proposal with WSC CCD Unit before re-applying</p>
<p>Take 3</p>	<p>Take 3 - A Marine Debris Initiative - Early Educators Workshops for preschoolers</p>	<p>Ineligible. Outstanding acquittal previous grant. Recommend reapply next round</p>

<i>The Entrance Bateau Bay Australian Football Club</i>	<i>Supply of new jerseys and equipment for new age groups and girls team in 2013</i>	<i>Not recommended - considered core business of organisation</i>
<i>Toowoomb Bay Surf Lifesaving Club</i>	<i>Purchase of three soft rescue boards - less damage to rescuer and patient</i>	<i>Not recommended - considered part of core business - group has other funding opportunities</i>
<i>Trustees of Roman Catholic Church for the Diocese of Broken Bay - St Mary's Primary School</i>	<i>Interactive Workshop - How to bullyproof your child – Targetting parent and child</i>	<i>Not recommended. Project of limited benefit to broader community. Ability of non -school based participants to attend unclear</i>
<i>Ourimbah Wyoming Rugby League Football Club</i>	<i>To replace old fencing material of hessian and star post, with new modern and safe, custom made, retractable, sublimated shade cloth with winch</i>	<i>Not recommended as there is no direct community benefit</i>

6 That Council allocate \$66,910.00 from the 2012-13 Community Matching Fund Round 2 as follows:

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Staff Funding Recommended excl. GST</i>
<i>Association of Relatives And Friends of the Mentally Ill (ARAFMI)</i>	<i>Yakkalla Hub - "Where Mental Health Happens". Development of a Community Mental Health Training and Resource Centre at Bateau Bay</i>	<i>\$19,210.00</i>
<i>Berkeley Vale Rugby League and Sports Club</i>	<i>Major drainage works - Berkeley Vale Oval</i>	<i>\$39,700.00</i> <i>Note - subject to the submission of a second quote in accordance with the policy. SLR staff to co-ordinate</i>
<i>Scouts Australia NSW - 1st Tuggerah Lakes Scouts</i>	<i>Back Yard Blitz - Replace unsafe equipment and materials, remove rubbish, lay turf, replace garage door for safe storage of equipment</i>	<i>\$8,000.00</i> <i>Note - can provide own labor to remove existing grass and lay turf etc.</i>

7 That Council defer the following Community Matching Fund applications until the next round after consultation with WSC staff, for the reasons as indicated in the table below:

Organisation	Project Name and Summary	Staff Assessment
Northern Lakes Power AFL Inc	Green Generation Lighting System - purchase and installation at Northlakes Oval San Remo	Recommend defer until next round. Matching funding has not been realised - works currently being considered as part of Capital Expenditure (CAPEX) program in future years
Wyong Public School Parents and Citizens (P&C) Association	Community Garden and Kindergarten Play Space - Bringing together local not-for-profit registered training organisation, unemployed, local community, Wyong Public School P & C and Wyong School as Community Centre	Recommend defer pending further advice in relation to state funding options

- 8 That Council be advised that the following application is pending further information:

Organisation	Project Name and Summary	Staff Assessment
St Vincent de Paul Broken Bay	'Vinnie's Wyong Financial Advice and Support Program'	\$27,410.00

- 9 That Council decline the following Community Matching Fund applications for the reasons as indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:

Organisation	Applicant	Staff Assessment
Toukley Gorokan Soccer Club	'Gunners celebrate 50 years' - comprising pictorial history, logo design competition, game day and celebration night	Not recommended. Project of limited broader community benefit - many benefits are limited specifically to club members. Applicant has ability to self fund
Tuggerah Lake Reserve (R1003002) Trust	Central Coast Wetlands - Pioneer Dairy Wetland Viewing, Education and	Not recommended as previous Matching Fund project still ongoing.

	<i>Recreation Facility</i>	<i>Recommend resubmit next round</i>
<i>Youth Connections.com.au</i>	<i>Stairway to a Better Future - relocation of staircase at 2a Amy Close Wyong. Project supports Better Futures Incubator, which assists young parents and their children in education and employment needs</i>	<i>Not recommended. Proposal represents a capital upgrade to a commercial and privately owned property. Project lacks specific detail, has no quotations for materials, application states Development Application required yet no discussions evident with relevant WSC staff</i>

- 10 That Council allow the following application to be transferred from Community Matching Funds to Community Benefit Grants and allocate \$4,480.00 from the 2012-13 Community Benefit Grants Program as follows:

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Staff Funding Recommended excl. GST</i>
<i>Impact 4 Life Church for Meals4Hope</i>	<i>Meals 4 Hope - Barbecue trailer to provide free meals to community disadvantaged</i>	<i>\$4,480.00</i>

BACKGROUND

A meeting of the Wyong Shire Grants Advisory Group was held on 22 March 2013. Minutes of that meeting are attached. At this meeting recommendations were received and adopted for the Community Benefit Grants program and the Community Matching Fund Program.

Council currently provides \$150,000.00 annually for the Community Benefit Grants Program to provide financial assistance to individuals, not-for-profit organisations and groups to improve the social, sporting and cultural, economic and/or environmental wellbeing of the Wyong Shire community.

Council also provides \$300,000.00 annually for the Community Matching Fund which aims to increase the active participation of the community members, while enhancing local initiatives such as infrastructure development, community enterprise and engagement on a two for one match basis.

Funding is provided twice per year.

ATTACHMENTS

- 1 MINUTES - Wyong Shire Grants Committee Meeting - 22 March 2013 D03301499

WYONG SHIRE COUNCIL

MINUTES OF THE
GRANTS ADVISORY GROUP MEETING
HELD IN THE COMMITTEE ROOMS
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 22 MARCH 2013
COMMENCING AT 3.30 PM

PRESENT

Councillors D J Eaton (Chairperson), L D Webster, L Nayna and General Manager's Representative - Manager Community and Cultural Development.

IN ATTENDANCE

Team Leader Community Development Programs, Administration Assistant – Community and Cultural Development and Councillor Services Officer.

APOLOGIES

There were no apologies.

The Chairperson, Mayor D J Eaton, declared the meeting open at 3.35 pm and advised in accordance with the Code Of Meeting Practice that the meeting was being recorded.

1.1 Disclosure of Interests

COMMITTEE RECOMMENDATION

That the report be received and advice of the disclosure noted.

2.1 Confirmation of Minutes of Previous Meeting

COMMITTEE RECOMMENDATION

It was moved by Councillor Nayna and Seconded by Councillor Webster:

That the minutes of the previous Wyong Shire Grants Committee Meeting held on 22 November 2012 be accepted.

3.1 Combined Community Benefit Grants Program

COMMITTEE RECOMMENDATION

It was moved by Councillor Eaton and Seconded by Councillor Webster:

- 1 ***That the Committee recommend Council allocate \$23,337.83 from the 2012-13 Community Benefit Grant program as follows:***

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Staff Funding Recommended excl. GST</i>
<i>Australian Seabird Rescue Central Coast</i>	<i>Promotion of ASR - to increase membership in order to continue services</i>	<i>\$3,063.83</i>
<i>Central Coast Domestic Violence Committee</i>	<i>Say No to Violence 2013 - White Ribbon Walk to campaign to stop violence against women.</i>	<i>\$4,300.00</i>
<i>Coastal a Capella</i>	<i>Performance Costumes - competing in Australian Sweet Adeline Competition in May, costumes not updated since 2009</i>	<i>\$1,080.00</i>
<i>Compass Housing - for Community Drug Action Team - KBT</i>	<i>KBT CDAT Funfest at Banksia Family Centre - to raise awareness of the impact of drug and alcohol misuse.</i>	<i>\$2,890.00</i>
<i>Lions Club of Gwandalan Inc</i>	<i>Purchase of mobile fridge trailer - required for safe catering for multitude of functions annually, @ up to 1000 people</i>	<i>\$3,000.00</i>
<i>Ocean and Coastal Care Initiatives - for Whale Dreamers Festival</i>	<i>Whale Dreamers Festival - information, speakers and whale watching at Norah Head Lighthouse.</i>	<i>\$3,250.00</i>
<i>The Fathers Table</i>	<i>The Fathers Table - community outreach project providing hot meals, food, blankets, basic clothing and a safe meeting place, targetting homelessness and poverty in Wyong area</i>	<i>\$3,280.00</i>
<i>Wyong District Museum and Historical Society Inc</i>	<i>To purchase items necessary to preserve and store historical artefacts for future display in the Museum.</i>	<i>\$1,200.00</i>
<i>Wyong Family History Group Inc</i>	<i>Purchase of quality overhead projector for use at group activities</i>	<i>\$1,274.00</i>

- 2 ***That the Committee recommend Council allocate \$12,000.00 from the 2012-13 Community Benefit Grant program to the Central coast Woodturners Co.op Ltd on the condition that it can fund the remainder to purchase the equipment:***

Applicant	Project Name and Summary	Staff Funding Recommended excl. GST
Central Coast Woodturners Co.op Ltd	Purchase of dust extractor - to protect health of members, passers by and other tenants in same complex.	\$12,000.00

***Councillor Nayna wished to have his names recorded as voting against the Central Coast Woodturners Co.op Ltd application**

- 3 That the Committee recommend Council defer the following applications until the next round, after consultation with WSC staff for the reasons as indicated in the table below:**

Applicant	Project Name and Summary	Staff Assessment
Central Coast Ugnay Kabayan (People's Link) Inc	Usap Kultura - Community Based Socio-cultural café in Wyong Shire	Recommend to defer - project has merit but lacks specific details including program plan. Recommend resubmit following consultation with WSC Cultural Planner
Toukley Neighbourhood Centre Inc	Kathleen's Creative Millinery - instruction and workshops for students, in construction of headwear	Recommend to defer - Current application has merit but lacks specific details including costings, activities, timeframes. Request applicant to discuss further with C&CD and submit in next round of funding
RYDA	RYDA Program - series of one day out of school programs delivering practical road safety information targeting attitude and awareness of young drivers and their passengers	Recommend to defer - until clarification is sought on alternate State funding sources.

- 4 That the Committee recommend Council decline applications for the reasons as indicated in the table below and the applicants advised and where relevant, directed to alternate funding programs:**

Applicant	Project Name and Summary	Staff Assessment
Fusion Central Coast Inc - auspice for Melinda Page	Behind Blue Eyes - funding to produce and print a therapeutic book on surviving life's traumas. Book to be available free of charge to relevant community groups and Council libraries.	Not recommended - Project represents an individual seeking to publish a book. More suitable for sponsorship rather than community grant

Applicant	Project Name and Summary	Staff Assessment
Migrante North NSW - Association of Filipino Migrant and Wrokers Inc	MANGGAGAWA - Community Education focusing on career options for disadvantaged women and youth through leadership training.	Not recommended - Project lacks detail and a specific budget. Applicant recommended to discuss proposal with WSC C&CD Unit before re-applying
Razorbacks Rugby Club	Pedestrian Bridge Repairs - bridge linking Chittaway Road with the Ourimbah Campus destroyed in February floods.	Not recommended - WH&S issue to be addressed outside the Grants Process. Forwarded to WSC Sport & Rec The committee views this as needing urgent council repair.
Regional Development Australia, Central Coast	Project Wi-Fi - provision of free Wi-Fi access at one location each at Wyong, The Entrance and Gravity Youth Centre.	Not recommended - Application has merit, but project lacks key details and relevant permissions. Applicant recommended to discuss proposal with WSC C&CD Unit before re-applying
Take 3	Take 3 - A Marine Debris Initiative - Early Educators Workshops for preschoolers	Ineligible - Outstanding acquittal previous grant. Recommend reapply next round
The Entrance Bateau Bay Australian Football Club	Supply of new jerseys and equipment for new age groups and girls team in 2013	Not recommended - considered core business of organisation
Toowoan Bay Surf Lifesaving Club	Purchase of three soft rescue boards - less damage to rescuer and patient	Not recommended - considered part of core business - group has other funding opportunities
Trustees of Roman Catholic Church for the Diocese of Broken Bay - St Mary's Primary School	Interactive Workshop - How to bullyproof your child - Parent and child	Not recommended - Project of limited benefit to broader community. Ability of non - school based participants to attend unclear
Ourimbah Wyoming Rugby League Football Club	To replace old fencing material of hessian and star post, to new modern and safe, custom made, retractable, sublimated shade cloth with winch	Not recommended - as there is no direct community benefit.

3.2 Community Matching Fund Grant Applications

COMMITTEE RECOMMENDATION

It was moved by Councillor Nayna and Seconded by Councillor Webster:

- 1 *That the Committee recommend Council allocate \$66,910.00 from the 2012-13 Community Matching Fund Grant program as follows:*

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Staff Funding Recommended excl. GST</i>
<i>ARAFMI</i>	<i>Yakkalla Hub - "Where Mental Health Happens". Development of a Community Mental Health Training and Resource Centre at Bateau Bay.</i>	<i>\$19,210.00</i>
<i>Berkeley Vale Rugby League and Sports Club</i>	<i>Major drainage works - Berkeley Vale Oval.</i>	<i>\$39,700.00</i> <i>Note - subject to the submission of a second quote in accordance with the policy.</i>
<i>Scouts Australia NSW - 1st Tuggerah Lakes Scouts</i>	<i>Back Yard Blitz - Replace unsafe equipment and materials, remove rubbish, lay turf, replace garage door for safe storage of equipment.</i>	<i>\$8,000.00</i> <i>Note - can provide own labour to remove existing grass and lay turf etc.</i>

- 2 *That the Committee recommend Council defer the following applications until the next round, after consultation with WSC staff, for the reasons as indicated in the table below:*

<i>Organisation</i>	<i>Project Name and Summary</i>	<i>Staff Assessment</i>
<i>Northern Lakes Power AFL Inc</i>	<i>Green Generation Lighting System - purchase and installation at Northlakes Oval, San Remo</i>	<i>Recommend defer - until next round. Matching funding has not been realised - works currently being considered as part of CAPEX program in future years.</i>
<i>Wyong Public School P & C</i>	<i>Community Garden and Kindergarten Play Space - Bringing together local not for profit Registered Training Organisation, unemployed, local community, Wyong Public School P & C and Wyong School as Community Centre</i>	<i>Recommend defer - pending further advice in relation to state funding options.</i>

- 3 That the Committee be advised that the following application is pending further information:

Organisation	Project Name and Summary	Staff Assessment
St Vincent de Paul Broken Bay	Vinnie's Wyong Financial Advice and Support Program	\$27,410.00

- 4 That the Committee recommend Council decline applications for the reasons as indicated in the table below, and the applicants advised and where relevant, directed to alternate funding programs:

Organisation	Applicant	Staff Assessment
Toukley Gorokan Soccer Club Inc	Gunners celebrate 50 years - comprising pictorial history, logo design competition, game day and celebration night	Not recommended. Project of limited broader community benefit - many benefits are limited specifically to club members. Applicant has ability to self fund
Tuggerah Lake Reserve (R1003002) Trust	Central Coast Wetlands - Pioneer Dairy Wetland Viewing, Education and Recreation Facility	Not recommended as previous Matching Fund project still ongoing. Recommend resubmit next round
Youth Connections.co m.au	Stairway to a Better Future - relocation of staircase at 2a Amy Close Wyong. Project supports Better Futures Incubator, which assists young parents and their children in education and employment needs.	Not recommended. Proposal represents a capital upgrade to a commercial and privately owned property. Project lacks specific detail, has no quotations for materials, application states DA required yet no discussions evident with relevant WSC staff

- 4 That the Committee recommend Council move the following application from Community Matching Funds to Community Benefit Grants and allocate \$4,480.00 from the 2012-13 Community Benefit Grant Program as follows:

Applicant	Project Name and Summary	Staff Funding Recommended excl. GST
Impact 4 Life Church for Meals4Hope	Meals 4 Hope - BBQ trailer to provide meals free to community disadvantaged.	\$4,480.00

THE MEETING closed at 4.31 pm.

4.6 Proposed Councillors' Community Improvement Grants

TRIM REFERENCE: C2013/01723 - D03298649

MANAGER: Lesley Crawley; Manager Corporate Governance

AUTHOR: Lisa Martin; Administration Assistant

SUMMARY

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

RECOMMENDATION

That Council allocate an amount of \$5,681.00 from the 2012-13 Councillors' Community Improvement Grants as follows:

<i>Proposed Allocations for 10 April 2013</i>		
<i>1st Tuggerah Lakes Scouts (\$1000)</i>	<i>Purchase of Life Jackets (PFDs)</i>	<i>850.00</i>
<i>Budgewoi Beach Dunecare Inc. (\$700)</i>	<i>Purchase a cordless 18volt 2 pack hammer drill set to replace 1200 watt generator & drill units.</i>	<i>50.00</i>
<i>Central Coast Lapidary Club (\$1500)</i>	<i>Teaching of metalwork/jewellery to community members</i>	<i>100.00</i>
<i>Chain Valley Bay Progress Association (\$600)</i>	<i>Hire of display boards for art works</i>	<i>350.00</i>
<i>Child and Family Services Wyong Shire (\$2000) (\$400 already allocated)</i>	<i>Provide an Early Childhood Education and Care Service Crèche</i>	<i>500.00</i>
<i>Compass Housing Services (\$1500)</i>	<i>Community Garden in Avery Street complex</i>	<i>100.00</i>
<i>Country Women's Association of NSW - Toukley Branch (\$1618)</i>	<i>Mums and Bubs Group</i>	<i>100.00</i>
<i>Lions Club of Wyong (\$2000)</i>	<i>District 2013 Lions Convention - Camp Breakaway - November 2013</i>	<i>100.00</i>
<i>MIGAS Apprentices & Trainees (\$2000)</i>	<i>Awards Night</i>	<i>300.00</i>
<i>Northern Lakes Disability Tourism Precinct Committee Inc (\$572)</i>	<i>2 signs to be installed at Lakes Beach Café to promote the availability of beach wheelchairs for free use to the disabled to access the beach.</i>	<i>300.00</i>
<i>Northlakes High School P & C (\$2000)</i>	<i>CD produced by students</i>	<i>350.00</i>
<i>Razorbacks Rugby Club (\$2000)</i>	<i>Purchase of a shipping container</i>	<i>100.00</i>
<i>Tuggerah Lakes District Band (\$1931)</i>	<i>Band shirts with Council and band logos</i>	<i>1,931.00</i>

<i>Vicki Buchanan (\$550) Emergency GM approval</i>	<i>Attend AWLGA conference 15 March 2013 as representative of WSC Status of Women Advisory Group</i>	<i>550.00</i>
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BACKGROUND

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

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.

In accordance with Clause 2.3 of the Councillor's Community Improvement Grants Policy available funding for the 2012/2013 financial year is \$75,000. Clause 2.3 states:

"After a Local Government election, the allocation to the individual Councillors will be 50% of the allocation identified in Clause 1.1 and will be available from 1 December of that year to 30 June of the following year".

THE PROPOSAL

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

The proposed allocations are listed below:

COUNCILLORS' COMMUNITY IMPROVEMENT GRANTS ALLOCATION		Best	Eaton	Graham	Greenwald	Matthews	Nayna	Taylor	Troy	Vincent	Webster	SUB TOTAL
Allocation 01/01/2012 - 30/06/2013		7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00	75,000.00
Expenditure up to and including Ordinary Council Meeting of 13/3/13		2,790.00	1,600.00	3,600.00	1,085.17	4,980.00	1,150.00	400.00	1,050.00	5,650.00	2,476.02	24,781.19
Available allocation as at 13 March 2013		4,710.00	5,900.00	3,900.00	6,414.83	2,520.00	6,350.00	7,100.00	6,450.00	1,850.00	5,023.98	50,218.81
Proposed allocations for 10 April 2013												
1st Tuggerah Lakes Scouts (\$1000)	Purchase of Life Jackets (PFDs)	50.00			300.00				500.00			850.00
Budgewoi Beach Dunecare Inc. (\$700)	Purchase a cordless 18volt 2 pack hammer drill set to replace 1200 watt generator & drill units.	50.00										50.00
Central Coast Lapidary Club (\$1500)	Teaching of metalwork/jewellery to community members	100.00										100.00
Chain Valley Bay Progress Association (\$600)	Hire of display boards for art works	50.00			300.00							350.00
Child and Family Services Wyong Shire (\$2000) (\$400 already allocated)	Provide an Early Childhood Education and Care Service Crèche				500.00							500.00
Compass Housing Services (\$1500)	Community Garden in Avery Street complex	100.00										100.00
Country Women's Association of NSW - Toukley Branch (\$1618)	Mums and Bubs Group	100.00										100.00
Lions Club of Wyong (\$2000)	District 2013 Lions Convention - Camp Breakaway - November 2013	100.00										100.00
MIGAS Apprentices & Trainees (\$2000)	Awards Night	100.00			200.00							300.00
Northern Lakes Disability Tourism Precinct Committee Inc (\$572)	2 signs to be installed at Lakes Beach Café to promote the availability of beach wheelchairs for free use to the disabled to access the beach.	50.00			250.00							300.00
Northlakes High School P & C (\$2000)	CD produced by students	100.00					250.00					350.00
Razorbacks Rugby Club (\$2000)	Purchase of a shipping container	100.00										100.00
Tuggerah Lakes District Band (\$1931)	Band shirts with Council and band logos										1,931.00	1,931.00
Vicki Buchanan (\$550) Emergency GM approval	Attend AWLGA conference 15 March 2013 as representative of WSC Status of Women Advisory Group					550.00						550.00
Total Proposed Allocations for 10 April 2013		900.00	0.00	0.00	1,550.00	550.00	250.00	0.00	500.00	0.00	1,931.00	5,681.00
Total Accumulated Allocations as at 10 April 2013		3,690.00	1,600.00	3,600.00	2,635.17	5,530.00	1,400.00	400.00	1,550.00	5,650.00	4,407.02	30,462.19
Balance Uncommitted as at 10 April 2013		3,810.00	5,900.00	3,900.00	4,864.83	1,970.00	6,100.00	7,100.00	5,950.00	1,850.00	3,092.98	44,537.81

OPTIONS

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

STRATEGIC LINKS

Annual Plan

Principal Activity	Strategy or Program	Financial Line Item No and Description
A More Sustainable Community	Enhance the quality of life of the Shire's residents	1.1.11 – Community Financial Support

Contribution of Proposal to the Principal Activity

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

Link to Shire Strategic Vision

Priority Objective	How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan
Communities - Communities will be vibrant, caring and connected with a sense of belonging and pride in their local neighbourhood.	Funding is available to projects not specifically nominated in Council's Annual Plan that contribute to the priority objective.
Facilities and Services - Communities will have access to a diverse range of affordable and coordinated facilities, programs and services.	Funding is available to projects not specifically nominated in Council's Annual Plan that contribute to the priority objective.

Financial Implications

Expenditure is approved until the end of the 2012-13 financial year. Unspent approvals lapse 31 May 2013.

Principles of Sustainability

The CCIG program is aligned with the principles of sustainability in that it would:

- Improve and maintain safety, wellbeing and sense of community
- Use locally available resources to increase our self-reliance
- Support local and regional economic prosperity
- Build and strengthen partnerships and alliances

CONSULTATION

Applications that met the criteria were distributed to Councillors for their consideration.

GOVERNANCE

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

CORPORATE RISKS

Nil impact.

CONCLUSION

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

ATTACHMENTS

Nil

4.7 2013 National General Assembly of Local Government

TRIM REFERENCE: F2004/06497 - D03302945

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Sonia Witt; TL Governance and Councillor Services

SUMMARY

The 2013 National General Assembly of Local Government will be held at the National Convention Centre in Canberra between 16 and 19 June 2013.

RECOMMENDATION

- 1 That Council nominate any motions to be submitted to the National General Assembly of Local Government prior to 26 April 2013.**
- 2 That Council authorise interested Councillors and the General Manager or his delegate to attend the 2013 National General Assembly of Local Government between 16 and 19 June 2013.**
- 3 That Council reimburse expenses incurred by Councillors attending the Assembly in accordance with Council's Facilities and Expenses Policy for Councillors.**
- 4 That Council determine the voting delegate should the Mayor not attend.**

BACKGROUND

The National General Assembly of Local Government (NGA) is the largest and most important event on the Local Government calendar. It is convened by the Australian Local Government Association (ALGA) for local councils across Australia to develop and express a united voice on the core issues affecting local government and their communities.

The NGA provides an important platform to showcase local government to influential decision-makers of the Federal Government, at both the political and departmental levels.

Discussions and debate at the NGA will focus around the theme 'Foundations for the Future: Twenty 13'. ALGA is inviting councils to submit motions for consideration at the NGA with the release of a discussion paper on the theme. All councils are encouraged to contribute to the shaping of Local Government's national direction by submitting motions to this year's NGA.

Submission of Motions

The NGA theme is 'Foundations for the Future: Twenty 13'. The NGA theme because it looks forward and captures the opportunities of the federal election to be held on 14 September 2013.

To assist Councils in preparing motions, a discussion paper has been prepared and attached:

- * Fall under the NGA Theme;
- * Be relevant to the work of local government nationally; and
- * Complement or build on the policy objectives of state and territory associations.

Motions for the 2013 Assembly are required to fall under one of the above themes, be relevant to the work of local government nationally; and complement or build on the policy objectives of state or territory association in order to be considered eligible for inclusion.

Motions must also be by resolution of Council. To assist Councils in submitting motions for debate at the Assembly, a Discussion Paper has been prepared. This paper provides background information on the themes and designed to assist Councils when developing motions. A copy of the discussion paper is attached.

Motions that are carried by the National General Assembly become Resolutions. These resolutions are then considered by the ALGA Board when setting national local government policy and when the Board is making representations to the Federal Government at Ministerial Councils, during meetings and in ALGA publications. The ALGA Board is not bound by any resolutions passed at the NGA.

A delegate of Wyong Shire Council does not need to attend to have a motion put forward, another Council may put forward a motion on behalf of this Council.

Motions must be endorsed by Council and submitted to the NGA by 26 April 2013. This would mean that any proposal for a motion should be considered no later than the 24 April 2013 Ordinary Meeting.

Each Council is entitled to one voting delegate in the debating session.

OPTIONS

The Council may choose to submit or not submit motions to the NGA. The Council may or may not agree to reimbursement of expenses incurred.

STRATEGIC LINKS

The Assembly is an opportunity for Councillors to bring forward issues affecting the Shire that are of National relevance.

Financial Implications

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

National General Assembly 2013	(\$)
Registration (early bird rate payment prior to 27 April 2013)	\$899
Travel (own vehicle / petrol)	\$600
Travel (flight)	\$400
Accommodation (based on approx \$270 per night for 4 nights)	\$1,080
Other disbursements (meals, taxis etc) say	\$400
Partner Registration	\$240
Total - estimate	\$3,619

CONSULTATION

Nil Impact

GOVERNANCE

Reimbursement of costs is in accordance with the provisions of Council's Facilities and Expenses Policy for Councillors.

Clause D5 of the Policy provides that WSC will reimburse expenses for attendance at eligible conferences, seminars, workshops and professional development courses for each elected member including the annual NSW Local Government Association Conference and National General Assembly.

CORPORATE RISKS

Nil impact.

CONCLUSION

The Assembly is an opportunity for Council to ensure issues of concern are debated widely and for Councillors to network with other elected representatives from throughout Australia.

Submission made by Councillors on behalf of Council will ideally require presentation at the Assembly. Attendance by the appropriate Councillor(s) would be necessary if submissions are made.

Motions submitted to the National General Assembly must be by resolution of Council.

ATTACHMENTS

- 1 National General Assembly 2013 - Discussion Paper - Final document - ALGA Enclosure D03256888

4.8 Facilities and Expenses Policy for Councillors

TRIM REFERENCE: F2004/06505 - D03307078

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Sonia Witt; TL Governance and Councillor Services

SUMMARY

Proposal to amend the Facilities and Expenses Policy for Councillors to include a meeting attendance fee for the Council delegates to the Joint Regional Planning Panel.

RECOMMENDATION

- 1 That Council propose the addition of Clause D66 to the Facilities and Expenses Policy for Councillors as follows:**

“WSC will reimburse Councillors appointed to the Joint Regional Planning Panel a maximum fee per meeting of \$650 as per clause 6 Schedule 4 of the Environment and Planning Act.”

- 2 That Council advertise the proposed amendment in accordance with the provisions of the Local Government Act.**

- 3 That Council note that the term of the delegates on the Joint Regional Planning Panel is 3 years.**

BACKGROUND

The Department of Planning (DoP) has advised Council that it will meet the remuneration costs for the State members of the JRPP, however, a decision on the payment of fees for Council nominated members has been left for individual Council's to make. The then Minister for Planning, the Hon Christina Keneally, MP has advised that the following should be considered when determining the payment of any fees:

- ***“Council staff members: No fees should be paid, as participation in the Regional Panel would form part of the employee's regular duties, consistent with the Department of Premier and Cabinet Guidelines for NSW Board and Committee Members: Appointment and Remuneration (‘the DPC Guidelines’) on payment to Public Sector Employees.***
- ***Elected councillors: As councillors already receive an annual fee set by the Local Government Remuneration Tribunal each year for performing their councillor duties, an additional per meeting fee of no more than \$600 appears reasonable, recognising that membership of the Regional Panel will bring additional responsibilities.”***
- ***“Alternates: Alternate members, when serving on the Regional Panel, should receive fees commensurate to those paid to comparable council-appointed members***

Councils are also advised to refer to the DPC Guidelines when calculating travel and subsistence allowances for their nominees.”

Currently, there are 24 external committees, such as NSW Regional Development Australia, to which Wyong Council provides Councillors as delegates. The issue of payment of Council's nominees (Councillors) to the JRPP has arisen, as nominees to these other Committees do not receive any additional payment above the annual allowance paid to Councillors and expenses (eg travelling and sustenance) available under WSC's Facilities and Expenses Policy.

There is no mechanism under the Local Government Act that enables Council's to exceed the maximum annual fee to Councillors set by the Remuneration Tribunal (Section 248). However, preliminary advice received from the Department of Local Government is that Council's may pay an additional fee to Councillor members of the JRPP under 23G and Schedule 4 of the Environmental Planning and Assessment Act (EP&A Act). Schedule 4 states in part:

"6 Remuneration

A member is entitled to be paid such remuneration (including travelling and subsistence allowances) as the Minister may from time to time determine in respect of the member."

Whilst the Minister for Planning had determined that Council's be responsible for the payment of a fee, she had not determined the amount or the process by which the fee is paid. The DLG (pending confirmation from the Department of Planning) has offered this preliminary advice:

"The Environmental Planning and Assessment Act 1979 (EP&A Act) makes legislative provision for councillors to receive fees and expenses as council-appointed members of a Joint Regional Planning Panel (JRPP) (section 230 and clause 6 of Schedule 4 refer). This is to be paid out of a council's consolidated fund and is not inconsistent with the consolidated fund provisions of section 409 and the annual fee provisions of Division 5, Chapter 9 of the Local Government Act 1993.

The remuneration for JRPP members under the EP&A Act is considered to be for separate and additional functions and is therefore not inconsistent with the Local Government Act.

Taking into account the differences between councils, it would appear open to councils to align the fees paid to councillors for JRPP membership with a pro rata amount of the councillor's annual fee calculated on a per meeting basis. It would also appear open to councils to align expenses paid for councillor participation on JRPPs with the council's councillor expenses and facilities policies prepared under the Local Government Act."

PROPOSAL

It is recommended that Council consider the payment of a "meeting fee" under the EP&A Act and the payment of any travelling and subsistence allowances under its Facilities and Expenses Policy.

The Minister's guideline of \$600 per meeting was made in 2010 on the following basis:

- State appointed members allowance will be \$1400 per meeting and include travelling and subsistence.
- Councillors already receive an annual allowance for meetings.

- It is recognised that the JRPP will bring additional responsibility.
- pro-rata of the annual fee to a councillor of a medium sized council.

**The “meeting allowance” should encompass all time spent in preparation and attendance for the meeting and should not include travelling and subsistence. The “meeting fee” should be paid to the alternate delegate only where he/she attends the meeting in the absence of the delegate.*

Given the timeframe since that guideline by the Minister it is proposed that a meeting fee be set at \$650 and an additional Clause be added to the Facilities and Expenses Policy for Council as follows:

WSC will reimburse Councillors appointed to the Joint Regional Planning Panel a maximum fee for attendance per meeting of \$650 as per clause 6 Schedule 4 of the Environment and Planning Act. This shall apply to the voting delegates attending the meeting on behalf of WSC.

Options

- 1 No additional meeting allowance be paid to the Councillor delegate on the JRPP on the basis of the existing annual allowance paid to the Councillors under the Local Government Act and the ability for Councillor delegates to claim travelling and expenses under the WSC Facilities and Expenses Policy.
- 2 Pay an additional “meeting allowance”* to the Councillor delegate on the JRPP of \$650 per meeting for the voting WSC delegate.

Council has previously considered this matter and resolved as follows:

Council at its meeting held 12 October 2011 considered a Notice of Motion – Joint regional Planning Panel Representation;

“RESOLVED on the motion of Councillor WYNN and seconded by Councillor GRAHAM:

- 1 *That Council, noting its commitment to engaging the community in the development process and having regard to the State Government selection criteria applicable to all Panel members, proceed to invite expressions of interest from appropriately experienced and qualified members of the Community to be appointed as Council representatives and alternative representatives on the Hunter/Central Coast JRPP. That Council note that the community representatives will replace the current Councillor and staff and Councillor Panel members.*
- 2 *That Council advise the secretariat of the JRPP of those changes to its representation.*
- 3 *That Council remunerate its delegates to JRPP meetings at the rate paid in most other Councils of \$650 per meeting.*

The MOTION was put to the VOTE and declared CARRIED on the casting vote of the Mayor.

FOR: COUNCILLORS GRAHAM, MATTHEWS, VINCENT AND WYNN

AGAINST: COUNCILLORS BEST, EATON, MCNAMARA AND WEBSTER"

Council at its meeting held 26 October 2011 considered a Rescission Motion – Joint Regional Planning Panel Representation;

“RESOLVED on the motion of Councillor EATON and seconded by Councillor SYMINGTON:

- 1 That Council rescind the following resolution carried at the Ordinary Meeting of Council held on 12 October 2011:

“1 That Council, noting its commitment to engaging the community in the development process and having regard to the State Government selection criteria applicable to all Panel members, proceed to invite expressions of interest from appropriately experienced and qualified members of the Community to be appointed as Council representatives and alternative representatives on the Hunter/Central Coast JRPP. That Council note that the community representatives will replace the current Councillor and staff and Councillor Panel members.

- 2 That Council advise the secretariat of the JRPP of those changes to its representation.

- 3 That Council remunerate its delegates to JRPP meetings at the rate paid in most other Councils of \$650 per meeting.”

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

AGAINST: COUNCILLORS VINCENT AND WYNN

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

- 1 That Council recognise that its representatives to the Joint Regional Planning Panel (JRPP) should be Councillors, as they are the elected representatives of the community, and endorse a change to its current representation to reflect this principle such that Councillors Symington and Eaton be appointed as delegates to the JRPP.

- 2 That Council appoint Councillor Wynn as an alternate delegate to the JRPP.

- 3 That Council advise the secretariat of JRPP of these changes to its representation.

4.8 Facilities and Expenses Policy for Councillors (contd)

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

AGAINST: COUNCILLOR WYNN"

CONCLUSION

It is considered appropriate for Council to consider and determine its position in relation to the subject of a meeting allowance for the Council appointed members of the JRPP.

It is a requirement under Section 252 of the Local Government Act 1993, that Council formally adopt the Facilities and Expenses Policy for Councillors after the exhibition period.

ATTACHMENTS

- 1 Draft Policy for Facilities & Expenses for Councillors - April 2013 Enclosure D03307721

5.1 Wildlife Road Kill

TRIM REFERENCE: F2004/06946 - D03295772

MANAGER: Lin Armstrong, Director Development and Building

AUTHOR: Jane Doyle; Senior Administration Support Officer

SUMMARY

Reporting on a response from Senator the Hon. Don Farrell Parliamentary Secretary for Sustainability and Urban Water in regard to wildlife crossings across major road networks on the Central Coast.

RECOMMENDATION

That Council receive the report on Wildlife Road Kill.

BACKGROUND

Council at its meeting held on 14 December 2011;

“RESOLVED unanimously on the motion of Councillor Best and seconded by Councillor Wynn:

- 1 That Council note that its planned east-west major wildlife corridor is now being formalised.*
- 2 That Council confirm that it seeks to provide safe aerial and terrestrial passage through the corridor by addressing safety in the 2 major road networks (the F3 and the Pacific Highway) that cut through the corridor causing major wild life road kill issues.*
- 3 That Council seek assistance from the NSW RTA and the Federal Government to address the issue of safer wild life corridor crossings as seen on the NSW mid north coast.*
- 4 That Council receive a report on the outcomes with regard to the request for assistance from the NSW RTA and the Federal Government.*

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

AGAINST: NIL

5.1 Wildlife Road Kill (contd)

A response has now been received from Senator the Hon. Don Farrell Parliamentary Secretary for Sustainability and Urban Water in regard to wildlife crossings across major road networks on the Central Coast.

ATTACHMENTS

- 1 Letter from Senator the Hon Don Farrell D02992834



Senator the Hon Don Farrell

Parliamentary Secretary for Sustainability and Urban Water

C12/2605

Mr Michael Whittaker
General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

Dear Mr Whittaker

I refer to your letter of 24 February 2012 to the Minister for Sustainability, Environment, Water, Population and Communities, the Hon Tony Burke MP, concerning the issue of safer wildlife corridor crossings on the Central Coast. The Minister has asked me to thank you and to reply on his behalf.

Thank you for informing us of Wyong Council's wildlife corridor initiatives and interest in reducing the impacts of major roads on local wildlife populations. The Australian Government recognises that our landscape has become increasingly fragmented, placing pressure on many of our ecosystems and species due to isolation. The newly released Draft National Corridors Wildlife Plan is the government's strategy to restore and manage ecological connections in the Australian landscape. This includes corridors in peri-urban and urban landscapes. The draft plan recognises that in peri-urban and urban areas it may be necessary to provide structures, such as underpasses, to enable wildlife to move through the landscape. The draft plan is currently open for public comment at www.environment.gov.au/biodiversity/wildlife-corridors/index.html.

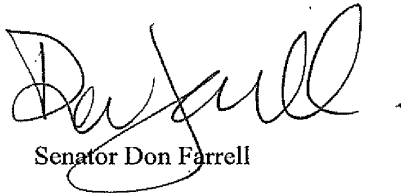
Funding support for corridor building activities will be available through programs such as the Biodiversity Fund and Caring for our Country. The Biodiversity Fund is an ongoing measure in the government's Clean Energy Future Plan which will provide \$946.2 million over its first six years to support land managers to undertake projects that establish, restore, protect or manage biodiverse carbon stores. For the first round of the Biodiversity Fund, applicants proposing to undertake capital works were required to demonstrate, in the context of their broader project, how the activity represented value for public money and made a significant contribution to the Biodiversity Fund themes, as outlined in the grant application guidelines. Although applications for round one have now closed, the Biodiversity Fund is an ongoing program and there will be more opportunities to participate. It is expected the second funding round will be held later in 2012.

Through the Caring for our Country program, the government is investing more than \$2 billion over five years to achieve a real and measurable difference to Australia's environment. Caring for our Country aims to achieve an environment that is healthy, better protected, well-managed, resilient and provides essential ecosystem services in a changing climate. To date, Caring for our Country has provided funding for a broad range of sustainable land management and environmental protection work. While the 2012–13 funding rounds for Caring for our Country have closed, planning is now underway for the transition and implementation of the next phase of investment. We are working towards an announcement relating to the next phase of natural resource management investment before the end of this financial year.

More information on these programs is available at www.environment.gov.au/cleanenergyfuture and www.nrm.gov.au.

Thank you again for bringing your concerns to the government's attention. We wish you well in your endeavours to develop safer wildlife corridor crossings in Wyong Shire.

Yours sincerely



Senator Don Farrell

5.2 Response to Notice of Motion - Erosion of Yellawa Island, The Entrance

TRIM REFERENCE: F2004/06947 - D03295761

MANAGER: Andrew Pearce, Manager, Roads and Drainage

AUTHOR: David Ryan; Manager Estuary Management

SUMMARY

This is a response to the Notice of Motion – Erosion of Yellawa Island, The Entrance adopted at the 28 November 2012 Ordinary Meeting.

RECOMMENDATION

That Council monitor the situation on Yellawa Island and no hard engineering solution be implement at this stage, due to the likely prohibitive costs involved, the unknown effectiveness of stabilisation and the potential risk issues.

BACKGROUND

At Council's Ordinary Meeting of 28 November 2012, Councillors made the following resolution regarding the management of erosion at Yellawa Island:

- “463/12 That Council note with concern the erosion of Yallara Island, adjacent to The Entrance Bridge, which is home to the iconic 80 year old date palm.*
- 464/12 That Council urgently investigate the permissibility and feasibility of using Council's dredge and geo-bags to repair the erosion and provide support to the date palm.*
- 465/12 That Council delegate and direct the General Manager to carry out such work subject to permissibility, feasibility and at a reasonable cost (i.e. less than \$50,000).*
- 466/12 That Council use this initial trial as an opportunity to capture important hydrological data with a view to the future possible use of the technology in the stabilisation of the channel precinct.*
- 467/12 That Council direct the General Manager to report to Council on the outcomes of this proposal.”*

A similar request was asked at Council's Ordinary Meeting of 27 January 2010, where Councillors made the following resolution regarding the management of Yellawa Island:

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

5.2 Response to Notice of Motion - Erosion of Yellawa Island, The Entrance (contd)

- 1 *That Council note the recommendations of the Tuggerah Lakes Estuary Coastal and Floodplain Management Committee.*
- 2 *That Council support a limited trial of the geotextile bag technology in the stabilisation of the rapidly eroding Yellawa Island affecting its heritage Date Palm.*
- 3 *That Council refer this matter to the Tuggerah Lakes Estuary and Coastal and Floodplain Management Committee, at its next Committee Meeting on 4 February 2009, for its urgent consideration as to the processes and approvals necessary to effect such a trial”.*

RESPONSE

In response to this resolution, an investigation was undertaken in 2010 into the feasibility of using geotextile bags to stabilise Yellawa Island based on the previous motion. The findings of the investigation are still accurate and applicable and are explained below:

Geofabrics Australia conducted a site inspection of the island on Tuesday 16 February 2010. They determined that in order to stabilise the island, the structural design would require excavation to the sides of the island in order to create a foundation. The consultant's advice was that if the geotextile bags are merely placed around the island, the channel hydrodynamics are likely to continue to erode beneath the bags and may result in the bags being shifted into the channel. Therefore a considerable amount of bags are required in order to stabilise the island, and the excavation required may cause considerable disturbance to both the island and the channel. A more permanent solution would involve a foundation of sheet piling walls, that themselves would create changes to the hydraulics of the channel.

The proposed works, which involve engineering in a natural environment, would likely require both State Agency and Council planning approvals and permits, for example under the Fisheries Management Act 1994.

A cost estimate provided by the consultant for the geotextile bags to be placed at Yellawa Island is approximately \$20,000, or \$30,000 if the larger more durable bags were utilized. This estimate includes only the cost of the geotextile bags and freight. Further costs would include the cost of engineering expertise to create a design to withstand erosion, a barge to transport the materials to the site, excavation equipment to excavate the site, experienced labour to position the geotextile bags, and finally the costs of getting the approvals necessary to undertake the project, which in themselves may be difficult to obtain. Therefore the total cost of the project is estimated to be in excess of \$100,000. Further to these findings in 2010, additional costs would be incurred through necessary channel hydraulics studies and environmental investigations that would be needed to inform the design stage and support later application for licences to proceed.

Despite the large cost of this project, it is not certain that geotextile bags alone will stabilise the island. This is largely due to the changing nature of estuarine and coastal environments, which mean that the structural design of the geotextile technology cannot be guaranteed to be effective. Furthermore there is increased risk of abrasion in high sediment environments, which can destroy the functionality of the geotextile bags. There may also be associated risk for Council in relation to potential deterioration of any works undertaken by Council. There would be an ongoing obligation to monitor, maintain, modify or remove those works if their condition altered so as to exacerbate a risk or created a new risk.

5.2 Response to Notice of Motion - Erosion of Yellawa Island, The Entrance (contd)

The strength of the link between the ongoing health of the Canary Island Date Palm and the stabilisation of the island is undefined. The potential impact of such significant construction on a mature tree in poor health can't be discounted. The extensive excavation works required by the use of geotextile technology could significantly impact on the condition of the tree and there are no guarantees that the tree will survive the completion of the works.

5.3 Outstanding Questions on Notice and Notices of Motion

TRIM REFERENCE: F2013/00023 - D03304693

MANAGER: Lesley Crawley, Manager Corporate Governance

AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

Report on outstanding Questions on Notice and Notices of Motion.

RECOMMENDATION

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

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Table of Outstanding Questions on Notice and Notices of Motion - 10 April 2013 | D03304702 |
|---|--|-----------|

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Councillor	Status
1.	Development and Building Department	Jamie Loader	7.1 Notice of Motion - Housing Jump Start <i>That Council direct the General Manager to report to Council on the benefits and disbenefits of a short term moratorium on Development Application fees, Construction Certificate fees and Complying Development fees for single detached housing and additions only.</i>	27 June 2012 Crs Eaton/Graham	Discussed with the Mayor, advised not a priority. Report to be submitted to a meeting in June 2013.
2.	Land Management Department	Garry McLachlan	8.2 Notice of Motion - Re-evaluation of Strategic Direction in Shire's North <i>11/7/12 That Council note the significant contribution our Community Precinct Committees make as a conduit between Council and the local community.</i> <i>1/12 That Council, as an advocate on behalf of the local community of our Shire's north, request the General Manager to seek timely responses to the key issues contained in the attached joint Precinct Committee submission.</i> <i>2/12 That Council request the General Manager to call for a meeting of key stake holders, Community, Government, land owners and relevant Departments, to discuss the strategic future of this massive 780 hectare site (Delta Electricity power stations and associated lands) that has the potential to profoundly impact Council's developed northern regions strategic plan / LEP.</i> <i>3/12 That Council request the General Manager to also seek direction from stakeholders on issues around site contamination and environmental assets with a prospect of rehabilitation such as Lake Colongra and various former natural overland flow paths.</i>	8 August 2012 Cr's Best/Eaton	A meeting has been convened for 2nd April 2013 to discuss this matter. Meeting delayed because of the Christmas Break and the limited time available to Local Members of Parliament due to sitting days early in new year. Local State Members, Mr Webber, Member for Wyong and Mr Edwards, Member for Swansea sent a letter inviting them to attend (D03198990). Discussions held with Councillor Best and he has been advised of direction. Precinct committees advised that environmental issues and Delta land would be addressed at this meeting. Manning Park Precinct Committee advised of meeting requesting that they consult with the other 5 community groups who were also involved in the submission and that they select a maximum of two representatives to attend the meeting on behalf of the community associations. Correspondence received from Darren Webber MP Member for Wyong dated 7th February 2012 (D03262077) advising as follows:

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Councillor	Status
			<p>4/12</p> <p>That Council request the General Manager to reiterate to the relevant agencies the matters with regard to community elements of the Delta site contained in Item 2.1 Mayoral Minute - Proposed Transfer of Delta Electricity Land to Council for continued operation of the Extreme Sports Park, Koala Park and Camp Breakaway at San Remo adopted by Council on 23 May 2012.</p>		<p>"The majority of land being discussed falls outside the Electorate of Wyong. As such it would be more appropriate to seek comments on these lands from Mr Garry Edwards, MP, Member for Swansea. As previously advised Camp Breakaway has a secure 99 year lease which will be honoured by the NSW Government. I would encourage that Wyong Shire Council continues to consult closely with the concerned community organisations. Following such consultation I would be happy to meet with Council representatives to discuss any outstanding issues."</p> <p>Staff to further liaise with Mr Edwards.</p> <p>Mr Garry Edwards MP, Member for Swansea, office staff have advised that Mr Edwards will attend meeting scheduled for 2nd April 2013.</p> <p>Council advised that Manning Park Community Precinct Committee has not received notification from Council of meeting set down for Tuesday 2nd April. Mr Andrew Whitbourne, Chairman of Precinct Committee contacted by telephone and a copy of Council's correspondence of 26 November 2012 e-mail to him.</p> <p>Agenda for Meeting to be held on Tuesday 2 April at 10.00am issued to Manning Park Community Precinct Committee. As of 26 March 2013 Council advised that Mr Andrew Whitbourne and Phil Heaton will be attending on behalf of Precinct Committee.</p>
3.	Infrastructure and	David	8.4 Notice of Motion - Wyong Shire Community	8 August 2012	A report will be submitted to Council on

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Councillor	Status
	Operations Department	Witherlin	<p>Purchasing Scheme</p> <p>5/12 That Council <u>note</u> with concern the significant socio-economic disadvantage this community faces, that was highlighted in the recent national census.</p> <p>6/12 That Council <u>request</u> the General Manager to seek to assist its community through broadening Council service delivery, with the implementation of a group/collective purchasing of services scheme.</p> <p>7/12 That, subject to resolution 4, Council <u>request</u> the General Manager to trial the scheme in the area of energy purchase in response to the escalating price of power, partially due to the carbon tax and in light of other highly successful energy purchase schemes run by various media outlets.</p> <p>8/12 That Council <u>direct</u> the General Manager to provide an indicative and conceptual report which outlines benefits, structural issues, resources, and possible revenues that may result in the scheme becoming cost neutral.</p> <p>9/12 That Council <u>request</u> the General Manager to consult with its Community Precinct Committees to evaluate the interest of any proposed system.</p>	Crs Best/Eaton	24 April 2013.
4.	Infrastructure and Operations	Rob Fulcher	<p>7.2 Notice of Motion - Sea Level Rise Removal</p> <p>1 That Council <u>acknowledge</u> that the 2009 NSW Sea Level Rise Policy Statement is no longer NSW Government Policy.</p>	10 October 2012 Councillors Nayna & Taylor	Resolutions 3, 7, 8 and 9 now complete. Resolutions 4, 5 & 6 are being dealt with

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Councillor	Asked/	Status
			<p>2 That Council <u>acknowledge</u> the recommendation of the NSW State Government to consider an interim policy arrangement prior to the formal adoption of sea level rise projections.</p> <p>3 That Council <u>resolve</u> that its sea level rise interim policy consist of compliance with the 1% AEP flood level and 500mm freeboard allowance.</p> <p>4 That Council <u>request</u> the State Government to refer back to Council the adopted Wyong Shire Coastal Zone Management Plan for Council's review.</p> <p>5 That the General Manager <u>provide</u> an urgent briefing to Council on the implications of the State Government's recent coastal reforms.</p> <p>6 That the General Manager <u>report</u> back to Council on a program, cost estimate and timeframe for the review of current adopted Council policies that incorporate provisions in respect of sea level rise, including the adopted Wyong Shire Coastal Zone Management Plan.</p> <p>7 In circumstances where existing Government legislation or policy conflicts with Council's policy in No 3 above, the General Manager ensure that the matter is brought to Council for determination.</p> <p>8 That Council <u>write</u> to all holders of existing DA's that have time limited consents due to sea level rise issues and advise of the change in Council policies and invite them to submit Section 96 applications to remove the time limit from their consents.</p> <p>9 That Council <u>waive</u> all fees associated with any such Section 96 applications.</p>			<p>by the Director Infrastructure and Operations, through the Manager Waterways and Asset Management, progressively through the meetings of the TLECFMC.</p> <p>The last meeting of the Committee on 7 February 2013 discussed proposals to move forward to implement these resolutions in a manner that meets Council's legal obligations.</p>
5.	General Manager's Unit	Lesley	7.3 Notice of Motion - Council Review the NSW Electoral Commission's		10 October 2012	This matter is scheduled for action in the Corporate Governance work plan for

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		Crawley	<p>Management of our 2012 Wyong Shire Elections</p> <p>1 That Council <u>note</u> the 2012 Wyong Local Government Election was managed, conducted and audited by the NSW Electoral Commission, costing our ratepayers a total of \$750,000 to our ratepayers.</p> <p>2 That Council <u>conduct</u> a review of the conduct of the 2012 Wyong Shire Election by the NSW Electoral Commission (NSWEC).</p> <p>3 That Council <u>include</u> in the review the following matters:</p> <p>(a) Identification of legislative constraints and processes which are barriers to encouraging local residents to stand for representation on Wyong Council.</p> <p>(b) The “contractual” arrangement between Council and the NSWEC which has constrained the ability for Council to make key decisions in regard to pre-poll venues (eg locations, quantity).</p> <p>(c) Issues around WHS obligations for booth workers, liabilities and responsibilities.</p> <p>(d) Improved provision of disabled and aged access at polling places, particularly pre-poll booths.</p> <p>(e) Feedback received from electors.</p> <p>(f) Feedback from a selection of those NSW councils which opted to manage their election or used a private contractor.</p> <p>(g) Any other matters identified by the</p>	Councillors Best & Webster	February 2013. Now to be finalised by end of April 2013.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>General Manager in the course of the election process.</p> <p>4 That Council <u>request</u> feedback from those Councils who used the NSW Electoral Commission.</p>		
6.	Community and Recreation Services	Maxine Kenyon	<p>7.4 Notice of Motion - Wyong Skills Centre</p> <p>1 That Council <u>advise</u> the Department of Education, Employment and Workplace Relations (DEEWR) that it now wishes to proceed with the Wyong Skills Centre in partnership with Central Coast Group Training at its site at Bounty Close at Tuggerah.</p> <p>2 That Council <u>request</u> the Department of Education, Employment and Workplace Relations (DEEWR) to confirm that grant funding of some \$2.8 million is still available for this purpose and for DEEWR to advise the process and/or criteria required to access these funds</p> <p>3 That Council <u>develop</u> and <u>submit</u>, in partnership with Central Coast Group Training in accordance with DEEWR, guidelines a joint application within one month.</p> <p>4 That Council <u>authorise</u> the General Manager to approve the joint application and submission to DEEWR, subject to Council ratification.</p> <p>5 That Council <u>determine</u> that this item be actioned immediately due to its urgent nature.</p> <p>6 That Council <u>advise</u> DEEWR of this resolution by close of business on Friday 12 October 2012.</p> <p>7 That Council <u>develop</u> to its satisfaction a</p>	10 October 2012 Councillors Nayna & Troy	<p>Council contacted DEEWR in December 2012 and again in January 2013 for an update on the progress of this potential funding, however we have not received any further responses to these requests.</p> <p>A DEEWR representative called on 6 February 2013 to advise a full brief had been presented to the Minister's office for their consideration. At this stage no decision has been made in relation to the funding. DEEWR will be in touch with the Minister's office to follow up and will provide Council with an update in three weeks time.</p> <p>Council wrote to DEEWR on 1 March 2013 requesting an update on possible funding for the Wyong Skills Centre or a timeframe when an outcome will be reached.</p> <p>Letter received from DEEWR on 15 March 2013 stating they should be able to advise Council of an outcome in early April 2013.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Councillor	Status
			<p>8 suitable agreement with Central Coast Group Training with regards to this initiative.</p> <p>8 That Council <u>authorize</u> appropriate resourcing to undertake this task and the funding of these resources be considered at the September budget review.</p>		
7.	Land Management Department	David Lemcke	<p>Q34/12 Extension of Draft Pile Burning Policy Exhibiton</p> <p>"Mr Mayor, to assist our local rural community on the issue of the Draft Pile Burning Policy now on public display, could Council extend the exhibition period for one month until the 26 November 2012?"</p>	Councillor Best 24 October 2012	<p>Exhibition completed prior to extension resolution.</p> <p>Report currently being prepared for the second Council Meeting in May 2013.</p>
8.	Infrastructure and Operations Department	Daryl Mann	<p>8.1 Notice of Motion – Northern Lakes Rugby League Sport and Recreation</p> <p>445/12 That Council note the existing facilities established by the Northern Lakes Rugby League Sport and Recreation Club, at Gumbayah oval on Tall Timbers Road Lake Munmorah, are utilised by the broader community, such as local schools, representative and community groups .</p> <p>446/12 That Council note the Northern Lakes Rugby League Sport and Recreation Club has received grants in the order of \$80K from the State Government to build the slab and outer shell for a new Clubhouse.</p> <p>447/12 That Council defer the outstanding contributions until an occupation certificate is issued.</p> <p>448/12 That Council, post construction of the new Clubhouse, authorise the Mayor and General Manager to extend similar arrangements to the Northern Lakes Rugby League Sport and Recreation Club that was offered to the Ourimbah Soccer Club in regard to the water and sewerage developer charges currently levied on the new amenities building.</p>	Councillor Vincent and Greenwald 14 November 2012	<p>Following discussions with the Director of Infrastructure and Operations and the former Director of Environment and Planning Services, it appears that resolution 447/12 may not be legally possible. Council should consider dropping 447/12 and follow 448/12 with Council's general fund paying the full contributions to W&S and entering into separate arrangements with the club to achieve the intent of 447/12 using the 35/65 split. This option is to be discussed with the General Manager and Councillors to determine the cleanest approach.</p>
9.	General Manager's Unit	Sonia Witt	<p>Q37/12 Irradiation of Feral Pests "My question is directed to the members of the Save</p>	Councillor Graham	Councillor Services staff currently liaising with Councillors Taylor and Troy to

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		(on behalf of the members of the Save the Tuggerah Lakes Party – Councillors Taylor & Troy)	<p>Tuggerah Lakes Party. One of the promises that you made at the recent Local Government Elections was to "eradicate feral pests – Rabbits, Foxes, Indian Mynas etc." and when were you going to do this? You promised to do it now.</p> <p>Wyong Shire is inundated with Rabbits in plague proportion, especially around the Chittaway and Shelly Beach areas. Foxes continue to roam the Shire, especially the North Entrance where they swim across to Terilbah Island and kill the Little Tern and their chicks; and as far as the Indian Myna birds are concerned, I counted ten of them in my own backyard this morning.</p> <p>My question is when are you going to deliver on your promise considering that you said that you would do it NOW?"</p>	14 November 2012	prepare a response to this question. Councillor Services staff emailed Councillors Taylor and Troy on 6 February 2013, 19 February 2013, 12 March 2013, 18 March 2013, 25 March 2013 and 27 March 2013, currently awaiting response.
10.	Infrastructure and Operations Department	David Ryan	<p>Q38/12 Lakes bogged in Green Tape <i>"Mayor Eaton, I note with great frustration the plethora of government requirements and approvals necessary (1 to 12 listed below) to carry out the most basic lakes restoration works that has cost Council millions in ratepayer funds, while the approval times and costs are often longer and more expensive than the actual works to be carried out.</i></p> <p><i>Mr Mayor could you please update Council on what initiatives and actions you have engaged in, in your first 50 days as Mayor, to address this green tape paralysis?</i></p> <p>(1) An approval under Part VII of the Fisheries Management Act (1994) to dredge. (2) An approval under Part VII of the Fisheries Management Act (1994) to destroy vegetation (if seagrasses are involved). (3) An approval under Part VII of the Fisheries Management Act (1994) to reclaim land if the spoil is placed on a nearby bank or within a waterway as fill. (4) An approval from Department of Primary Industries Crown Lands to undertake works on</p>	Councillor Best 14 November 2012	Report is being submitted to Council on 24 April 2013.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Councillor	Status
11.	Community and	Tara Mills	<p>Crown Land as well as other requirements relating to the placement of dredged material.</p> <p>(5) A licence under the National Parks and Wildlife Act (1974) to work with Endangered Ecological Communities such as salt marshes.</p> <p>(6) A licence to pollute (during construction) from the EPA under the Protection of Environment Operations Act 1997 (POEO).</p> <p>(7) Consideration of spoil removal and placement containing acid sulphate soils under the Contaminated Land Management Act 1997 with possible costs involved in moving spoil to the tip.</p> <p>(8) Consideration of the activity by officers from the Premier's Department Office of Environment and Heritage.</p> <p>(9) Notify Roads and Maritime for changes to navigable waters.</p> <p>(10) Produce a Review of Environmental Factors (REF) and a dredging design that considers all of the above. The dredging design would also incorporate a site survey, hydrodynamic considerations and a morphodynamic study to understand sand movements in the dredged channel or for areas of saltmarsh rehabilitation.</p> <p>(11) Use the REF and project design to obtain approvals under Part V of the EP&A Act. This approval would require appropriate community consultation. Other aspects for consideration would include the relevant LEP and DCP. any SEPP such as SEPP 71 Coastal Protection that is applicable, as well as relevant management plans such as Council's Estuary Management Plan.</p> <p>(12) The Federal Environmental Protection and Biodiversity Conservation Act (EPBC) 1999, may also come into consideration if significant threatened species are involved."</p>	Councillor Vincent	A report responding to this Notice of Motion will be presented to Council at its
			10.2 Notice of Motion - Council to Investigate Dog Poo Bag Dispensers for Local		

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Councillor	Status
	Recreation Services		<p>10/12 Beaches and Shared Pathways</p> <p><i>That Council acknowledge the significant amount of dog owners that enjoy walking their pets on shared pathways and approved dog walking beach areas within the Wyong Shire.</i></p> <p>11/12 <i>That Council receive a report identifying additional and existing sites for the installation of dog poo collection bag dispensers in appropriate high usage locations within the Wyong Shire including costs and benefits.</i></p>	12 December 2012	24 April 2013 meeting.
12.	Infrastructure and Operations	Margaret Bewster	Q2/13 Works Undertaken in 1986 at Karagi Point <i>"That staff provide a copy of a report on works undertaken in 1986 whereby a channel was dug by a bull dozer through the sand dunes at Karagi Point."</i>	Councillor Taylor 23 January 2013	Staff are currently researching information and will report to Council once found.
13.	Infrastructure and Operations	Stephen Dignam	Q11/13 30 Million Dollar Tuggerah Straight Sinking <i>"Mr Mayor, It is has been drawn to my attention by numerous motorists in particular cyclists, that the 30 million dollar Tuggerah straight highway reconstruction is failing and sinking in parts. A similar failure has also occurred along the new Sparks Road traffic light intersection, again a significant motor cycle hazard. This has become a real traffic hazard. Could you officially request that the RMS urgently investigate the failure?"</i>	Councillor Best 27 February 2013	Email sent to RMS local maintenance contact on 20 February 2013. Follow up email send to RMS Area Manager and Maintenance Supervisor on 6 March 2013. Currently awaiting response.
14.	Community and Recreation Services	Maxine Kenyon	8.1 Notice of Motion - Regional Sport Economic Benefit 1 <i>That Council note the numerous benefits (including tourism, economic and sporting)</i>	Councillor Nayna 13 March 2013	Response currently being prepared.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Councillor	Status
15.	Infrastructure and Operations	Stefan Botha	<p>associated with hosting Regional Sporting events.</p> <p>2 That Council <u>investigate</u> the capability restraints of our current sports grounds to host Regional Sporting events and the need to formulate a strategic approach to maximise the usage of our facilities to attract such events.</p> <p>3 That Council <u>request</u> the General Manager to report proposals for regional sports events within Wyong Shire Council for its consideration.</p> <p>4 That Council <u>liaise</u> with local sporting organisations, via the Sports Committee, to seek feedback on hosting regional sporting events.</p>	Councillor Nayna 13 March 2013	Item 3 - Briefing to Councillors currently being prepared. Item 4 - In process, letter currently being prepared.
			<p>8.2 Notice of Motion - Waste Initiatives</p> <p>1 That Council <u>note</u> the recent announcement by the New South Wales Government of their 'Waste Less, Recycle More' program.</p> <p>2 That Council <u>note</u> the 'Supporting Local Communities – Local Government Program' that provides access to \$137.7 million over 5 years to reduce illegal dumping and littering.</p> <p>3 That Council <u>request</u> the General Manager to provide a briefing to Councillors which identify possible applications to the 'Supporting Local Communities – Local Government Program'.</p> <p>4 That Council <u>note</u> that the waste levy will cost Ratepayers \$12.5 million in 2013/14.</p> <p>5 That Council <u>write</u> to The Hon Robyn Parker MP, Minister for the Environment expressing ongoing concerns with the cost to Council of the Waste Levy.</p>		

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
16.	Infrastructure Operations	Andrew Pearce	<p>8.3 Notice of Motion - 2013 - Repeated Flooding of Tuggerah Businesses</p> <p>1 That Council <u>note</u> with great concern the escalating frequency of flooding events of local Tuggerah businesses in and around the Anzac, Ace and Gavenlock roads area.</p> <p>2 That Council <u>investigate</u> as a matter of urgency the possible flooding causes and seek advice from Roads and Maritime Services and RailCorp as to whether any works carried out by those bodies may be contributing to further localise flooding.</p> <p>3 That Council <u>note</u> that since the Roads and Maritime Services upgrade of the Tuggerah Straight the major Tuggerah storm water channel is now permanently charged providing for little to no flood storage, further this now permanent standing body of water is ideal for supporting large quantities of aquatic vegetation, conducive to blocking drainage."</p> <p>4 That Council <u>direct</u> the General Manager to report the outcome of the recommendations on this issue as a matter of urgency.</p>	Councillor Best 13 March 2013	Response currently being prepared.
17.	Infrastructure Operations	Stephen Dignam	<p>Q12/13 Louisiana Road Safety Issues "Mr Mayor, I table correspondence from a local resident of Louisiana Road. While Mrs Heart's thankyou and congratulations are most welcomed she raises further issues around pedestrian safety, in particular school children, heavy vehicle movements and enforcement. Mr Mayor, could you please have staff look in to the safety issues raised in the below memo as a matter of urgency? Thankyou?"</p> <p>Q14/13 Resources for Regions Program Could staff please advise if Wyong Shire Council is eligible for funding from the State Government's 'Resources for Regions Program'. The funding is for</p>	Councillor Best 13 March 2013	Response currently being prepared.
18.	Infrastructure Operations	Andrew Pearce	<p>Q14/13 Resources for Regions Program Could staff please advise if Wyong Shire Council is eligible for funding from the State Government's 'Resources for Regions Program'. The funding is for</p>	Councillor Vincent 13 March 2013	Response currently being prepared.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Councillor	Asked/	Status
			<i>mining affected communities and was released in 2012. If Wyong Shire Council was not eligible, could staff please identify why ?</i>			

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE
27 MARCH 2013**

	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
1	Community and Recreation Services	Q11/13 - Systemic Discrimination	Councillor Best 13 March 2013	A response to this question is included in this business paper.
2	Infrastructure and Operations	Q3/13 - Tuggerah Lakes Study on Fish and Prawn Larvae in 1986	Councillor Taylor 23 January 2013	A response to this question is included in this business paper.
3	Community and Recreation Services	Q42/12 - Wyong Neighborhood Centre Project	Councillor Matthews 28 November 2012	A response to this question is included in this business paper.

6.1 Answers to Question on Notice

TRIM REFERENCE: F2004/07438 - D03284970 AUTHOR: JV

6.1 Q42/12 - Wyong Neighbourhood Centre Project

The following question was asked by Councillor Lisa Matthews at the Ordinary Meeting on 28 November 2012 :

“Could staff please provide an update of the status of the men’s shed?”.

Approximately two years ago Wyong Neighbourhood Centre (WNC) submitted a Community Builders Grant application for funding and asked for support. Council's Community & Cultural Development team supported the development in principle, pending Development Application (DA) approval, appropriate site location, relevant heritage/aesthetic requirements for site and that the development and operation was at no cost to Council. Staff from Community Buildings and Community and Cultural Development had heard nothing further about the proposal until this year after the works had commenced.

The group received approximately \$80,000.00 of funds through the Community Builders Fund.

After being advised their funding application was successful, the group submitted a DA in August 2011 to build a men's shed on the site.

Through the DA process staff identified a number of significant constraints in relation to the site and advice was provided that the chosen site may not be appropriate for the proposal. Issues such as site slope, disabled access and fire separation all lead to increased construction costs through the need for earthworks, retaining walls and drainage, access ramps and handrails, and fire resistant construction methods to the exterior of the building. Despite this advice, the applicant chose to proceed with the proposal in this location.

In August, a meeting was held with the Mayor, Community & Cultural Development staff and representatives from the Neighbourhood Centre where the Centre identified they had run out of money to complete the project. Staff asked for the specific details and were advised it related to water and electrical issues. Staff agreed we would ask Community Buildings to quote for the works to see if Council were cheaper and investigate if the shortfall was accurate.

After investigation staff advised that the location of the building made it difficult to connect water and sewer as it was on a hill and that the electrical board the group were wanting to connect to was at capacity (full load) with no ability to connect, therefore requiring a full upgrade of the board. The group was advised that the costs would be greater than initially thought.

More recently staff have advised that due to the difference in level (slope) from the land down to the building, security fencing was required. Although the building is at lock-up stage the group will not achieve occupancy certification due to the outstanding items and the fact that the group have exhausted their budget.

6.1 Q42/12 - Wyong Neighbourhood Centre Project (contd)

The current status of the project is:

- Community Buildings have sourced cheaper fencing for the site
- The group are undertaking retaining walls on the western side, at their own cost
- Issues surrounding electricity, accessibility and the retaining wall on the eastern side remain unchanged and unfunded
- Access to water and sewer will not be addressed as part of occupancy. The group will use on-site toilets
- Currently, the WNC is planning a fundraising program to complete the project.

ATTACHMENTS

Nil.

6.2 Answers to Question on Notice

TRIM REFERENCE: F2012/00027 - D03295783 AUTHOR: DR

6.2 Q3/13 - Response to Tuggerah Lakes Study on Fish and Prawn Larvae in 1986

The following question was asked by Councillor Taylor at the Ordinary Meeting on 23 January 2013:

“That staff provide a copy of a study undertaken by NSW University on Fish and Prawn Larvae Tuggerah Lakes in 1986”.

A copy of this report was unable to be found in Councils corporate records.

Staff undertook an on-line search for *NSW University on Fish and Prawn Larvae Tuggerah Lakes in 1986*. No online report could be found, but a reference citation was found under the author *G.E Marsden*.

This author was subsequently contacted whom advised that their Honours thesis was never published and they did not hold a copy. They suggested Council contact the NSW University.

Staff called the NSW University library - they did not have the thesis listed in their references.

Staff were referred to and contacted the NSW University Graduate School of Research - they also did not have a reference or copy.

Staff were referred to and contacted the NSW University Faculty of Science (Zoology) - they said it was unlikely they would have a copy due to the age of the document and the fact that they study formed was part of a thesis and not a doctorate.

Staff have been unable to locate a copy of this study.

ATTACHMENTS

Nil.

6.3 Answers to Question on Notice

TRIM REFERENCE: F2004/06206 - D03300568 AUTHOR: LS

6.3 Q11/13 Systemic Discrimination

The following question was asked by Councillor Greg Best at the Ordinary Meeting on 13 March 2013:

"The irony of the outrageous issues I raise is that it was drawn to my attention on International Women's Day. At the heart of the issue is that young teenage girls, 11 to 15 years old from the Budgewoi Netball Club, have, for a number of years now, been denied toileting facilities at training despite repeated pleas by their coach. Curiously Mr Mayor, the facilities are available to the boy's cricket and football teams. In desperation the coach has also pleaded to use the canteen facilities, only in emergencies, yet again she has been rejected. In frustration Coach Dibley has approached myself, I table her correspondence dated March 12th, and request this matter of discrimination now be dealt with as a matter of urgency, thankyou?"

The facilities at Halekulani Oval that Budgewoi Netball Club refers to were vandalised in 2012 and as a consequence, were temporarily closed to all users for safety reasons whilst repairs were undertaken.

Following the repairs, the toilets were locked because of ongoing vandalism. At this time, Council's registered contact for Budgewoi Netball Club was invited to collect a key to allow for continued access. It is understood the club never collected these keys.

The pleas by Coach Dibley requesting keys were inadvertently directed to the other user groups instead of Council which is why they have not had their requests approved.

Each group hiring Council's sports facilities, including Budgewoi Netball's hire of Halekulani netball courts, are entitled to a key for toilet access.

Council staff contacted Coach Dibley on 14 March 2013 to clarify the matter and to ensure the club was aware of the availability of the keys to the amenities block prior to the commencement of the netball season on 6 April 2013.

ATTACHMENTS

Nil.

10 April 2013

To the Ordinary Council Meeting

Councillor

7.1 Notice of Motion - Pile Burning Policy Development

TRIM REFERENCE: F2004/07011 - D03308166

AUTHOR: Lloyd Taylor; Councillor

Councillor L Taylor has given notice that at the Ordinary Council Meeting to be held on 10 April 2013 that he will move the following Motion:

- 1 That Council change its designation under Schedule 8 of the Protection of the Environment Operations (Clean Air) Regulation 2010 (the Regulation) from Part 1 to Part 2.**
- 2 That Council direct the General Manager to develop a Pile Burn Policy that includes the following:**
 - a Minimisation to risk of life and property**
 - b Allow for pile burns up to 4m in diameter**
 - c There be no fee attached to an application to council**
 - d That there be appropriate fire fighting equipment such as water supply, tractor with bucket, etc.**
 - e There should be a distance set from vegetation**
 - f Stiff penalties should the regulations not be met.”**

RESOURCES

The proposal will be undertaken using existing resources.