



Residents learn about The Entrance Channel on the Go With The Flow Catchment Crawl

Wyong Shire Council

Business Paper

ORDINARY COUNCIL MEETING

23 March 2016

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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 23 March 2016 at 5.00pm,
for the transaction of the business listed below:**

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

RECEIPT OF APOLOGIES

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7 CONFIDENTIAL ITEMS

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8 QUESTIONS ON NOTICE ASKED

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

Rob Noble
ACTING CHIEF EXECUTIVE OFFICER

1.1 Disclosure of Interest

TRIM REFERENCE: F2016/00012 - D12260268

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; 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 Briefings and Inspections

TRIM REFERENCE: F2016/00012 - D12260287
MANAGER: Sonia Witt, TL Governance and Councillor Services
AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

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

Date	Briefing	Directorate
23 March 2016	CONFIDENTIAL: Strategic Lands Bio-certification Project	Development and Building
23 March 2016	Central Coast Regional Plan	Property and Economic Development
23 March 2016	Merger Update (15 Min)	CEO Unit
23 March 2016	Update re University Proposals (15 Min)	CEO Unit
23 March 2016	LGA Draft Amendments (15min update)	CEO Unit
23 March 2016	Jilliby Stage 2 Planning Proposal (RZ/2/12)	Development and Building
23 March 2016	CONFIDENTIAL - University and Business Precinct	Property and Economic Development

RECOMMENDATION

That Council receive the report on Proposed Briefings and Inspections.

ATTACHMENTS

- 1 Councillor Proposed Briefings - 23 March 2016 D12272738



Proposed Briefings List to Date



Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
CONFIDENTIAL: Strategic Lands Bio-certification Project	Development and Building	March	23/03/2016
Central Coast Regional Plan	Property and Economic Development	March	23/03/2016
Merger Update (15 Min)	CEO Unit	March	23/03/2016
Update re University Proposals (15 Min)	CEO Unit	March	23/03/2016
LGA Draft Amendments (15min update)	CEO Unit	March	23/03/2016
Jilliby Stage 2 Planning Proposal (RZ/2/12)	Development and Building	March	23/03/2016
CONFIDENTIAL - University and Business Precinct	Property and Economic Development	March	23/03/2016
Final Draft Plan changes	CEO Unit	April	13/04/2016
Aurecon - Fixed Wireless Network	CEO Unit	April	13/04/2016
Tree Management	Community and Recreation Services	April	13/04/2016
Planning Proposal - Oakland Ave and Ashton Ave The Entrance - RZ/1/2016	Development and Building	April	27/04/2016
RZ/2/2016 - 165 Louisiana Road Wadalba	Development and Building	April	27/04/2016
Development Infrastructure - Porters Creek Stormwater Diversion Project	Development and Building	April	27/04/2016
Water, Sewerage and Drainage prices - 1 hour	CEO Unit	May	25/05/2016
Q3 Report	CEO Unit	May	25/05/2016
INSPECTION - Proposed residential rezoning with wildlife corridor - 145 Johns Rd, Wadalba - RZ/1/2013	Development and Building	June	01/06/2016
Discuss and Consider Strat Plan Submissions (1 hours)	CEO Unit	June	08/06/2016

1.3 Address By Invited Speakers

TRIM REFERENCE: F2016/00012 - D12260295
MANAGER: Sonia Witt, TL Governance and Councillor Services
AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

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

RECOMMENDATION

That Council receive the report on Invited Speakers.

ATTACHMENTS

Nil

1.4 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2016/00012 - D12260325

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Confirmation of minutes of the previous Ordinary Meeting of Council held on Thursday 10 March 2016.

RECOMMENDATION

That Council confirm the minutes of the previous Ordinary Meeting of Council held on Thursday 10 March 2016.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | MINUTES - Ordinary Council Meeting - 10 March 2016 | D12266271 |
| 2 | CONFIDENTIAL MINUTES - Ordinary Council Meeting - 10 March 2016 - | D12266821 |

WYONG SHIRE COUNCIL

MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 10 MARCH 2016
COMMENCING AT 6.00PM

PRESENT

Councillors D J Eaton OAM (Chairperson), G P Best, R L Graham, K G Greenwald, A Troy and D P Vincent.

IN ATTENDANCE

Acting Chief Executive Officer, Director Development and Building, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, General Counsel, Communications Coordinator IT and Operations Manager and two administration staff.

The Mayor, Councillor Eaton OAM, declared the meeting open at 6.06 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor, Councillor Eaton OAM, delivered the opening prayer and read an acknowledgment of country statement.

APOLOGIES

Councillor Webster was granted leave of absence, from 7 March 2016 until the 18 March 2016, at the 24 February 2016 Ordinary meeting of Council:

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

151/16 That Council note there were no apologies.

152/16 That Council grant Councillor Webster leave of absence from the 7 March 2016 until the 18 March 2016 for any Ordinary Council meetings, Committee Meetings or any Extraordinary Meetings that may be held during that time.”

An apology for the inability to attend the meeting was received on behalf of Councillors Matthews, due to personal issues, and Councillor Taylor:

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

219/16 That Council accept the apologies and grant Councillors Matthews and Taylor leave of absence from the meeting.

At the commencement of the ordinary meeting report numbers 2.1, 1.1, 7.1 1.6, 1.7, 2.2, 5.1, 6.1, 6.6, 7.2, 9.3, 9.2 and 9.1 in conjunction with 5.3, 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.

PROCEDURAL MOTION

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

220/16 That Council allow meeting practice to be varied.

221/16 That Council use the exception method to deal with the balance of the Agenda.

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

222/16 That with the exception of report numbers 1.6, 1.7, 2.1, 2.2, 5.1, 6.1, 6.6, 7.1, 7.2, 9.1 in conjunction with 5.3, 9.2 and 9.3, Council adopt the recommendations contained in the remaining reports.

1.1 Disclosure of Interest

Item 2.1 – RZ/4/2015 Rezoning of 100-110 Pacific Highway Doyalson to Permit a Manufactured Home Estate

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a social member of the RSL Club and participated in consideration of this matter.

Councillor Vincent 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 because I am not on the executive of the Club and there is no measureable financial benefit.”

Item 9.2 – Confidential Mayoral Minute – The Entrance Town Centre Management Incorporated Funding

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Council delegate to The Entrance Town Centre Management and participated in consideration of this matter.

Councillor Eaton stated:

“I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty because there is no conflict as a Council delegate.”

Item 9.3 – Confidential Mayoral Minute – 140 Sparks Road, Warnervale

Councillor Greenwald declared a non-pecuniary insignificant interest in the matter. Councillor Greenwald left the chamber at 9.03pm, did not vote and returned to the chamber at 9.04pm.

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

223/16 That Council receive the report on Disclosure of Interest and note advice of disclosures.

1.2 Confirmation of Minutes of Previous Meeting

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

224/16 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 24 February 2016.

Business Arising

There was no business arising.

1.3 Proposed Briefings and Inspections

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

225/16 That Council receive the report on Proposed Briefings and Inspections.

1.4 Address By Invited Speakers

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

226/16 That Council receive the report on Invited Speakers.

227/16 That Council agree meeting practice be varied to allow reports from Directors and/or the Acting CEO to be dealt with following an Invited Speaker's address.

1.5 Notice of Intention to Deal with Matters in Confidential Session

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

228/16 That Council consider the following matters in Confidential Session, pursuant to Section 10A (2)(c) of the Local Government Act 1993:

8.1 – YMCA Contract Extension

229/16 That Council **note** its reason for considering Report No 8.1 – YMCA Contract Extension, 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.

230/16 That Council **request** the Acting Chief Executive Officer to report on these matters in open session of Council.

1.6 **Mayoral Minute - Light Rail and the Central Coast Regional Plan**

RESOLVED on the motion of Councillor EATON:

231/16 That Council **include** in its submission to the Central Coast Regional Plan the concept of a future light rail public transport solution linking Gosford to The Entrance via East Gosford, Erina, Terrigal, Wamberal, Bateau Bay and Long Jetty.

The MOTION was declared CARRIED on the casting vote of the Mayor.

FOR: CRS GB BEST, DE EATON AND AT TROY

AGAINST: CRS B G GRAHAM, KG GREENWALD AND DV VINCENT

1.7 **Mayoral Minute - Central Coast Tourism Incorporated Funding**

Councillor Greenwald left the meeting at 7.50 pm and returned to the meeting at 7:52 pm during consideration of this item.

RESOLVED unanimously on the motion of Councillor EATON:

232/16 That Council **advise** Central Coast Tourism Incorporated (CCTI) that it will continue to fund CCTI until 30 June 2017 subject to Gosford City Council agreeing by 30 March 2016 to also continue to fund CCTI for the 2016/17 financial year in an amount no less than Wyong Sire Council's total contribution to CCTI and The Entrance Visitors Centre, totalling \$248,000.

2.1 **RZ/4/2015 Rezoning of 100-110 Pacific Highway Doyalson to permit a Manufactured Home Estate**

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a social member of the RSL Club and participated in consideration of this matter.

Councillor Vincent 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 because I am not on the executive of the Club and there is no measureable financial benefit."

Mr Mark Maund, Dewitt Consulting, addressed the meeting at 6.13pm, answered questions and retired at 6.26pm.

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

- 233/16 That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979, to amend Schedule 1 Additional Permitted Uses to allow a MHE on part of Lot 7 DP 240685.
- 234/16 That Council forward the Planning Proposal to the Department of Planning and Environment (DP&E) accompanied by a request for a Gateway Determination, pursuant to Section 56 of the EP&A Act 1979.
- 235/16 That Council request the Acting Chief Executive Officer to apply to accept plan making delegations for the LEP Amendment.
- 236/16 That Council undertake community and government agency consultation in accordance with the requirements of the gateway determination.
- 237/16 That Council consider a further report on results of the community consultation.
- 238/16 That Council request the Acting Chief Executive Officer negotiate, publically exhibit and sign a Voluntary Planning Agreement which secures contributions toward required facilities, which may include district open space, community facilities, bushfire and access requirements.
- 239/16 That Council acknowledge its previous resolution of 26 November 2003 and note that the proposed use of a MHE on Lot 7 DP 240685 is supported in principle subject to further assessment.

FOR: CRS GB BEST, DE EATON, B G GRAHAM, KG GREENWALD, AT TROY AND DV VINCENT

AGAINST: NIL

2.2 RZ/7/2015 Rezoning of 171-175 Sparks Road Halloran to expand the IN1 General Industrial Zone

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

- 240/16 That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 to enable the rezoning of part of Lot 1 DP 796730 (171-175 Sparks Road Halloran) to the IN1 General Industrial zone.
- 241/16 That Council forward the Planning Proposal to the Department of Planning and Environment (DP&E) accompanied by a request for a gateway determination, pursuant to Section 56 of the EP&A Act 1979.
- 242/16 That Council request the Acting Chief Executive Officer to apply to accept plan making delegations for the LEP Amendment.
- 243/16 That Council undertake community and government agency consultation in accordance with the requirements of the gateway determination.

244/16 That Council consider a further report on results of the community consultation.

FOR: CRS GB BEST, DE EATON, B G GRAHAM, KG GREENWALD, AT TROY AND DV VINCENT

AGAINST: NIL

3.1 Classification of Land, Lot 333 DP 1209705 at Bokhara Avenue, Blue Haven

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

245/16 That Council adopt the classification of Lot 333 DP 1209705 at Bokhara Avenue, Blue Haven, as Operational Land.

246/16 That Council note that:

- a** Nothing in the above resolution authorises the sale of the subject land (section 377(1)(h) of the Local Government Act 1993 provides that any sale of land can only be by resolution of Council).
- b** Section 31 (3) of the Local Government Act 1993 provides that Council must not resolve that land be classified as operational land if the resolution is inconsistent with the terms of any trust applying to the land.

4.1 CPA/239606 - Road and Drainage Upgrade Construction Works, Hume Boulevard (between Sturt Street and Yangoora Street) Killarney Vale

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

247/16 That Council accept the tender from the company nominated as Tenderer No 2, Robson Civil Projects Pty Ltd, in the attached Tender Evaluation Report, for the lump sum amount of \$961,184.87 (excl GST) for Contract CPA/239606 - Road and Drainage Upgrade Construction Works, Hume Boulevard (from Sturt St to Yangoora St) Killarney Vale.

248/16 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, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.

249/16 That Council approve the contingency sum as detailed in the Tender Evaluation Report.

5.1 Sponsorship Program 2016/17

It was *MOVED* by Councillor VINCENT and seconded by Councillor GREENWALD:

- 1 That Council allocate the \$55,300 combined cash and in-kind funds from the Sponsorship Program for 2016-17 as follows:

Applicant	Initiative	Tier level	Recommended Funding
CULTURAL INITIATIVES: Recommended for sponsorship			
Long Jetty Locals	Long Jetty Street Festival	Tier 2	2016-17: Cash \$12,500 & In-Kind \$2,500
BBR Agency	PicNic Outdoor Cinema	Tier 2	2016-17: Cash \$10,000
SPORTING INITIATIVES: Recommended for sponsorship			
Wyong Fire Brigade Championships	2016 NSW State Fire Fighter Championships	Tier 2	2016-17: Cash \$9,000 & In-Kind \$1,000
Elite Energy P/L	Colour Me Rad	Tier 2	2016-17: Cash \$10,000
ECONOMIC DEVELOPMENT INITIATIVES: Recommended for partnership			
Central Coast NSW Business Chamber	Central Coast Economic Breakfast	Tier 2	2016-17: Cash \$8,800
Business and Professional Women Central Coast	Business and Professional Women Central Coast: Woman of the Year	Tier 3	2016-17: Cash \$1,500

- 2 That Council acknowledge the below initiatives have also applied for multi-year funding for 2017-18 and 2018-19 and are supported however that the applicants be advised that as a result of the likely amalgamation these will need to be reviewed by early 2017, noting that these applications are carried forward.

- Long Jetty Street Festival
- PicNic Outdoor Cinema
- Colour Me Rad
- Central Coast Economic Breakfast
- Business and Professional Women Central Coast

- 3 That Council decline applications for the reasons indicated in the table below, the applicants be advised and where relevant are directed to alternate funding programs:

<i>Initiative</i>	<i>Total Requested</i>	<i>Applied for Tier level</i>	<i>Assessment</i>
<i>Ks for Kids Walkathon</i>	<i>\$5,000</i>	<i>Tier 3 Single year</i>	<i>Initiative does not meet the visitation requirements, potential for growth or ROI through economic development benchmarks that are required. The focus of this event is fundraising.</i>
<i>Mingara Orchid Festival</i>	<i>\$7,500</i>	<i>Tier 3 Multi Year</i>	<i>Initiative does not meet the potential for growth or ROI through economic development benchmarks that are required. Initiative has received sponsorship for many years and has not demonstrated growth or expansion as promised in 2015-16.</i>
<i>Central Coast Food Revolution Day</i>	<i>\$66,000</i>	<i>Tier 1 Multi Year</i>	<i>Initiative has not been recommended due to the competitive process of the sponsorship program. The initiative was eligible to receive funding however potential for ROI through visitor numbers and dispersal of economic benefit was limited. The initiative is recommended to pursue possible grant funding from WSC as an alternative to sponsorship funding.</i>
<i>Central Coast Embrace Life Festival</i>	<i>\$24,000</i>	<i>Tier 2 Multi Year</i>	<i>Initiative has not been recommended due to the competitive process of the sponsorship program. The initiative was eligible to receive funding however potential for ROI through visitor numbers and dispersal of economic benefit was limited.</i>
<i>Veer Left</i>	<i>\$5,000</i>	<i>Tier 3 Single year</i>	<i>Initiative has not been recommended due to the competitive process of the sponsorship program. The initiative was eligible to receive funding however potential for ROI through community benefits was limited.</i>

- 4 That Council reallocate \$1,329 from existing marketing and promotions budget to the Sponsorship Program in 2015-16 through Quarter Review due to the Central Coast Mariners sponsorship payment required to be made in 2015-16 for activities to take place in 2016-17.
- 5 That Council support additional initiatives for 2015-16 and allocate \$23,500 combined cash and in-kind funds from the Sponsorship Program for 2015-16 as follows:

<i>Applicant</i>	<i>Initiative</i>	<i>Tier level</i>	<i>Recommended Funding</i>
<i>SPORTING INITIATIVES: Recommended for sponsorship</i>			
<i>Central Coast Mariners</i>	<i>Central Coast Mariners - National Youth League 2016-17 activities</i>	<i>Tier 2</i>	<i>2015-16: Cash \$10,000 Nb. Recommended based on Councillor Resolution from 26/01/2016 and on the condition that the negotiation of the sponsorship deliverables meets the requirements of the WSC Policy for Sponsorship Management.</i>
<i>Wyong Fire Brigade Championships</i>	<i>2016 NSW State Fire Fighter Championships</i>	<i>Tier 2</i>	<i>2015-16: Cash \$8,000</i>
<i>ECONOMIC DEVELOPMENT INITIATIVES: Recommended for partnership</i>			
<i>Central Coast NSW Business Chamber</i>	<i>Central Coast Economic Breakfast</i>	<i>Tier 2</i>	<i>2015-16: Cash \$4,000</i>
<i>Business and Professional Women Central Coast</i>	<i>Business and Professional Women Central Coast: Woman of the Year</i>	<i>Tier 3</i>	<i>2015-16: Cash \$1,500</i>

- 6 That Council provide an additional \$5,000 in funding to the 2016 and 2017 Going Off at the Swamp Festival (GOATS), which is currently under funded. This is the premiere event in the Shire to launch Youth Week.

An AMENDMENT was moved by Councillor EATON and Seconded by Councillor TROY:

- 1 That Council allocate the \$25,300 combined cash and in-kind funds from the Sponsorship Program for 2016-17 as follows:

Applicant	Initiative	Tier level	Recommended Funding
CULTURAL INITIATIVES: Recommended for sponsorship			
Long Jetty Locals	Long Jetty Street Festival	Tier 2	2016-17: Cash \$5,000
SPORTING INITIATIVES: Recommended for sponsorship			
Wyong Fire Brigade Championships	2016 NSW State Fire Fighter Championships	Tier 2	2016-17: Cash \$5,000
Elite Energy P/L	Colour Me Rad	Tier 2	2016-17: Cash \$5,000
ECONOMIC DEVELOPMENT INITIATIVES: Recommended for partnership			
Central Coast NSW Business Chamber	Central Coast Economic Breakfast	Tier 2	2016-17: Cash \$8,800
Business and Professional Women Central Coast	Business and Professional Women Central Coast: Woman of the Year	Tier 3	2016-17: Cash \$1,500

- 2 That Council acknowledge the below initiatives have also applied for multi-year funding for 2017-18 and 2018-19 and are supported however that the applicants be advised that as a result of the likely amalgamation these will need to be reviewed by early 2017, noting that these applications are carried forward.

- Long Jetty Street Festival
- Colour Me Rad
- Central Coast Economic Breakfast
- Business and Professional Women Central Coast

- 3 That Council decline applications for the reasons indicated in the table below, the applicants be advised and where relevant are directed to alternate funding programs:

Initiative	Total Requested	Applied for Tier level	Assessment
Ks for Kids Walkathon	\$5,000	Tier 3 Single year	Initiative does not meet the visitation requirements, potential for growth or ROI through economic development benchmarks that are required. The focus of this event is fundraising.
Mingara Orchid Festival	\$7,500	Tier 3 Multi Year	Initiative does not meet the potential for growth or ROI through economic development benchmarks that are required. Initiative has received sponsorship for many years and has not demonstrated growth or expansion as promised in 2015-16.

Central Coast Food Revolution Day	\$66,000	Tier 1 Multi Year	Initiative has not been recommended due to the competitive process of the sponsorship program. The initiative was eligible to receive funding however potential for ROI through visitor numbers and dispersal of economic benefit was limited. The initiative is recommended to pursue possible grant funding from WSC as an alternative to sponsorship funding.
Central Coast Embrace Life Festival	\$24,000	Tier 2 Multi Year	Initiative has not been recommended due to the competitive process of the sponsorship program. The initiative was eligible to receive funding however potential for ROI through visitor numbers and dispersal of economic benefit was limited.
Veer Left	\$5,000	Tier 3 Single year	Initiative has not been recommended due to the competitive process of the sponsorship program. The initiative was eligible to receive funding however potential for ROI through community benefits was limited.
BBR Agency	PicNic Outdoor Cinema	Tier 2	2016-17: Cash \$10,000

- 4 That Council reallocate \$1,329 from existing marketing and promotions budget to the Sponsorship Program in 2015-16 through Quarter Review due to the Central Coast Mariners sponsorship payment required to be made in 2015-16 for activities to take place in 2016-17.
- 5 That Council support additional initiatives for 2015-16 and allocate \$23,500 combined cash and in-kind funds from the Sponsorship Program for 2015-16 as follows:

Applicant	Initiative	Tier level	Recommended Funding
SPORTING INITIATIVES: Recommended for sponsorship			
Central Coast Mariners	Central Coast Mariners - National Youth League 2016-17 activities	Tier 2	2015-16: Cash \$10,000 Nb. Recommended based on Councillor Resolution from 26/01/2016 and on the condition that the negotiation of the sponsorship deliverables meets the requirements of the WSC Policy for Sponsorship Management.
Wyong Fire Brigade Championships	2016 NSW State Fire Fighter Championships	Tier 2	2015-16: Cash \$5,000

Applicant	Initiative	Tier level	Recommended Funding
ECONOMIC DEVELOPMENT INITIATIVES: Recommended for partnership			
Central Coast NSW Business Chamber	Central Coast Economic Breakfast	Tier 2	2015-16: Cash \$4,000
Business and Professional Women Central Coast	Business and Professional Women Central Coast: Woman of the Year	Tier 3	2015-16: Cash \$1,500

The AMENDMENT was put to the VOTE and declared CARRIED.

FOR: CRS GB BEST, DE EATON, B G GRAHAM AND AT TROY

AGAINST: CRS KG GREENWALD AND DV VINCENT

The AMENDMENT became the MOTION.

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

250/16 That Council allocate the \$25,300 combined cash and in-kind funds from the Sponsorship Program for 2016-17 as follows:

Applicant	Initiative	Tier level	Recommended Funding
CULTURAL INITIATIVES: Recommended for sponsorship			
Long Jetty Locals	Long Jetty Street Festival	Tier 2	2016-17: Cash \$5,000
SPORTING INITIATIVES: Recommended for sponsorship			
Wyong Fire Brigade Championships	2016 NSW State Fire Fighter Championships	Tier 2	2016-17: Cash \$5,000
Elite Energy P/L	Colour Me Rad	Tier 2	2016-17: Cash \$5,000
ECONOMIC DEVELOPMENT INITIATIVES: Recommended for partnership			
Central Coast NSW Business Chamber	Central Coast Economic Breakfast	Tier 2	2016-17: Cash \$8,800
Business and Professional Women Central Coast	Business and Professional Women Central Coast: Woman of the Year	Tier 3	2016-17: Cash \$1,500

251/16 That Council **acknowledge** the below initiatives have also applied for multi-year funding for 2017-18 and 2018-19 and are supported however that the applicants be advised that as a result of the likely amalgamation these will need to be reviewed by early 2017, noting that these applications are carried forward.

- Long Jetty Street Festival
- Colour Me Rad
- Central Coast Economic Breakfast
- Business and Professional Women Central Coast

252/16 That Council **decline** applications for the reasons indicated in the table below, the applicants be advised and where relevant are directed to alternate funding programs:

Initiative	Total Requested	Applied for Tier level	Assessment
Ks for Kids Walkathon	\$5,000	Tier 3 Single year	Initiative does not meet the visitation requirements, potential for growth or ROI through economic development benchmarks that are required. The focus of this event is fundraising.
Mingara Orchid Festival	\$7,500	Tier 3 Multi Year	Initiative does not meet the potential for growth or ROI through economic development benchmarks that are required. Initiative has received sponsorship for many years and has not demonstrated growth or expansion as promised in 2015-16.
Central Coast Food Revolution Day	\$66,000	Tier 1 Multi Year	Initiative has not been recommended due to the competitive process of the sponsorship program. The initiative was eligible to receive funding however potential for ROI through visitor numbers and dispersal of economic benefit was limited. The initiative is recommended to pursue possible grant funding from WSC as an alternative to sponsorship funding.
Central Coast Embrace Life Festival	\$24,000	Tier 2 Multi Year	Initiative has not been recommended due to the competitive process of the sponsorship program. The initiative was eligible to receive funding however potential for ROI through visitor numbers and dispersal of economic benefit was limited.
Veer Left	\$5,000	Tier 3 Single year	Initiative has not been recommended due to the competitive process of the sponsorship program. The initiative was eligible to receive funding however potential for ROI through community benefits was limited.
BBR Agency	PicNic Outdoor Cinema	Tier 2	2016-17: Cash \$10,000

253/16 That Council reallocate \$1,329 from existing marketing and promotions budget to the Sponsorship Program in 2015-16 through Quarter Review due to the Central Coast Mariners sponsorship payment required to be made in 2015-16 for activities to take place in 2016-17.

254/16 That Council support additional initiatives for 2015-16 and allocate \$23,500 combined cash and in-kind funds from the Sponsorship Program for 2015-16 as follows:

Applicant	Initiative	Tier level	Recommended Funding
SPORTING INITIATIVES: Recommended for sponsorship			
Central Coast Mariners	Central Coast Mariners - National Youth League 2016-17 activities	Tier 2	2015-16: Cash \$10,000 Nb. Recommended based on Councilor Resolution from 26/01/2016 and on the condition that the negotiation of the sponsorship deliverables meets the requirements of the WSC Policy for Sponsorship Management.
Wyong Fire Brigade Championships	2016 NSW State Fire Fighter Championships	Tier 2	2015-16: Cash \$5,000
ECONOMIC DEVELOPMENT INITIATIVES: Recommended for partnership			
Central Coast NSW Business Chamber	Central Coast Economic Breakfast	Tier 2	2015-16: Cash \$4,000
Business and Professional Women Central Coast	Business and Professional Women Central Coast: Woman of the Year	Tier 3	2015-16: Cash \$1,500

FOR: CRS GB BEST, DE EATON, B G GRAHAM AND AT TROY

AGAINST: CRS KG GREENWALD AND DV VINCENT

5.2 Proposed Councillors' Community Improvement Grants

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

255/16 That Council allocate an amount of \$600 from the 2015-16 Councillors' Community Improvement Grants (CCIG) as follows:

PFLag Central Coast (\$622.30)	Stall Hire Fee, New Banner, and Printing of Postcards for use at G.O.A.T.S Festival at San Remo in April.	600
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- 256/16 That Council note the \$1000 donation to the CCIG program from the Water Industry Officers Association as part of its membership promotion.
- 257/16 That Council note that the \$1000 has been divided equally and added to each Councillors' allocation.

5.3 Future Operation of Pools and Lake Haven Recreation Centre

Resolved in conjunction with confidential item 9.1, YMCA Contract Extension.

6.1 Initiatives to Improve Safety on Rock Platforms in Munmorah State Conservation Area

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

- 258/16 That Council receive and note the report on Initiatives to Improve Safety on Rock Platforms in Munmorah State Conservation Area.

6.2 Response from Department of Planning & Environment to Request to Dissolve the Central Coast Joint Regional Planning Panel

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

- 259/16 That Council receive and note the response from Marcus Ray, Deputy Secretary, Planning Services, in relation to the dissolution of the Central Coast Joint Regional Planning Panel.

6.3 Road Capital Works Program

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

- 260/16 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

6.4 Graffiti Trailer

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

- 261/16 That Council receive the report on Graffiti Trailer.

**6.5 Draft Minutes of the Audit and Risk Committee Meeting - 16 February 2016
(rescheduled from 14 December 2015)**

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

262/16 That Council receive the report on Draft Minutes of the Audit and Risk Committee Meeting - 16 February 2016 (rescheduled from 14 December 2015).

6.6 2015 National General Assembly Resolutions

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

263/16 That Council receive the report on 2015 National General Assembly Resolutions.

6.7 Proposed Merger Update

Councillor Best left the meeting at 8.30pm and returned to the meeting at 8:31pm and as a result took no part in voting on this item.

It was MOVED by Councillor EATON and seconded by Councillor TROY:

That Council receive the report on Proposed Merger Update.

The MOTION was PUT to the vote and declared LOST.

FOR: CRS D E EATON AND AT TROY

AGAINST: CRS B G GRAHAM, KG GREENWALD AND DV VINCENT

6.8 Outstanding Questions on Notice and Notices of Motion

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

264/16 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

7.1 Notice of Motion - Closure of Wyong Shire RMS Offices

Ms Margot Castles, local resident. addressed the meeting at 6.43 pm, answered questions and retired at 7.14 pm.

It was MOVED by Councillor GREENWALD and seconded by Councillor GRAHAM:

- 1 *That Council call upon the NSW Government to reverse its decision to close The Entrance Motor Registry.*
- 2 *That Council request that the RMS undertake a review of its Service Centre location requirements takes place which considers the demographic and geographic difficulties that exist in Wyong Shire due to the ageing population and the isolation caused by the Shire's geographic features such as its coastal lakes system.*
- 3 *That Council request the RMS to retain the three current RMS Service Centres within Wyong Shire.*
- 4 *That Council request the Acting CEO write to the Minister for Roads, Maritime and Freight regarding the NSW Government's decision to close The Entrance Motor Registry.*

Councillor Vincent left the meeting at 6.55 pm and returned to the meeting at 6:57 pm during consideration of this item, but as a result took no part in voting on the procedural motion to put the amendment.

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

- 1 *That Council note with disappointment the decision to reduce motor registry/RMS services on the Central Coast.*
- 2 *That Council advise the State Government that it welcomes the opportunity to partner with the Government to assist in delivering such services across the Central Coast through innovative co-location within Council facilities including The Entrance, Lake Munmorah and Wyong.*
- 3 *That Council encourage Gosford City Council to join in this partnering initiative across the Central Coast region.*

PROCEDURAL MOTION

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

265/16 That the Amendment be put.

FOR: CRS GB BEST, DE EATON AND AT TROY
AGAINST: CRS B G GRAHAM AND KG GREENWALD

The AMENDMENT was put to the VOTE and declared CARRIED on the casting vote of the Mayor.

FOR: CRS GB BEST, DE EATON AND AT TROY
AGAINST: CRS B G GRAHAM, KG GREENWALD AND DV VINCENT

The AMENDMENT became the MOTION

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

- 266/16 That Council note with disappointment the decision to reduce motor registry/RMS services on the Central Coast.
- 267/16 That Council advise the State Government that it welcomes the opportunity to partner with the Government to assist in delivering such services across the Central Coast through innovative co-location within Council facilities including The Entrance, Lake Munmorah and Wyong.
- 268/16 That Council encourage Gosford City Council to join in this partnering initiative across the Central Coast region.

The MOTION was declared CARRIED on the casting vote of the Mayor.

FOR: CRS GB BEST, DE EATON AND AT TROY
AGAINST: CRS B G GRAHAM, KG GREENWALD AND DV VINCENT

7.2 Notice of Motion - Five Year Development Consent Period

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

- 269/16 That Council, apply a lapsing period of five years for all development consents in accordance with Section 95 of the Environmental Planning and Assessment Act 1979.
- 270/16 That Council recognise that an extended consent period will:
- allow developers of all sizes greater time to secure finance and investors make arrangements for builders and contractors,
 - support the development industry,
 - promote investment within the shire,
 - assist in improving the feasibility of developments,
 - support local employment through supporting development.

The MOTION was declared CARRIED on the casting vote of the Mayor.

FOR: CRS GB BEST, DE EATON AND AT TROY
AGAINST: CRS B G GRAHAM, KG GREENWALD AND DV VINCENT

CONFIDENTIAL SESSION

Councillor Greenwald left the meeting at 8.44pm and returned to the meeting at 8.46pm and as a result took no part in voting.

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

- 271/16 That Council move into Confidential Session.

At this stage of the meeting being 8.44 pm council moved into Confidential Session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993.

OPEN SESSION

Council resumed in open session at 9.26 pm and the Acting Chief Executive Officer reported on proceedings of the confidential session of the ordinary meeting of council as follows:

9.1 YMCA Contract Extension

- 274/16 *That Council receive the report on YMCA Contract Extension.*
- 275/16 *That Council delegate, to the Mayor and the Acting CEO, the authority to negotiate a short term contract extension with YMCA for Lake Haven Recreation Centre, Wyong Pool and Toukley Pool.*
- 276/16 *That the outcome be reported back to Council for ratifying.*
- 277/16 *That Council resolve, for the purposes of s.55(3)(i) of the Local Government Act 1993, that a satisfactory result would not be achieved by inviting tenders, due the extenuating circumstances associated with the potential amalgamation of the Wyong and Gosford local government areas and the potential advantages to the merged council to invite tenders for the amalgamated area.*
- 278/16 *That Council approve that the temporary management of The Entrance Baths be undertaken by Council staff until a further review can occur after the likely amalgamation.*
- 279/16 *That Council temporarily increase fulltime equivalent staffing of 1 in the Open Space and Recreation unit to allow for the temporary provision of services at The Entrance Baths.*

9.2 Confidential Mayoral Minute – The Entrance Town Centre Management Corporation Inc.

- 280/16 *That the Council note resolution 4.2 of the meeting of the Board of The Entrance Town Centre Management Corporation Inc. of 23 February 2016.*
- 281/16 *That the Council resolve that Council terminate, by agreement or otherwise, the following agreements between Council and The Entrance Town Centre Management Corporation Inc.:*
- 2.1 *Funding Agreement (Events) dated 20 September 2013; and*
 - 2.2 *Funding Agreement (Marketing, Promotion and Maintenance) dated 20 September 2013.*

- 282/16 That the Council resolve that no further payments are to be made to The Entrance Town Centre Management Corporation Inc. pursuant to those Funding Agreements, pending a careful and detailed audit of TETCM's compliance with the Funding Agreements to determine whether the public funds provided to TETCM by the Council have been properly accounted for and applied by TETCM.
- 283/16 That the Council resolve that monies to be paid to The Entrance Town Centre Management Corporation Inc. from the date of this resolution be applied by Council directly to providing the same services and functions that were to have been undertaken for Council by The Entrance Town Centre Management Corporation Inc. pursuant to those Funding Agreements, to ensure continuity of service to the community.
- 284/16 That the Council note the information set out in this Mayoral Minute.
- 285/16 That the Council authorise the Acting Chief Executive Officer to enter in to any necessary negotiations with The Entrance Town Centre Management Corporation Inc. to give effect to these resolutions.
- 286/16 That Council determine that this Mayoral Minute remain confidential in accordance with sub-sections 10A(2)(c), 10A(2)(g), 10B(2) and 11(3) of the Local Government Act 1993, because:
- 7.1 This Mayoral Minute contains information that might, if disclosed, confer a commercial advantage on a person that Council is currently conducting business with; and
 - 7.2 This Mayoral Minute includes legal advice to the Council from General Counsel concerning substantive issues which would be privileged from production in legal proceedings on the ground of legal professional privilege.

9.3 Mayoral Minute - 140 Sparks Road, Warnervale

- 287/16 That Resolution number 88/16 from the Confidential Session of the Ordinary Council Meeting of 27 January 2016 is amended by deleting the words "conditional upon WSC achieving bio-diversity certification approval by the NSW Minister for the Environment" from that resolution.

QUESTIONS ON NOTICE

Nil

THE MEETING closed at 9.28pm.

1.5 Notice of Intention to Deal with Matters in Confidential Session

TRIM REFERENCE: F2016/00012 - D12273371

MANAGER: Lesley Crawley, Manager

AUTHOR: Jade Maskiewicz; 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 Chief Executive Officer 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 matters in Confidential Session, pursuant to Section 10A (2)(a) of the Local Government Act 1993:**

7.1 – Council's Animal Care Facility

- 2 That Council note its reason for considering Report No 7.1 – Council's Animal Care Facility, as it contains personnel matters concerning particular individuals (other than Councillors).**
- 4 That Council request the Acting Chief Executive Officer to report on these matters in open session of Council.**

1.5 Notice of Intention to Deal with Matters 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.*
- 2(i) alleged contraventions of any code of conduct requirements applicable under section 440.”*

ATTACHMENTS

Nil.

2.1 Planning Proposal - Additional Permitted Use - 8 Warrigal St The Entrance

TRIM REFERENCE: RZ/3/2015 - D12243257

MANAGER: Tanya O'Brien, Manager

AUTHOR: Rodney Mergan; Senior Planner

SUMMARY

Council has received an application requesting an amendment to *Wyong Local Environmental Plan (LEP) 2013*, to make the land use residential flat building permissible with consent as an additional permitted use on Lot 6 DP 22914, 8 Warrigal Street, The Entrance.

A preliminary assessment of the information submitted indicates that the proposal has merit and this report recommends that a planning proposal be forwarded to the Department of Planning and Environment (DP&E) for a gateway determination

Applicant:	Paradigm Planning and Development Consultants Pty Ltd
Owners:	The Entrance Plaza Pty Ltd
Proposal No.:	RZ/3/2015
Description of Land:	Lot 6 DP 22914 - 8 Warrigal Street The Entrance
Current Zoning:	B2 – Local Centre
Site Area	682.9m ²
Existing Use:	Vacant

RECOMMENDATION

- 1 ***That Council prepare a planning proposal to amend Wyong Local Environmental Plan 2013, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 to permit the land use residential flat building on Lot 6 DP 22914, 8 Warrigal Street The Entrance.***
- 2 ***That Council forward the planning proposal to the Department of Planning and Environment accompanied by a request for a gateway determination, pursuant to Section 56 of the EP&A Act 1979.***
- 3 ***That Council request the Acting Chief Executive Officer to apply to accept plan making delegations for the planning proposal.***
- 4 ***That Council undertake community and government agency consultation in accordance with the requirements of the gateway determination.***
- 5 ***That Council consider a further report on results of the community consultation.***

BACKGROUND

The subject site is a single lot located on the corner of Warrigal and Taylor Streets, The Entrance. The site is located to the southern fringe of The Entrance Town Centre and is held in common ownership with the adjoining Lakeside Shopping Centre site. The site is not identified as part of the Lakeside Shopping Centre Key Site under *Wyang DCP 2013 Chapter 6.1: Key Sites* and does not form part of the staged development consent for the redevelopment of the Lakeside Shopping Centre under DA/1080/2014. A six-storey mixed use commercial and residential development is located immediately to the west of the site. The subject site is level and generally cleared. A dwelling house previously located on the site was demolished in 2015.

The site is zoned B2 Local Centre under *Wyang LEP 2013* and the following building height and Floor Space Ratio (FSR) provisions apply:

- Height of Building: 23m
- FSR: 2.75:1

Residential Flat Buildings are prohibited in the B2 zone as stand-alone developments but are permissible as shop-top housing, where the ground level accommodates commercial uses.



Figure 1- Locality Plan

THE PROPOSAL

It is proposed that the land use residential flat building be added as a permissible use on the subject site using the additional permitted use provisions under *Section 2.5 of Wyong LEP 2013*. The intended outcome is to permit residential development on the ground floor of the site.

ASSESSMENT

In accordance with the *EP&A Act 1979*, assessment against the relevant strategic considerations of Council is required in the preparation of Planning Proposals. The proposal has been considered against the *Central Coast Regional Strategy*, the *Draft Central Coast Regional Plan*, the *Wyong Community Strategic Plan*, the *Wyong Settlement Strategy*, *The Entrance Peninsula Planning Strategy*, *The Entrance Town Centre Masterplan* and Council's *Retail Centres Strategy*. Attachment 1 – *Draft Planning Proposal: Part 3B – Relationship to strategic planning framework*, details the assessment of the proposal against these considerations. This assessment indicates that the proposal is consistent with these considerations and has merit.

Assessment against the considerations of the relevant strategic planning documents mentioned above and most notably *The Entrance Peninsula Planning Strategy* and Council's *Retail Centres Strategy*, indicates that, given the location of the site on the periphery of The Entrance Town Centre, there is likely to be limited demand for additional commercial development in this area. These needs are likely to be accommodated within the more centrally located Lakeside Plaza development and other existing or proposed commercial developments.

The site is on the edge of The Entrance Town Centre with land to the southern side of Warrigal Street zoned R3 Medium Density Residential with a 12m height limit as opposed to the 23m height limit of the subject site. Currently the area is dominated by residential development and given the zoning of adjoining land, this will likely remain the dominant land use in the area in the future.



Figure 2 – Corner of Warrigal and Taylor Streets looking west. Subject site in the foreground to the right, to the left is the existing residential development

The site is a relatively small corner site which is isolated due to the location of an existing mixed-use development directly to the west and a proposed access lane as part of the approved Lakeside Plaza redevelopment to the north. The adjacent mixed use development contains three commercial units at the ground level. Currently two of these units are occupied as office premises and the other is vacant.

Due to site dimensions and existing development on neighbouring land it will be difficult for any building design to achieve the maximum building height and FSR available under *Wyong LEP 2013* that meets the requirements of *State Environmental Planning Policy (SEPP) 65 – Design Quality of Residential Apartment Development* and the associated *Apartment Design Guide*. Notably building separation and open space provisions will be difficult to achieve. This issue exists if the proposal has the form of permissible shop-top housing or a stand-alone residential flat building.

The additional permitted use may provide the potential for a reasonable development to be built on the site by providing for land uses that will potentially be in greater demand. The provisions of the *SEPP* and the *ADG* will apply to shop-top housing or a residential flat building.

As the proposal is for an additional permitted use, land uses currently permitted in the B2 Zone such as commercial uses may still be undertaken if considered viable or the future conversion of ground level residential accommodation can be considered in the building design of a residential flat building.

OPTIONS

Option 1 – Additional Permitted Use (recommended)

The use of an additional permitted use clause will allow for some local controls to be placed on the site development if required and will keep the local centre objectives applicable to the site to ensure the development is considered in its town centre context.

Option 2 - Zoning change – Residential (not recommended)

A change to the zoning of the site could potentially be requested to a zone which includes residential flat buildings as a permissible use (e.g. R3 Medium Density Residential). It is considered that this would potentially make permissible other land uses that may not meet the objectives for the site and potentially restrict potential commercial development in the future.

Option 3 – Zoning change – Mixed Use (not recommended)

The B4 Mixed-Use zone provides for commercial uses and residential flat buildings. Unlike the additional permitted uses option, a rezoning to the B4 zone would not allow local controls to be placed on the site development if required and will alter the objectives applicable to the site in isolation.

Option 4 - Not advance the proposal (not recommended)

Though well located near a town centre the size and isolation of the site restricts the development potential of the site. Making no change to the planning controls may result in the site remaining vacant due to the limitations that are placed on an already constrained site.

CONSULTATION

The gateway determination will provide the requirements for external consultation and public exhibition. The results of the consultation process will be reported to Council.

GOVERNANCE AND POLICY IMPLICATIONS

The processing of the planning proposal is being undertaken in accordance with Council's adopted planning proposal procedure.

Rezoning of the land is undertaken by preparing an amendment to the LEP through progressing of a planning proposal under sections 55-59 of the *Environmental Planning & Assessment Act 1979*.

Section 55 requires Council to prepare a planning proposal that explains the intended effect of the amendment to the LEP and sets out the justification for the amendment. Section 55 specifies matters to be included in the planning proposal.

2.1 Planning Proposal - Additional Permitted Use - 8 Warrigal St The Entrance (contd)

Section 56 provides that Council submit the planning proposal to the Minister for a gateway determination who will advise whether or not the matter should proceed (with or without variation), and may specify further studies or modifications to the proposal, community and government agency consultation requirements and other matters.

Council may request delegation from the Minister for Planning for the determination of locally significant planning proposals. Given the nature of this proposal it is recommended that in this instance delegation be sought.

The requirements for public exhibition would be set out under the gateway determination.

It is noted that a further report will be prepared outlining the results of the State agency and public exhibition.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A (3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

CONCLUSION

The proposal to include of the additional permitted use residential flat building for the subject site is considered to have merit. The proposal will expand the permissible land uses on the site to better accommodate development options on a constrained site. It is recommended that a planning proposal be prepared for the consideration of the DP&E requesting a gateway determination be issued.

ATTACHMENTS

- 1 Planning Proposal in respect of 8 Warrigal St The Entrance-RZ/3/2015 - Council Version D12250726



Wyong Shire Council
Planning Proposal – Additional Permitted Use
8 Warrigal Street
The Entrance

RZ/3/2015;



RZ/3/2015
Council Report Version

© Wyong Shire Council
Wyong Shire Council
2 Hely Street Wyong
PO Box 20 Wyong NSW 2259
P 02 4350 5555 **F** 02 4351 2098
E wsc@wyong.nsw.gov.au
W www.wyong.nsw.gov.au

Opening Hours 8.30am - 5.00pm

Additional Permitted Use – 8 Warrigal St The Entrance

File No. RZ/3/2015

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Introduction & Locality Context

The subject site is a single lot located on the corner of Warrigal and Taylor Streets, The Entrance.

The site is level and cleared and has a site area of 683m². A dwelling house located on the site was recently demolished.

The site adjoins the recently approved major redevelopment site of the Lakeside Plaza shopping centre immediately to the north and an existing 6 storey mixed-use development to the west.



Figure 1 Contextual Locality Plan

Part 1 Objectives or Intended Outcomes

To make ground floor residential development permissible on the subject site.

Part 2 Explanation of Provisions

The outcome will be facilitated by amending *Wyong LEP 2013 Schedule 1 Additional Permitted Uses* and the associated Additional Permitted Uses Map making a residential flat building permissible on the site.

Part 3 Justification

Section A – Need for the Planning Proposal

1. Is the Planning Proposal a result of any Strategic Study or report?

The proposal is for an additional permitted use only and does not implement the findings of a Strategic Study or report

2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The subject site is zoned B2 – Local Centre under *Wyong LEP 2013*. Stand-alone residential accommodation is prohibited in the B2 zone. An LEP amendment is the only available method to allow the land use to be permitted.

An alternative to providing for an additional permitted use for the subject site is to change the land zoning under the planning proposal process, however this would potentially eliminate the commercial uses or open the site up to other uses that may not be considered appropriate. The additional permitted uses process allows some local land use controls to be put in place if required.

Section B – Relationship to strategic planning framework

Where a regional or sub-regional strategy is in place:

3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

Central Coast Regional Strategy

The *Central Coast Regional Strategy 2006-2031* (CCRS) applies to the Gosford and Wyong local government areas (LGAs) and the primary purpose of the strategy is to ensure that adequate land is available and appropriately located to sustainably accommodate the projected housing needs until 2031. The CCRS refocuses development to strengthen and increase the vibrancy of centres and to support Gosford City Centre as a Regional City and Tuggerah-Wyong as a Major Centre.

The subject site is located at The Entrance which is nominated as a “town centre” within the CCRS. It is anticipated that renewal and increased residential densities is to occur in town centres however this is to occur at an appropriate scale to protect and enhance the character of these centres.

The CCRS is to provide the basis of the planning by the local government sets out a number of actions. The table below demonstrates that the Planning Proposal is consistent with the actions identified in the CCRS:

Action	Consistency
4.2 Councils are to provide for a mix of housing types, including housing that will accommodate an ageing population and smaller household sizes through the preparation of LEPs and strategies.	The future redevelopment of the site as residential flat development will create an opportunity to provide a better mixture of household types in the area.
4.3 Councils are to facilitate competitive land releases in the Region and to meet, as a minimum, the dwelling capacity targets and distribution by centres provided in this Regional Strategy, Work to be done in conjunction with the Department of Planning and delivered through the timely preparation of LEPs.	The proposal will provide additional housing to the locality which will assist in achieving housing targets for The Entrance.
4.4 Councils are to investigate the potential for land located within and around centres for future housing opportunities. consistent with the centres hierarchy and the dwelling and employment capacity targets through the preparation of LEPs and local planning strategies,(i.e. generally within a radius of 1000 metres of a regional city and major centre, 800 metres for towns, 400- 600 metres for villages and 150 metres for neighbourhoods).	The subject site is located within The Entrance town centre which is ideal for future housing opportunities as its within proximity to a number of retail and commercial uses including the Lakeside Shopping Centre.
4.10 Provide around 70 per cent of new housing in existing urban areas and the new Warnervale Town Centre by: <ul style="list-style-type: none"> • focusing new development in key centres to take advantage of services, shops and public transport as well as identifying and preserving the character of the Central Coast's smaller neighbourhoods and suburbs • ensuring that existing centres will be developed consistent with the centres hierarchy. 	The proposal will provide new housing in an existing urban area which provides a variety of services, retail shops and is within close proximity to a bus stop along The Entrance Road (approximately 100m).
4.22 Councils are to ensure location of new dwellings improves the Region's performance against the target for State Plan priority E5 'Jobs closer to home -increase the proportion of people living within 30 minutes of a city or major centre by public transport in metropolitan Sydney'.	The subject site is within 100m of a bus stop which provides services to Wyong via either Tuggerah or Toukley or to Gosford. The bus services to Tuggerah take approximately 40 minutes which is generally consistent with this action and provides employment opportunities for future residents

Draft Central Coast Regional Plan

The Draft Central Coast Regional Plan (2015) has recently been through a public exhibition process. The draft plan identifies the following goals:

- enhance community lifestyles and accelerate housing supply;
- grow and diversify the regional economy;
- sustain productive landscapes; and
- protect and manage the natural and cultural environment.

With respect to The Entrance area. "Direction 1.5 - Improve Housing Choice" of the draft Regional Plan discusses local centres such as The Entrance that have "already been identified with potential for infill housing". With respect of implementing this Direction The Draft Strategy states that:

The NSW Government will: work with councils to:

- identify planning controls in existing urban areas that will increase the range of housing types provided, particularly in and around centres and in locations with good public transport services;
- identify other suitable centres and locations for infill housing such as The Entrance; centres on the Woy Woy Peninsula; Toukley; Terrigal; and Ourimbah; and identify blockages to growth and opportunities to facilitate growth;

4. [Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?](#)

Wyong Community Strategic Plan (CSP) 2030

The *Wyong Shire Community Strategic Plan (CSP)* identifies what the Shire Strategic Vision is, how the vision was created through the community, the importance of the community, Council, State and Federal Government working together to achieve the Shire's vision, and how the Shire Strategic Vision integrates with *Council's Asset Management Strategy* and long-term Financial Strategy.

The CSP identifies 8 priority objectives, each supported by a range of actions:

- Communities will be vibrant, caring and connected with a sense of belonging and pride in their neighbourhood.

The subject land is within an existing residential development. Opportunities exist for new residents to participate in existing programs in the district, including community, business, sports, recreation, education and creative groups. The Planning Proposal is consistent with the *Wyong Shire Settlement Strategy* as discussed elsewhere in this report.

- There will be ease of travel within the Shire and to other regional centres and cities. Travel will be available at all hours and will be safe, clean and affordable.

The subject land is within to existing major population areas with good access to services. A bus services operate in the area and links to the rail network.

- Communities will have access to a diverse range of affordable and coordinated facilities, programs and services

The proposed development will result in developer contributions to cultural and community facilities, open space, sports and recreation facilities. Council is currently seeking to increase utilisation of many of its existing facilities

- The community will be well educated, innovative and creative; people will attain full knowledge potential at all stage of life.

Not relevant to this Proposal.

- Areas of natural value in public and private ownership will be enhanced and retained to a high level in the context of ongoing development.

Not relevant to this Proposal.

- There will be a sense of community ownership of the natural and built environment through direct public involvement with programs and services.

The community will be given an opportunity to comment on any potential impacts of this proposal through the exhibition process.

- There will be a strong sustainable business sector and increased local employment built on the Central Coast's business strengths.

The proposal will provide for additional permanent residents in an area where businesses suffer during non-holiday periods due to a dramatic change in population and spending.

- Information communication technology will be consistent with the world's best practice and adaptive to technological advances across all sectors.

This area is serviced by the National Broadband Network.

The Wyong Shire Settlement Strategy

The *Wyong Shire Settlement Strategy (2013)* is Wyong Shire's principal reference for the management of population growth, local employment increase and infrastructure access for the next 20 years. The Settlement Strategy replaces the *Wyong Residential Development Strategy (2002) (RDS)*.

The *Settlement Strategy* indicates that both greenfield and in-fill residential development will be required to accommodate expected population growth over the next 20 years and envisages a significant population increase at The Entrance of over 16,000 residents.

With regard to residential building height and density requirements The Settlement Strategy adopted the recommendations of The Entrance Peninsula Planning Strategy (TEPPS).

The Entrance Peninsula Planning Strategy (TEPPS)

The purpose of *The Entrance Peninsula Planning Strategy (2009)* is to "review *The Entrance Strategy (2000)* and to carry out comprehensive strategic planning for the Long Jetty and The Entrance North areas, which has not previously been undertaken". The *TEPPS* divides the strategy area into 16 distinctive precincts and provides a group of recommendations for the implementation of the development strategy for each of these areas. The implementation of the *TEPPS* required the development of the specific planning controls and a Masterplan for The Entrance Town Centre area.

The subsequent document *Planning Controls for The Entrance Peninsula (2011)* was used to create the LEP and DCP Controls that came into force with *Wyong LEP 2013*. With regard to the subject land *Planning Controls for The Entrance Peninsula (2011)* recommended a maximum building height of 22 m and FSR of 2.75:1 were recommended. A building height of 23 m and an FSR of 2.75:1 were adopted under *Wyong LEP 2013*.

The site is within the land included in *The Entrance Town Centre Masterplan 2011* but is not specifically referred to in this document. It is noted that under the Masterplan the site is not indicated as being part of the adjoining Lakeside Plaza site but is shown as adopting a similar built form to the adjoining 6 storey development located immediately to the west. In addition the site is indicated as being a significant distance and potentially isolated from the proposed retail and commercial hub of The Entrance Town Centre.

Retail Centres Strategy

Council's *Retail Centres Strategy 2013* acknowledges potential for further growth in The Entrance Town Centre and the Lakeside Key Site redevelopment will be a significant strategic outcome to support the long term role of the town centre. The subject site is in the same ownership as the Lakeside redevelopment but will be physically separated from the main development site by a service laneway.

The *Retail Centres Strategy* does not identify the likelihood for retail demand on the subject site and envisages the focus of retail development further to the north of The Entrance Town Centre.

5. Is the planning proposal consistent with applicable state environmental planning policies?

The proposal has been considered against the relevant *State Environmental Planning Policies (SEPP)* as detailed below.

State Environmental Planning Policy	Comment
SEPP 55 – Remediation of Land	
<p>Aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment</p> <p>(a) by specifying when consent is required, and when it is not required, for a remediation work, and</p> <p>(b) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</p> <p>(c) by requiring that a remediation work meet certain standards and notification requirements.</p>	<p>The site was previously used for residential development. The proposal only involves changes to the scale of residential permissible</p> <p>Any requirement for further consideration or site contamination will be provided as part of the Gateway Determination.</p>

State Environmental Planning Policy	Comment
SEPP 71 – Coastal Protection	
<p>Aims:</p> <p>(a) to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and</p> <p>(b) to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and</p> <p>(c) to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and</p> <p>(d) to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and</p> <p>(e) to ensure that the visual amenity of the coast is protected, and</p> <p>(f) to protect and preserve beach environments and beach amenity, and</p> <p>(g) to protect and preserve native coastal vegetation, and</p> <p>(h) to protect and preserve the marine environment of New South Wales, and</p> <p>(i) to protect and preserve rock platforms, and</p> <p>(j) to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6 (2) of the Protection of the Environment Administration Act 1991), and</p> <p>(k) to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and</p> <p>(l) to encourage a strategic approach to coastal management.</p>	<p>The site is located within the <i>SEPP 71</i> Coastal Protection Zone. The proposal is consistent with the provisions of <i>SEPP 71</i>. The matters outlined in Clause 8 of the SEPP have been considered:</p> <ul style="list-style-type: none"> • The proposal does not affect access to and along coastal foreshores, • The site is not affected by coastal processes. • The land has been fully developed for residential use and does not contain any remnant native vegetation or is likely to contain Aboriginal artefacts. • Any development visible from the lake or coastal foreshore areas will not be prominent and will fit into the surrounding skyline dominated by buildings of a similar scale.

State Environmental Planning Policy	Comment
SEPP 65 – Design Quality of Residential Apartment Development	
Aims: to improve the design quality of residential apartment development in New South Wales.	Development for a residential flat building or shop-top housing will be subject to the considerations of <i>SEPP 65</i> and the <i>Apartment Design Code (2015)</i> . The proposed additional permitted use will not change the need for the consideration of the SEPP for multi-storey residential development.

Table 2 – SEPP Assessment

6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The proposal has been considered against the relevant Ministerial Section 117 Directions as summarised below. The full assessment of these Directions is contained within the Attachments of this proposal.

No.	Direction	Applicable	Consistent
Employment & Resources			
1.1	Business & Industrial Zones	Y	Y
1.2	Rural Zones	N	N/A
1.3	Mining, Petroleum Production and Extractive Industries	Y	TBD
1.4	Oyster Aquaculture	N	N/A
1.5	Rural Lands	N	N/A
Environment & Heritage			
2.1	Environmental Protection Zones	Y	Y
2.2	Coastal Protection	Y	Y
2.3	Heritage Conservation	Y	TBD
2.4	Recreation Vehicle Areas	Y	Y

No.	Direction	Applicable	Consistent
Housing, Infrastructure & Urban Development			
3.1	Residential Zones	Y	Y
3.2	Caravan Parks and Manufactured Home Estates	Y	Y
3.3	Home Occupations	Y	Y
3.4	Integrating Land Use & Transport	Y	Y
3.5	Development Near Licensed Aerodromes	N	N/A
3.6	Shooting Ranges	N	N/A
Hazard & Risk			
4.1	Acid Sulfate Soils	Y	Y
4.2	Mine Subsidence and Unstable Land	N	N/A
4.3	Flood Prone Land	N	N/A
4.4	Planning for Bushfire Protection	N	N/A
Regional Planning			
5.1	Implementation of Regional Strategies	Y	Y
5.2	Sydney Drinking Water Catchments	N	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N	N/A
5.8	Sydney's Second Airport: Badgery's Creek:	N	N/A
Local Plan Making			
6.1	Approval and Referral Requirements	Y	Y
6.2	Reserving Land for Public Purposes	Y	Y
6.3	Site Specific Provisions	N	N/A
Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney	N	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	N	N/A

Table 3 – S117 Ministerial Direction Compliance

Section C – Environmental, Social and Economic Impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

Flora and Fauna

The site is located within a highly urbanised area and it is unlikely that any critical habitat, threatened species, population or ecological communities, or their habitats are present on the site.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Any substantial environmental impacts can be appropriately dealt with as part of the assessment of the development proposal for the site. The existing development controls under *SEPP 65, Wyong LEP 2013* and are considered to provide sufficient guidance to ensure that a high quality development outcome is achieved.

Any other potential environmental effects have been addressed in the assessment of SEPPs and Ministerial Section 117 Directions.

9. Has the planning proposal adequately addressed any social and economic impacts?

Social Issues

The planning proposal will result in positive social and economic impacts on the locality. The proposal will increase residential densities which will support the various retail shops and services within The Entrance town centre.

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the planning proposal?

Traffic and Transport

The site is located in an area of the road network that currently deals with relatively low traffic volumes. The site is well located with regard to public transport. The proposal does not look to increase the scale of development permissible on the site.

Services (Water, Sewer, Gas & Electricity)

All required services are available on the site. The proposal does not look to increase the scale of development permissible on the site.

11. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with the following agencies is proposed, based on the identified triggers and site constraints:

Agency	Trigger/Constraint
TBA	

Table X – Proposed Agency Consultation List

Part 4 Mapping

TBA

Part 5 Community Consultation

The proposal will be made available for Choose days for community/agency consultation and undertaken in accordance with any determinations made by the Gateway.

It is expected that the proposal will be made available at the following locations:

- Wyong Shire Administration Building, 2 Hely Street, Wyong
- The Entrance Library; and
- Council's website (On Exhibition page and Consultation Hub page) www.wyong.nsw.gov.au.

Additionally, notification of the exhibition of the proposal has been provided to adjoining landholders prior to its commencement.

Part 6 Project Timeline

TBA

Supporting Documentation

Ministerial Section 117 Directions

Direction	Comment
Environment & Heritage	
2.1 Environmental Protection Zones	
<p>Aims to protect and conserve environmentally sensitive areas.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>The proposal does not involve an environmental protection zone , or environmentally sensitive areas</p>
2.2 Coastal Protection	
<p>Aims to implement the principles in the NSW Coastal Policy.</p> <p>Applies when a planning proposal applies to land in the coastal zone as defined in the <i>Coastal Protection Act 1979</i>.</p>	<p>The <i>Coastal Policy and Coastal Design Guidelines</i> are implemented through <i>SEPP 71 – Coastal Protection</i>.</p> <p>Specifically the <i>Coastal Design Guidelines</i> state that,</p> <p style="padding-left: 40px;">New development and subdivisions should be located and planned in the context of revised settlement strategies and consistent with provisions in SEPP 71.</p> <p>The site is located within the SEPP 71 Coastal Protection Zone. The assessment undertaken as part of this planning proposal indicates that the proposal is consistent with the provisions of SEPP 71. The matters outlined in Clause 8 of the SEPP have been considered and the proposal does not affect access to and along coastal foreshores, nor is the site affected by coastal processes such as erosion.</p>
2.3 Heritage Conservation	
<p>Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>The land has previously been developed for residential use and is unlikely to contain Aboriginal artefacts.</p> <p>This site is not visible from any identified heritage items.</p> <p>The development of the site is unlikely to affect the value of any heritage items.</p>
2.4 Recreational Vehicle Areas	
<p>Aims to protect sensitive land or land with significant conservation values from adverse impacts from recreational vehicles.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>The planning proposal does not enable land to be developed for the purpose of a recreation vehicle area</p>

Direction	Comment
Housing, Infrastructure and Urban Development	
3.1 Residential Zones	
<p>Aims to encourage a variety and choice of housing types to provide for existing and future housing needs, to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and to minimise the impact of residential development on the environmental and resource lands.</p> <p>Applies when a planning proposal affects land within an existing or proposed residential zone, and any other zone in which significant residential development is permitted or proposed to be permitted.</p>	<p>Applicable</p> <p>Significant outcomes from this proposal are to provide a variety and choice of housing types and to make efficient use of existing infrastructure and services</p>
3.2 Caravan Parks and Manufactured Home Estates	
<p>Aims to provide for a variety of housing types and provide opportunities for caravan parks and manufactured home estates.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Caravan parks are currently prohibited on the subject land. No change proposed.</p>
3.3 Home Occupations	
<p>Aims to encourage the carrying out of low impact small business in dwelling houses.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Dwelling houses are not proposed as part of this proposal.</p> <p>Home occupations are dealt with under <i>SEPP Exempt and Complying Development</i> in Wyong Local Government Area (LGA). This proposal does not alter the permissibility of home occupations in Wyong LGA.</p>
3.4 Integrating Land Use & Transport	
<p>Aims to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts to achieve: improving access to housing, jobs and services by walking, cycling and public transport; increasing choice of available transport and reducing transport on cars; reducing travel demand; supporting efficient and viable public transport services; and provide for efficient movement of freight.</p> <p>Applies when a planning proposal creates alters or moves a zone or provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes.</p>	<p>The proposal will facilitate the provision of additional housing near a well serviced town centre in an areas identified for urban consolidation under State and Local policy.</p>

Direction	Comment
Hazard & Risk	
4.1 Acid Sulfate Soils	
<p>Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>Applies when a planning proposal applies to land having a probability of containing acid sulfate soils on the Acid Sulfate Soils Planning Maps.</p>	<p>The land is identified under Council's Acid Sulfate Soils Map.</p> <p>The proposal will not alter the need for consideration of Acid Sulfate Soils during the DA process as catered for through the current provisions of <i>Wyong LEP 2013</i>.</p>
Regional Planning	
5.1 Implementation of Regional Strategies	
<p>Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained within regional strategies.</p> <p>Applies when the relevant planning authority prepares a planning proposal that is located on land addressed within the <i>Far North Regional Strategy, Lower Hunter Regional Strategy, Central Coast Regional Strategy, Illawarra Regional Strategy & South Coast Regional Strategy</i>.</p>	<p>Considered under Section B 3 of the Planning Proposal. The proposal is considered to be consistent with the <i>Central Coast Regional Strategy</i> and the Draft <i>Central Coast Regional Plan</i>.</p>
Local Plan Making	
6.1 Approval and Referral Requirements	
<p>Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>The proposal does not propose to include provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority following the completion of the planning proposal process.</p>

2.2 DCP 2013 - Review of Site Specific Residential Controls

TRIM REFERENCE: F2013/02015 - D12169070

MANAGER: Tanya O'Brien, Manager

AUTHOR: Rodney Mergan; Senior Planner

SUMMARY

This report details proposed amendments to *Wyong Development Control Plan (DCP) 2013* which seek to ensure that the provisions for residential development are consistent across the Shire and promote quality residential outcomes, simplification and consistency for applicants. This report recommends that Council endorse the proposed amendments to *Wyong DCP 2013* and place the draft amendments on public exhibition for a period of 28 days.

RECOMMENDATION

- 1 That Council request that a draft amendment to *Wyong Development Control Plan (DCP) 2013* as shown in Attachment 1 and 2 be publically exhibited for a period of 28 days.**
- 2 That Council request that the process for the repeal of the *Gwandalan DCP* be commenced.**
- 3 That Council note that a further report outlining submissions received during the exhibition period will be provided.**

BACKGROUND

As part of an ongoing process of refining and streamlining development policy, Council staff have identified that DCP 2013 currently applies different controls to different urban release areas. This effectively means that a dwelling proposal which may be compliant in one suburb may not be compliant in the neighbouring suburb.

The proposed amendment seeks to reduce the number and complexity of controls and achieve the following:

- Reduce Development Application (DA) turnaround times for dwelling houses through the application of consistent controls no matter their location.
- Improve consistency with the *Codes SEPP Complying Development*.
- Expand the application of *Chapter 2.1 Dwelling Houses and Ancillary Structures* to include small lot housing.
- Ensure that provisions provide for quality and consistent residential development.
- Ensure that the approval process for dwellings is as simple as possible whilst still maintaining legislative requirements.

THE PROPOSAL

Location specific DCP provisions apply to dwellings in Gwandalan, Warnervale Town Centre and Hamlyn Terrace (Louisiana Road Infill Precinct). These provisions are inconsistent with *Chapter 2.1 Dwelling Houses and Ancillary Structures* causing burden and confusion on both applicant and staff as they are unsure which controls apply due to duplication.

A review of the relevant DCP provisions has been undertaken. It is recommended that the provisions for three (3) urban release areas within Wyong LGA be revised as discussed below.

1. Repeal of the Gwandalan (Rosecorp) Development Control Plan

Development Control Plan: Gwandalan (2011) was introduced by the Department of Planning and Environment to complement the State Government approval for the development of the Rosecorp site to the north of the existing Gwandalan township in 2011.

Council sought and was delegated the power as the Relevant Planning Authority for the *Gwandalan DCP* in August 2015. This now gives Council the authority to amend or repeal this DCP in accordance with the provisions of the Environmental Planning and Assessment Act 1979.

A review of the DCP, related documents and discussion with staff has revealed the following:

- The “Built Form Controls” in the DCP are inconsistent with the *Codes SEPP*. Complying Development approvals do not need to consider these controls so any specific character envisaged under the local controls are undermined by the SEPP.
- Adjoining residential land is subject to the provisions of *Chapter 2.1 Dwelling Houses and Ancillary Structures* (or the *Codes SEPP*) for housing, and the different controls are potentially confusing for residents and builders.
- The Built Form Controls under the *Gwandalan DCP* only relate to single dwellings making the assessment of other permissible land uses such as dual occupancies problematic.
- The Department of Planning and Environment approved the initial development application MP_10_0205 in 2011. There have been two subsequent modifications to this consent issued by the Department. The DCP has not been modified and is now inconsistent with the current approval including:
 - The development is now a 7 stage project, not a 3 stage project reflected in the DCP plans. Staging was modified under approved Modification 1.
 - The subdivision design was amended to permit direct access to Kanangra Drive in some areas where it was previously prohibited. Access was modified under approved Modification 2.
 - The subdivision design was amended to remove a small park which is still shown on the DCP plans (Modification 2).

- The Department of Planning and Environment development approval MP_10_0205 MOD 2, issued earlier this year does not reference this DCP but rather refers to DCP 2013 throughout.
- The majority of the requirements under this DCP are covered under the original conditions of consent and through the application of Council's Engineering Guidelines and add limited value to the assessment.
- Appropriate and adequate controls are available through *Chapter 2.1 Dwelling Houses and Ancillary Structures* which applies to the majority of residential development throughout the shire.

Given that the information in this DCP is outdated and adequate controls are provided for in *Chapter 2.1 Dwelling Houses and Ancillary Structures*, Council's Engineering Guidelines and the conditions of consent where relevant, it is recommended that Council take the appropriate action to repeal this DCP.

2. Removal of site specific residential provisions from the Warnervale Town Centre DCP

Warnervale Town Centre DCP (2012) was introduced by the Department of Planning and Environment to complement the rezoning of the Warnervale Town Centre area under *SEPP Major Projects*.

Similar to the Gwandalan DCP discussed above, the provisions for residential development in the *Warnervale Town Centre DCP* are significantly different to those found in *Chapter 2.1 Dwelling Houses and Ancillary Structures* and the *Codes SEPP*.

One of the main goals in the reviewing development policy is to as far as possible align the DCP terminology and provisions with that of the *Codes SEPP*. This seeks to improve consistency between the DA and Complying Development Certificate (CDC) process and facilitate quicker assessment times.

Currently different residential provisions apply to house applications on the south side or north side of Sparks Road if the proposal requires a development application. However, if the house can be dealt with as complying development, the provisions considered are the same. This inconsistency leads to uncertainty and delay.

It is proposed that the provisions relating to dwellings be repealed therefore defaulting to the provisions under *Chapter 2.1 Dwelling Houses and Ancillary Structures* and the *Codes SEPP*.

As the development of this area is still progressing it is necessary to retain the public domain controls which will apply to the subdivision, road layouts and broader development considerations.

Attachment 1 highlights the amendments proposed for this DCP.

3. Modification of Chapter 6.2 – Hamlyn Terrace - Louisiana Road Infill Precinct

DCP 2013 Chapter 6.2 – Hamlyn Terrace - Louisiana Road Infill Precinct provides site specific controls which relate to the subdivision, road layouts and broader development considerations and also provides controls related to residential developments of different types.

As the development of this area is still progressing it is necessary to retain the public domain controls which will apply to the subdivision, road layouts and broader development considerations.

It is proposed that the provisions relating to dwellings be repealed therefore defaulting to the provisions under *Chapter 2.1 Dwelling Houses and Ancillary Structures* and the *Codes SEPP*.

Attachment 2 highlights the amendments proposed for this DCP Chapter.

CONSULTATION

The proposed amendments and removal of development controls, has been compiled in consultation with the relevant staff.

In accordance with the requirements of the Environmental Planning and Assessment Regulation 2000 the amending DCP and any notice required with regard to repealing of a DCP will be placed on public exhibition for a minimum of 28 days.

Wyong Local Environmental Plan (LEP) 2013

Warnervale Town Centre, Louisiana Rd Infill Precinct and Gwandalan (North) are all identified as Urban Release Areas under *Wyong LEP 2013*. Clause 6.3 of *Wyong LEP 2013* requires that a DCP be in place to provide for the development and subdivision of the land prior to development consent being issued within these areas.

Provisions relating to subdivision are to be retained in the Warnervale Town Centre and Louisiana Road Infill Precinct. Development within the Gwandalan area is well underway and any future subdivision work can be assessed under the generic provisions of *DCP 2013*.

As such Clause 6.3 of *Wyong LEP 2013* will remain satisfied.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled “*Council Decision Making during Merger Proposal Periods*” pursuant to s.23A(1) of the *Local Government Act 1993* (“LG Act”). The Council must consider those guidelines when making decisions during the “merger proposal period”, which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

CONCLUSION

The introduction of the *Housing Code* under the *Codes SEPP* has effectively established a benchmark for provisions relate to the development of housing. The retention of controls that differ from the *Codes SEPP* and the aligned provisions *Chapter 2.1 Dwelling Houses and Ancillary Structures* introduce unnecessary inconsistency and can potentially delay assessment times, increase costs and raise confusion for developers and the community.

It is recommended that the proposed revision of *DCP 2013* be placed on public exhibition with a further report to be provided to Council on the outcome of the exhibition. It is also recommended that the process for the repeal of the Gwandalan DCP be commenced.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Warnervale DCP- proposed omissions highlighted | D12171112 |
| 2 | Chapter 6.2- proposed omissions highlighted | D12171333 |
| 3 | Signed Instrument Delegation - Gwandalan | D12046341 |
| 4 | Signed Instrument of Delegation - Warnervale | D12264682 |

WARNERVALE TOWN CENTRE

DEVELOPMENT CONTROL PLAN 2012



Warnervale Town Centre
Development Control Plan
ISBN 978 0 7347 5980 1

NSW Department of Planning and
Infrastructure 2012
www.planning.nsw.gov.au

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Coloured Drawings

by Tim Throsby

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1 Introduction

1.1 PURPOSE

This Development Control Plan (DCP) has been prepared in accordance with Part 3, Division 6 of the Environmental Planning and Assessment Act 1979 (the Act), and Part 3 of the Environmental Planning and Assessment Regulation 2000. The DCP provides more detailed provisions to expand upon the relevant provisions of the Wyong Local Environmental Plan 1991 for development of the Warnervale Town Centre (WTC) Site.

Under Section 79C of the Act, the consent authority is required to take into consideration the relevant provisions of this DCP in determining an application for development of the WTC.

Variations to the controls in this DCP will be considered on merit, subject to justifications being provided in a Development Application for the departure from the controls, and demonstration that the impacts will be adequately managed.

1.2 NAME OF PLAN AND COMMENCEMENT

This plan is called the Warnervale Town Centre Development Control Plan (WTC DCP).

This DCP was originally adopted by the Director-General of the Department of Planning and Infrastructure on 11 November 2008. A revised version was adopted on 7 September 2012.

This development control plan repeals the Warnervale Town Centre Development Control Plan (WTC DCP) 2008 dated 11 November 2008.

1.3 LAND AND DEVELOPMENT COVERED BY THIS PLAN

This DCP applies to all development on certain land at Warnervale as shown in **Figure 1.1**. This DCP applies to all development permissible on the land covered by this plan under the Wyong Local Environmental Plan 1991.

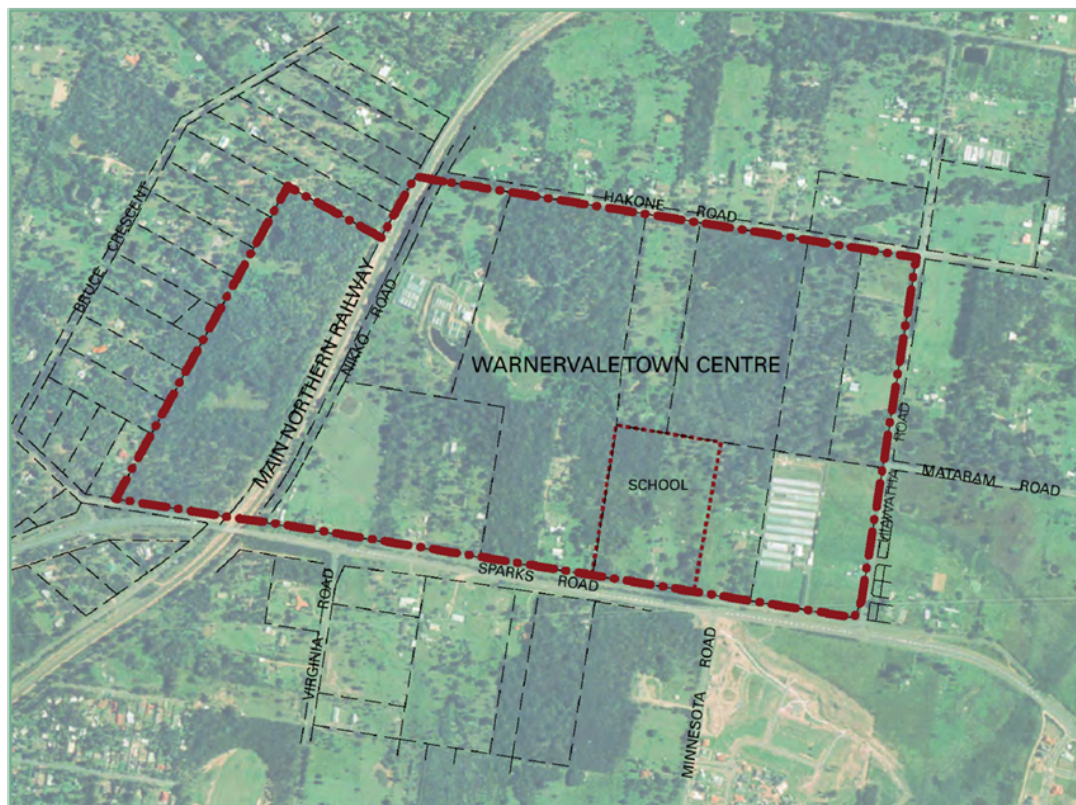


FIGURE 1.1 LAND AND DEVELOPMENT COVERED BY THIS PLAN

1.4 RELATIONSHIP WITH OTHER PLANNING DOCUMENTS

This DCP should be read in conjunction with the relevant provisions of the Wyong Local Environmental Plan 1991 and other relevant state planning policies. This DCP should also be read in conjunction with relevant policies and chapters of Wyong Shire DCP 2005 (see Section 8.5). In the event of any inconsistency between this DCP and any other DCP or policy of council, this DCP will prevail.

State Environmental Planning Policies (SEPPs) apply to the WTC, where relevant.

The NSW Government's State Plan and Metropolitan Strategy and the Central Coast Regional Strategy 2006-31 provide the strategic planning framework and context to this DCP.

1.5 THE CONSENT AUTHORITY

Wyong Shire Council is the consent authority for all development on the WTC, except for State significant development (SSD) and State significant infrastructure (SSI), as provided under State Environmental Planning Policy (State and Regional Development) 2011 (the SEPP).

Projects that fall into these categories will be assessed by the Department of Planning and Infrastructure.

Projects will only be assessed as SSD if they meet or exceed a specified threshold. The SEPP has identified that development for retail premises having a floor space area of more than 5,000 square metres and a Capital Investment Value of more than \$10 million at Warnervale Town Centre will be assessed under the SSD system.

Compliance with the provisions of this DCP does not necessarily guarantee that consent will be granted to a Development Application (DA). Every DA will be assessed with regard to the aims and objectives of the Act, other matters listed in section 79C of the Act, this DCP, and any other relevant and applicable policies adopted by the consent authority.

1.6 EXPLANATORY NOTES

Terms used in this DCP are defined in the Wyong Local Environmental Plan 1991 and in the Glossary in Section 8 of this DCP. Section 8 also provides guidance to applicants on the lodgement of DAs.

Further advice on lodgement procedures can be obtained from Council, additional explanatory notes and policies issued by Council, and from the Department of Planning and Infrastructure.

1.7 MONITORING AND REVIEW

Wyong Shire Council is required to keep the LEP provisions and DCP under regular and periodic review under Section 73 of the Act. Wyong Shire Council is committed to this process to ensure that the Plans continue to be useful and relevant.

Wyong Shire Council will review the LEP provisions and DCP every five years to ensure the objects of the Act are achieved to the maximum extent possible, having regard to relevant changing circumstances.

2 Overview

2.1 REGIONAL CONTEXT

The Central Coast Regional Strategy recognises the regional significance of the Warnervale Town Centre as a new retail, commercial and community growth centre to be developed over the next 25 years.

The WTC is located 5 km north of Wyong in the Wyong Local Government Area. It straddles the northern regional rail corridor and is approximately 1km east of the Wyong Employment Zone. It is bound by Hiawatha, Hakone and Sparks Roads and east of Bruce Crescent.

The WTC is 119 hectares and will service a broader future catchment of approximately 40,000 residents. It will accommodate between 6,000 residents and offer jobs, diverse community facilities, retail and commercial uses and public transport.

The WTC location plan is shown in **Figure 2.1**.



FIGURE 2.1 TOWN CENTRE LOCATION

2.2 VISION

The WTC will be a compact, well connected, high quality urban area linked to the new North Warnervale railway station, encouraging use of public transport and pedestrian activity.

A Town Centre Civic Precinct complementing the railway station will provide a range of retail, commercial, and community facilities.

A broad range of dwelling types will be provided across the WTC site to provide for different household needs and higher housing densities than those traditionally delivered in Wyong Shire.

The site will retain or enhance its vegetated and natural characteristics, offering a high quality living environment. Large areas of open space will be provided, including Hill Top Park.

Key objectives are:

- To create a vibrant, pleasant safe town centre with housing, jobs, services, community facilities and entertainment for residents and visitors.
- To achieve a high standard public domain and architectural design quality.
- Integrate community facilities with the town centre.
- Encourage the use of walking, cycling and buses.
- Provide comfortable access grades throughout the town centre to ensure equity in accessibility.
- Provide a built form in a treed setting and reflect the topography and environmental and visual features.
- To facilitate urban development that achieves highest environmental sustainability objectives.
- To provide a variety of housing types to cater for different household types and demographics, and improve affordability.
- Provide housing with a high standard of residential amenity.
- Promote recreation opportunities.
- Protect and enhance riparian corridors, nature conservation areas, significant trees and local vegetation.

2 Overview

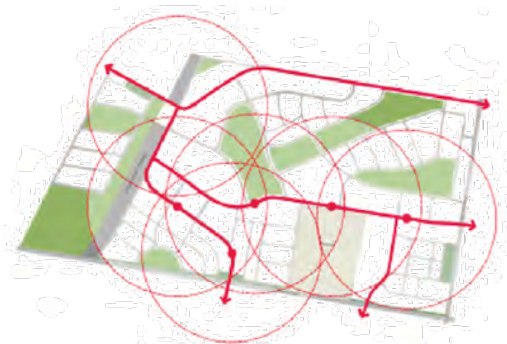


Figure 2.2: Well connected
The WTC will be serviced by a new railway station and bus routes to surrounding districts. The permeable street layout will promote walking to local services and attractions.

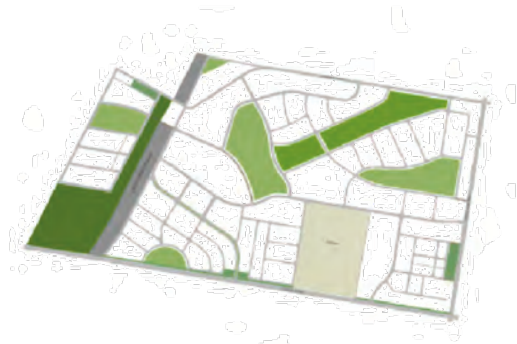


Figure 2.3: Protection of the environment
Protected riparian corridors, nature conservation areas and habitat trees will contribute to the landscape character of the WTC.

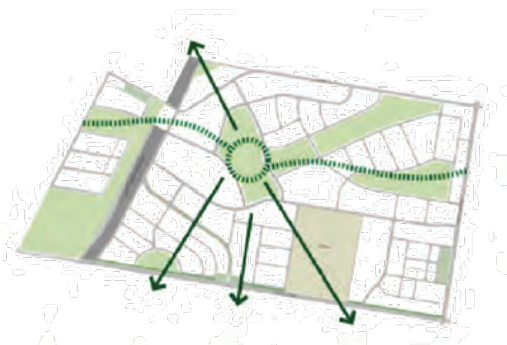


Figure 2.4: Hill top location
The Town Centre Civic Precinct will be established on the elevated plateau focusing on the hill top park.



Figure 2.5: Complementary mix of uses
The Town Centre will have a good provision of community, retail and entertainment facilities.

FIGURES 2.2-2.5: DESIGN PRINCIPLES



FIGURE 2.6 ARTIST'S IMPRESSION OF CIVIC CENTRE



FIGURE 2.7 ILLUSTRATIVE TOWN CENTRE PLAN



Overview

2.3 CHARACTER PRECINCTS

The WTC has the following distinct character precincts as shown in **Figure 2.8**:

- a) Town Centre Civic and Civic Fringe Precincts
- b) Town Centre Western Precinct
- c) Residential Northern Precinct
- d) Residential Western, Eastern and Southern Precincts
- e) Open Space, Conservation Areas and Detention Basins

The precinct character objectives are described below, and the controls in this DCP provide specific measures to reinforce the character of each precinct.

Town Centre Civic and Civic Fringe Precincts

The Town Centre Civic Precinct will be the heart of the Warnervale Town Centre. The focus will be on a well designed Main Street running east to west, linking the new railway station to Hill Top Park.

The Main Street will be framed by 4-6 storey mixed use buildings providing a range of retail and commercial uses with active street frontages. Pedestrian amenity will be enhanced by the provision of awnings, tree lined footpaths, and space for outdoor dining.

Community facilities are to be fully integrated with the town centre functions to optimise safety and access.

A Civic Square will be provided off Main Street providing a space for people to meet and gather.

The northern end of the town centre, on the eastern side of the rail line is favoured for bulky goods and other functions.

The Civic Fringe Precinct will allow for a mix of uses, including higher density residential dwellings, to complement the Civic Precinct and provide a transition to residential areas further south.

Town Centre Western Precinct

This precinct will have a range of uses and will be situated directly to the west of the proposed North Warnervale railway station. It will provide a mix of uses complementary to the Town Centre Civic Precinct. It will have its own identity focusing on the ridge top public park and small area of commercial, retail and residential development to the west of the railway station.

A new bridge north of the train station will connect the Town Centre Civic Precinct to this precinct and provide direct connection to the transport interchange and commuter parking. A footbridge will connect to Main Street and the Civic Precinct.

Buildings will be built to the street alignment with ground floor retail/commercial uses.

Residential Northern Precinct

The precinct has a significant number of habitat trees requiring protection. This precinct will have a natural landscape character with sensitively designed residential buildings.

Buildings will step down the hill from narrow local streets. Driveways will be narrow and discrete and car parking will be located within building footprints.

Residential Western, Eastern and Southern Precincts

The three precincts will be characterised by well designed dwellings offering diverse housing choice on landscaped streets. The precincts will be within walking distance of public transport and local parks.

Open space, conservation areas and detention basins

These areas encompass the Riparian Corridor, Western Ridge Park, Eastern Ridge Park, Heath Wrinklewort Environmental Conservation Reserve, Hill Top Park and other, smaller, local open space, some of which will act as stormwater detention areas.

These areas will offer recreation opportunities for local residents and the wider community. The WTC's vegetated character including the ridgeline on the northeastern side of the school and the Heath Wrinklewort Reserve will be protected. Significant habitat trees are to be retained where possible and substantial tree planting will reinforce the area's vegetated character.



FIGURE 2.8 TOWN CENTRE PRECINCTS



Overview

2.4 DEVELOPMENT TARGETS

Residential Density

The population target for the WTC is 4,200 people and 1,646 dwellings. A mix of housing types and forms are to be provided across the WTC.

Objectives

- To provide appropriate densities in proximity to the Town Centre Civic Precinct and railway station in order to promote walking and cycling.
- To ensure the residential density targets identified in the NSW Government's Metropolitan Development Program and confirmed in the Central Coast Regional Strategy 2006-31 are achieved.
- To provide a range of residential development densities and types including housing for seniors or people with a disability, to cater for changing demographics.

Controls

- In order to ensure the population target is achieved, applicants are required to demonstrate to the consent authority (as part of a subdivision or development application), that the density targets shown in **Table 1** will be achieved.
- Where variation to the density target is proposed, an applicant is to demonstrate to the consent authority that those targets can be achieved on a per hectare basis, as a minimum.
- The net residential densities for mixed use, medium and low density housing, and the indicative % target for each housing form and each precinct at **Table 1**.

Table 1: Net Residential Density Targets

Precinct	No. of lots/dwellings			Total
	Single	Attached	Apartment	
1*	120	10	0	130
2	200	110	0	310
3	270	0	0	270
4	85	40	0	125
5	0	0	44	44
6a			376	376
6b		56	104	160
7a			136	136
7b	95	0	0	95
Total	770	216	660	1646

*excludes 1.3ha Medical Centre

Retail, business and bulky goods uses**Objectives**

- To provide a range of retail, business, bulky goods and support uses to service the needs of people living, working and visiting the town centre, as well as the broader Warnervale area.
- To provide an impetus for the relocation of Warnervale railway station to the north of Sparks Road to provide an integrated public transport interchange for the North Wyong release areas.
- To maximise public transport access to the WTC.

Employment**Objectives**

- To provide new jobs in a concentration of retail, community, entertainment, health and professional services servicing the local and broader population.
- To facilitate the achievement of the NSW Government's regional centres and employment hierarchy.

Controls

- a) Provide services including supermarkets, discount department store, shops, child care centres, schools, community facilities, banks, library, professional services, and medical centres.
- b) Provide details with DAs (over \$5 million and 1,000 m²) on the number and type of employment (operational and construction) to be generated.



Overview

Community Facilities

Objectives

- To provide a range of community facilities in locations accessible to residential areas and public transport.
- To provide a range of community facilities appropriate to the needs and demographics of the local population.

Controls

Community facilities including a library, community centre and cultural space are to be provided on the WTC site. The preferred location is within the Town Centre Civic or Civic Fringe Precincts.

Open Space

Objectives

- To provide a variety of open spaces to cater for a range of recreational, social and cultural activities.
- To develop designs for open spaces in recognition of their different functions, characteristics and environmental and natural qualities of the WTC.

Controls

- a) Public open space to be provided include the following:
- Local parks (including Hill Top Park): 13ha
 - Heath Wrinklewort Daisy Reserve: 8.4ha
 - Riparian corridor: 5.7ha
 - Civic Square: up to 2,700m²
- b) Wyong Council's Public Domain Plan is to be used for detailed design for parks, riparian corridors and environmental conservation areas.



Traffic and Movement

This section contains the objectives and development controls relating to the street network, street design standards, the pedestrian and cycleway network, and the public transport network.

3.1 REGIONAL TRAFFIC

Warnervale Town Centre will provide a major node for regional traffic, this will generally occur via Hakone Road, Town Centre Entry Road and Sparks Road.

Links are also anticipated to the west (Warnervale Employment Zone) - for commercial purposes. The main traffic generation occurs from the south and south-east regions, particularly private vehicles.

3.2 STREET HIERARCHY AND DESIGN

Objectives

- To provide a hierarchy of interconnected streets for safe, convenient, functional and legible access within and beyond the WTC.
- To ensure a hierarchy of streets clearly discernible through variations in carriageway width, on-street parking, incorporation of water sensitive urban design, street tree planting, pedestrian and cycling amenities.
- To provide comfortable gradients to ensure equitable access to residents and visitors.
- To retain views and vistas to landscape features and visual connections to nodal points and centres.
- To ensure street design and character responds to existing environmental conditions including significant vegetation, topography and views.
- To minimise the need for cut and fill to assist in reducing subsoil and natural subsoil drainage disturbance.
- To optimise solar access opportunities for dwellings.

Controls

- a) The street network is to be provided generally in accordance with the street hierarchy map at **Figure 3.1** and street types map at **Figure 3.2**. First and second tier streets are required as shown. Variations to third tier streets are subject to consent of Council.
- b) Street design is to be provided to generally reflect the cross-sections shown in **Figures 3.3–3.15**. Widening of roads may be required at intersections, curves, for utility services etc.
- c) Design all residential streets (minor collector roads, access road/paths, and minor access road/paths) for 50km/h maximum. Applicants should consider traffic management in a subdivision application by either, road layout or appropriate speed reducing devices to reduce traffic speed.
- d) Any proposal for street tree planting within a road carriageway is to be in accordance with **section 3.3** of this DCP, and include:
 - detailed design addressing access and manoeuvrability of articulated vehicles, service vehicles street sweepers and cars;
 - consideration of safety for motorists, cyclists and pedestrians;
 - the impact of the root system on the carriageway;
 - ongoing maintenance of trees and carriageway; and
 - the relationship with future driveway access points.
- e) Footpaths are to be provided with a minimum width of 1.5m, and are to be setback 1m from the carriageway and 450mm from property boundaries.
- f) Street lighting is to comply with the relevant standards.

Traffic and Movement



FIGURE 3.1 STREET HIERARCHY



FIGURE 3.2 STREET TYPES

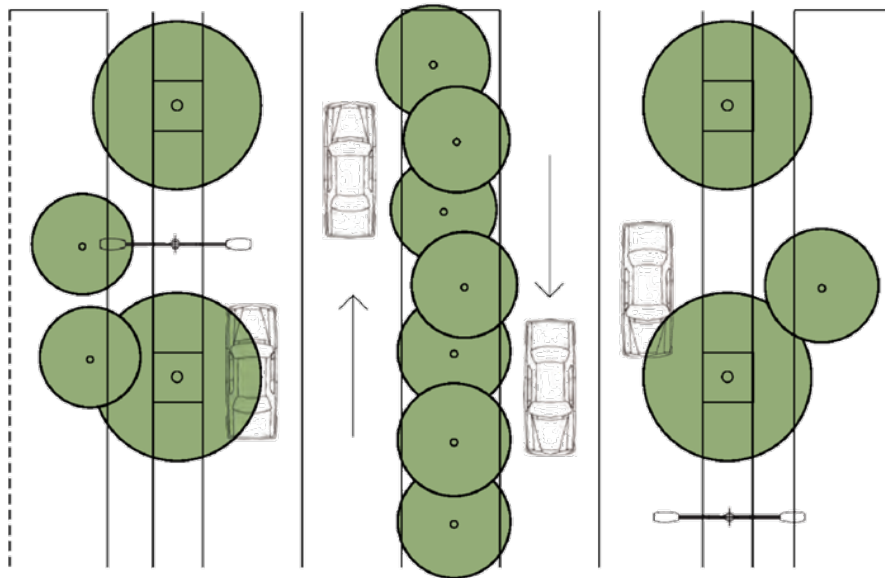
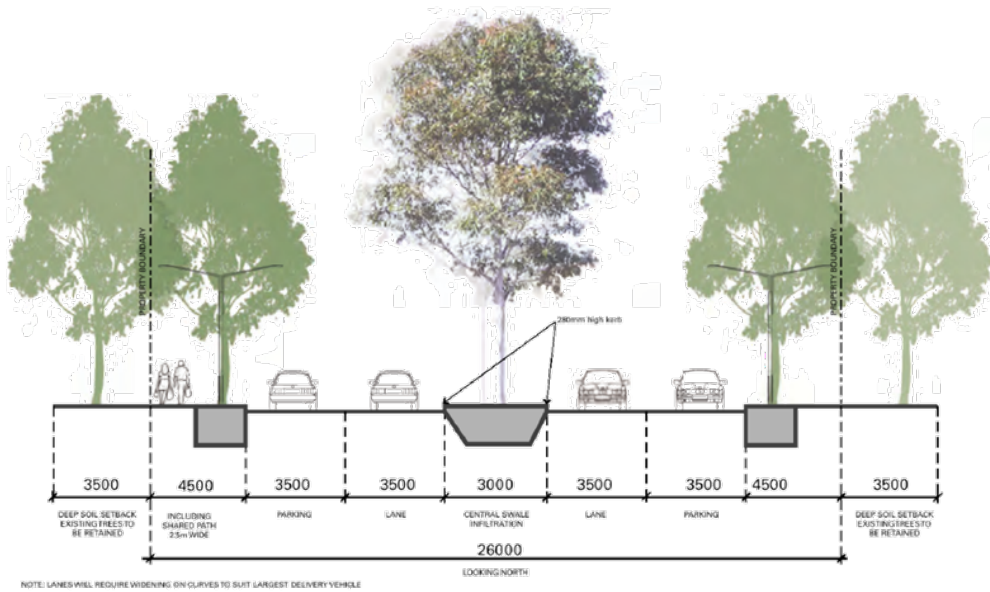


FIGURE 3.3 TYPE 1: TOWN CENTRE ENTRY STREET

Traffic and Movement

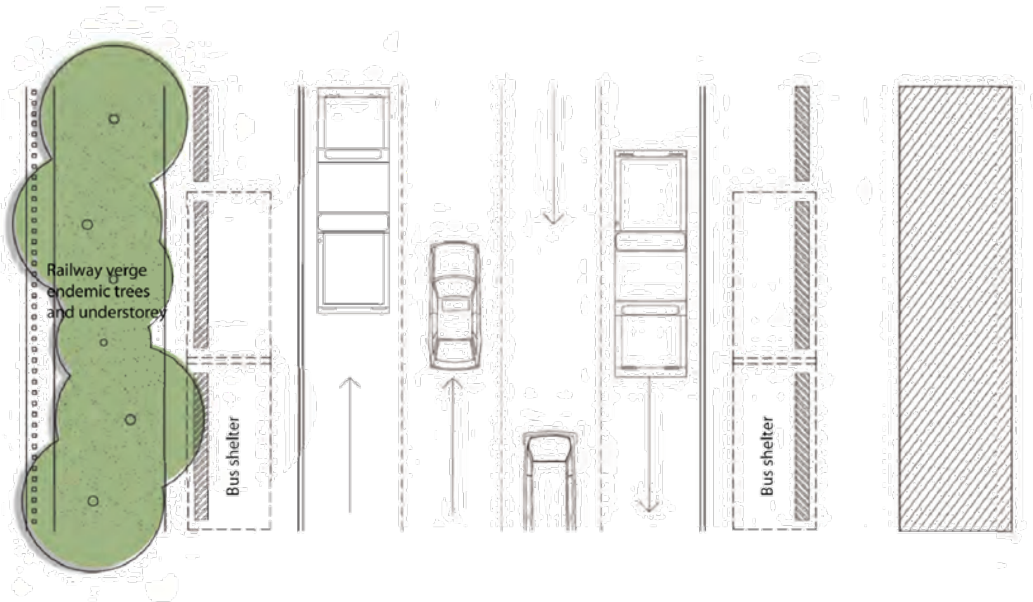
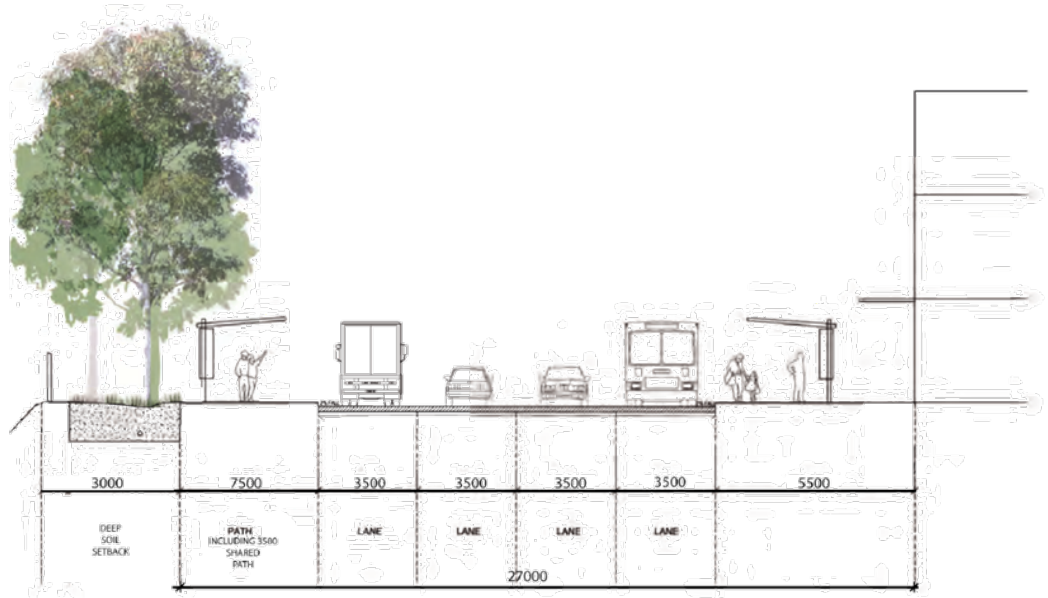


FIGURE 3.4 TYPE 2: TRANSPORT INTERCHANGE



FIGURE 3.5 TYPE 3: MIXED USE/COMMERCIAL STREET

Traffic and Movement

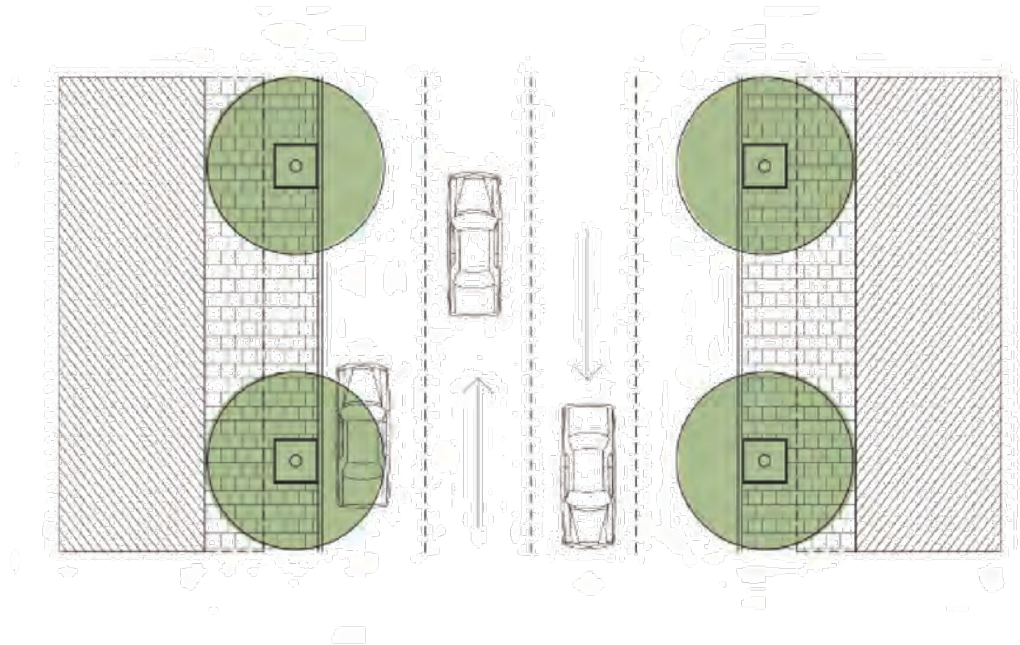
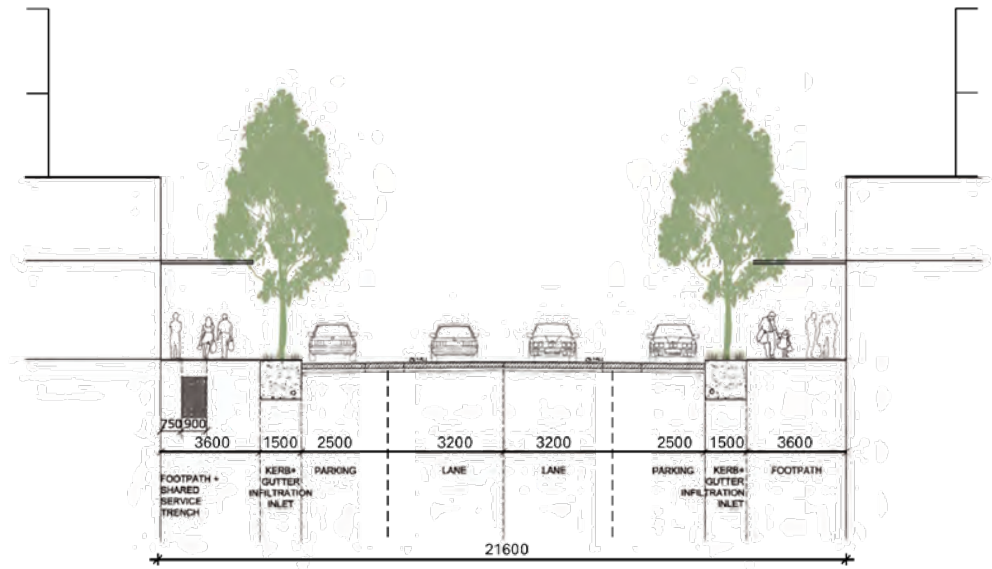


FIGURE 3.6 TYPE 4: TOWN CENTRE MAIN STREET

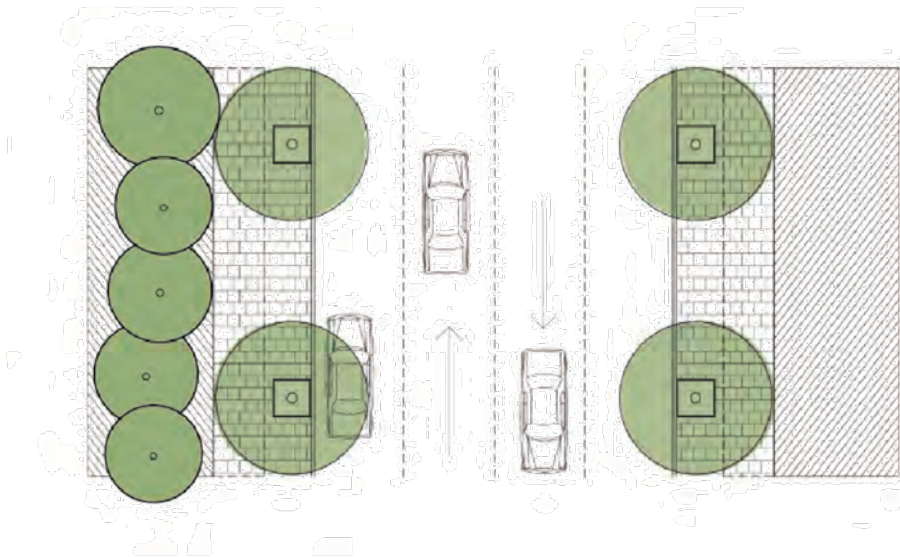
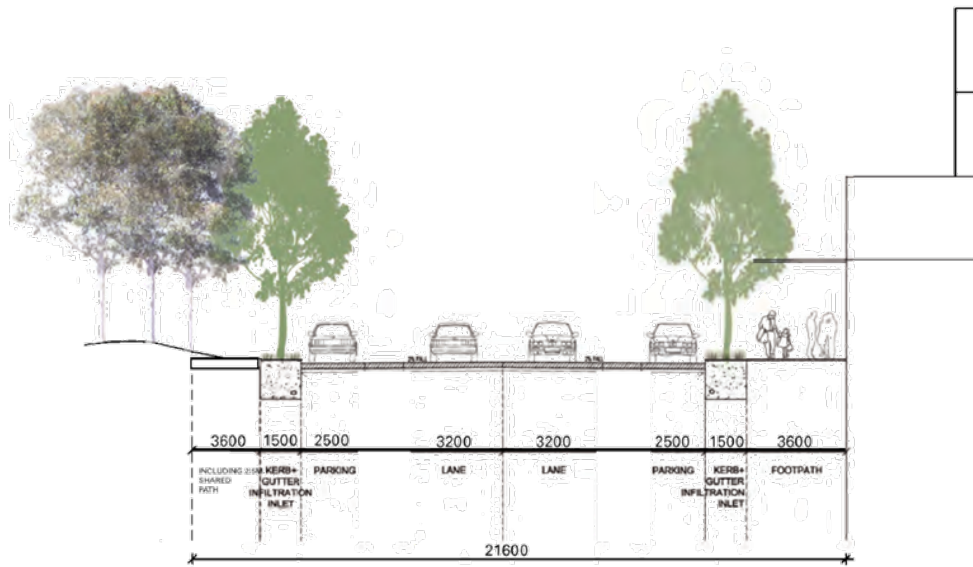


FIGURE 3.7 TYPE 5: TOWN CENTRE PARK EDGE STREET

Traffic and Movement

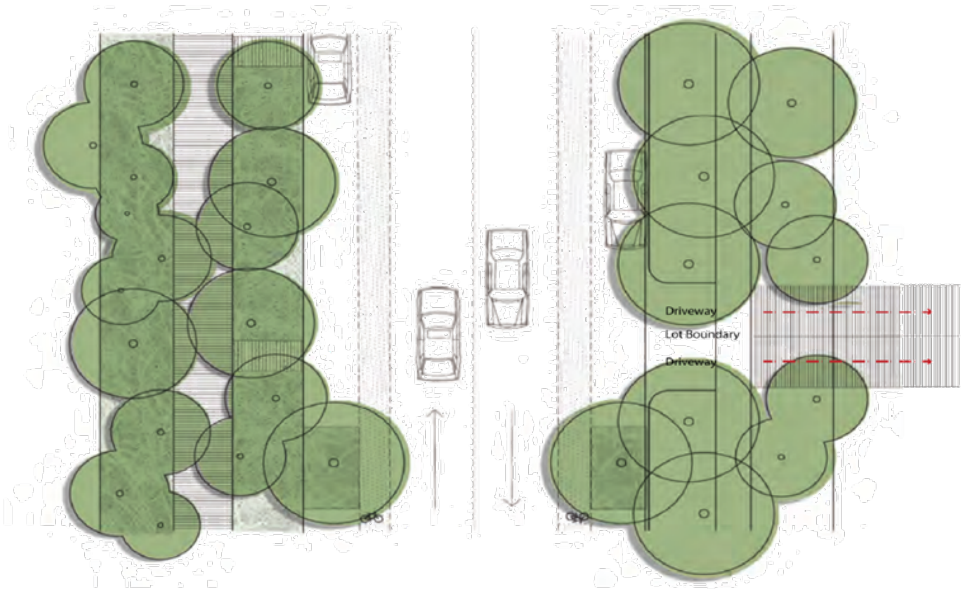
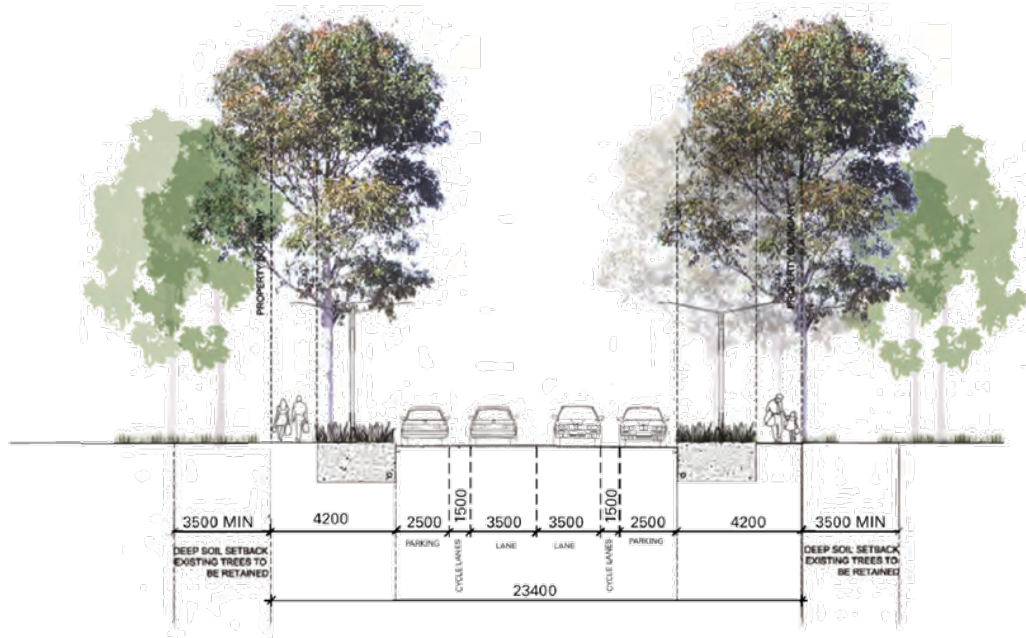


FIGURE 3.8 TYPE 6: MAIN STREET

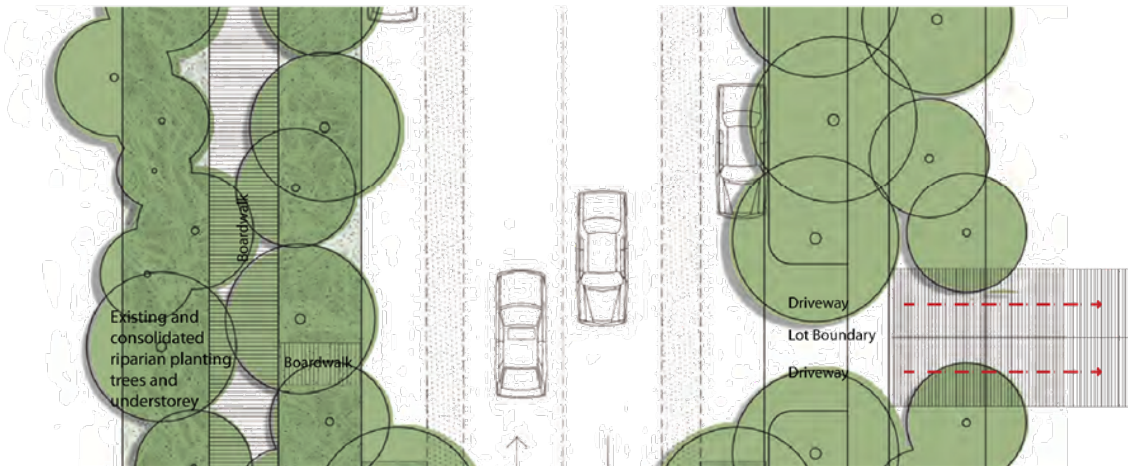


FIGURE 3.9 TYPE 7: PARK EDGE STREET

Traffic and Movement

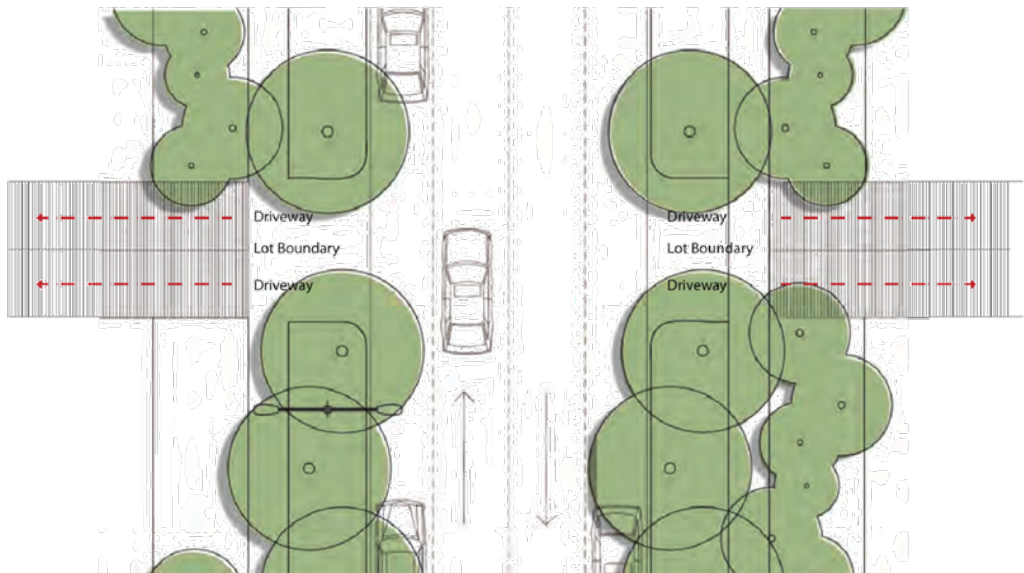
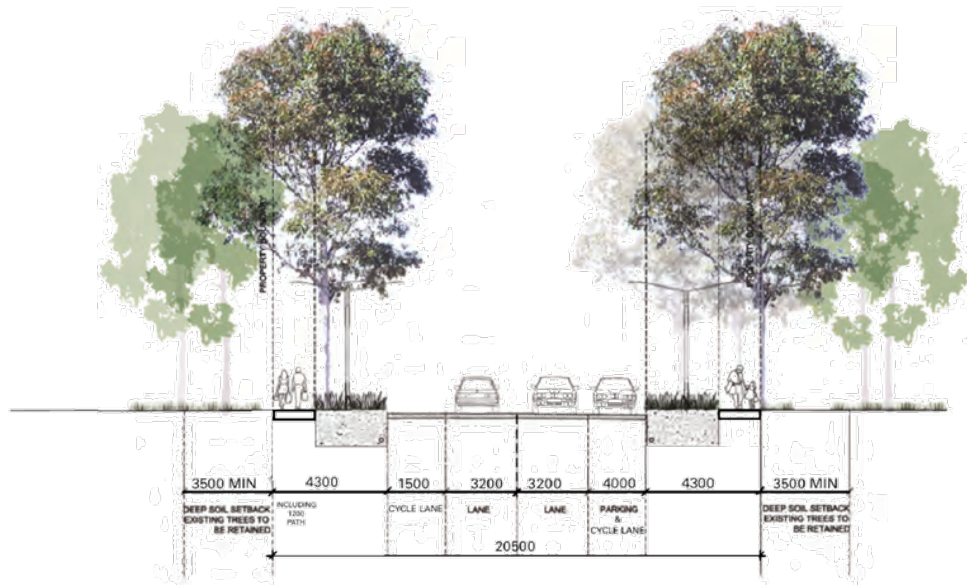


FIGURE 3.10 TYPE 8 CONNECTOR STREET

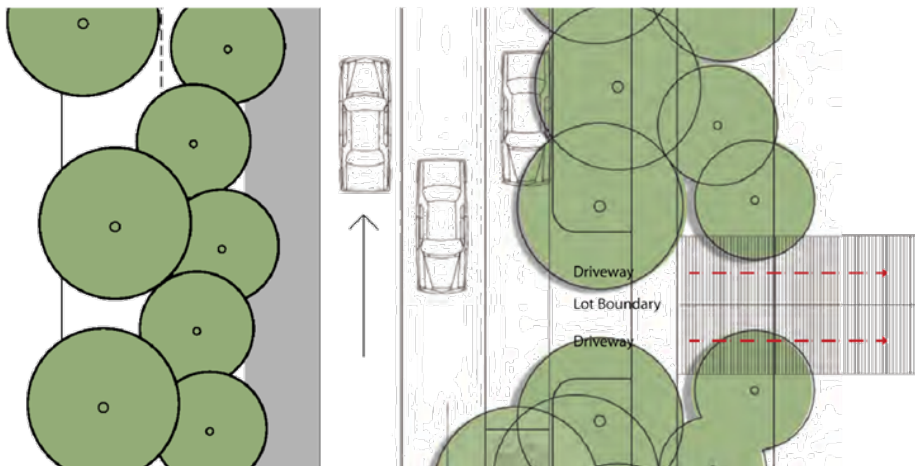
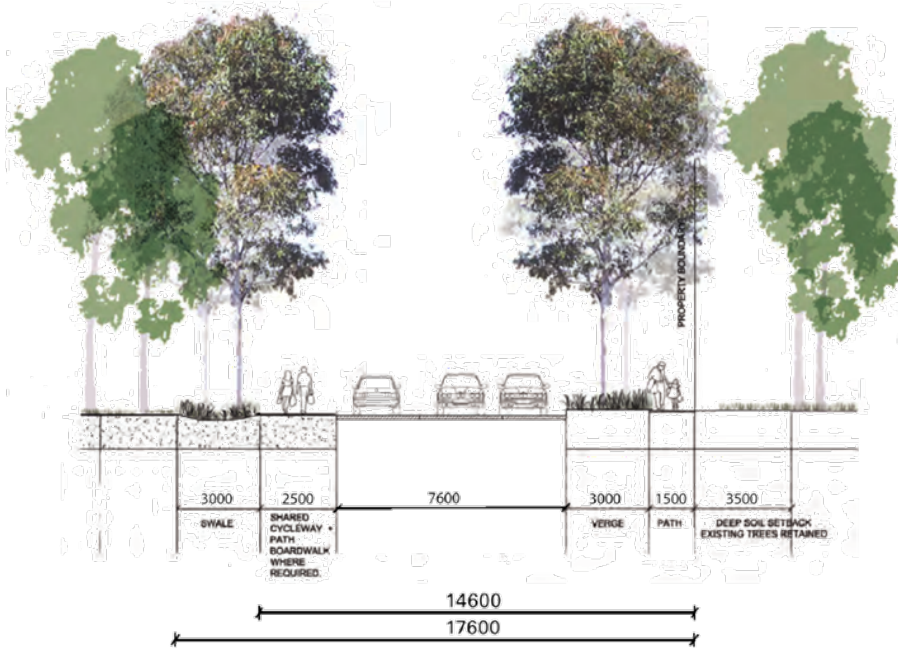


FIGURE 3.11 TYPE 9: LOCAL STREET WITH PARK

Traffic and Movement

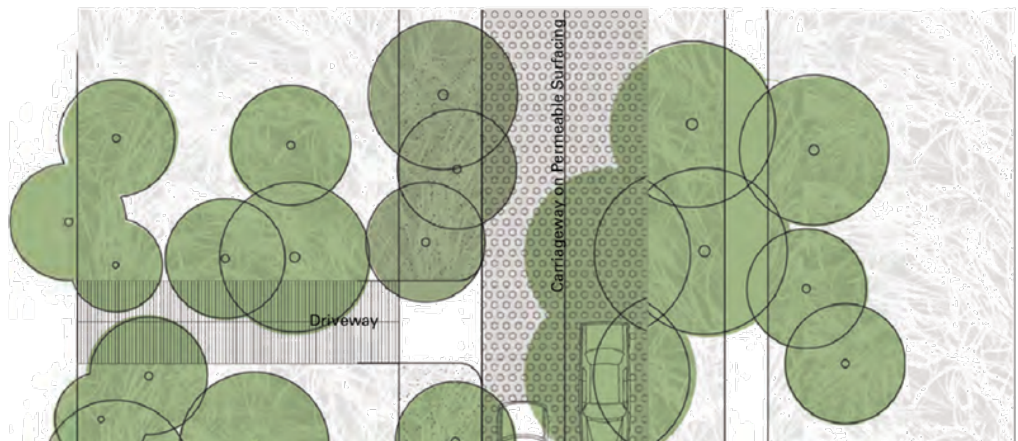
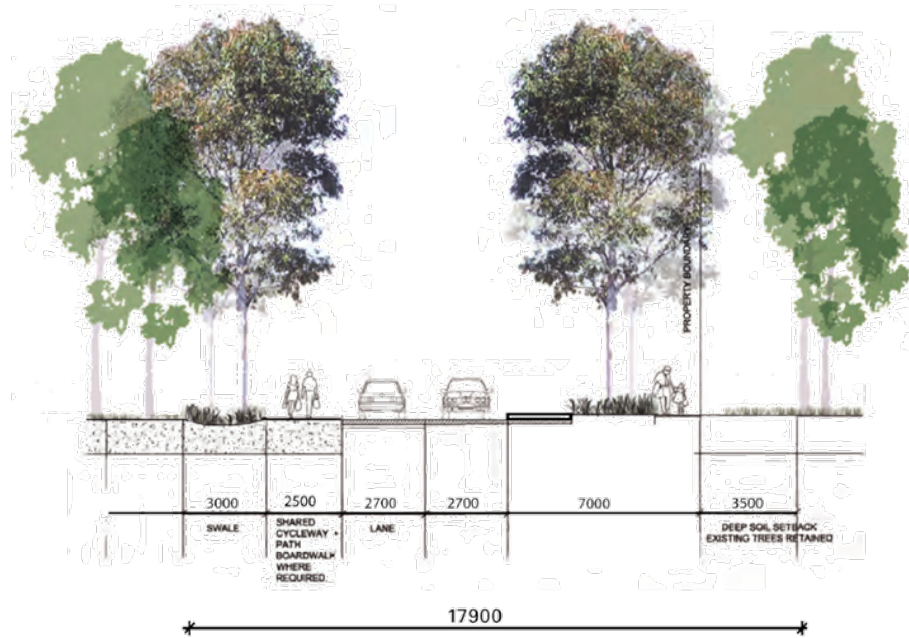


FIGURE 3.12 TYPE 10 FOREST STREET



FIGURE 3.13 TYPE 11: LOCAL STREET

Traffic and Movement



FIGURE 3.14 TYPE 11A: LOCAL STREET WITH SHARED PATH

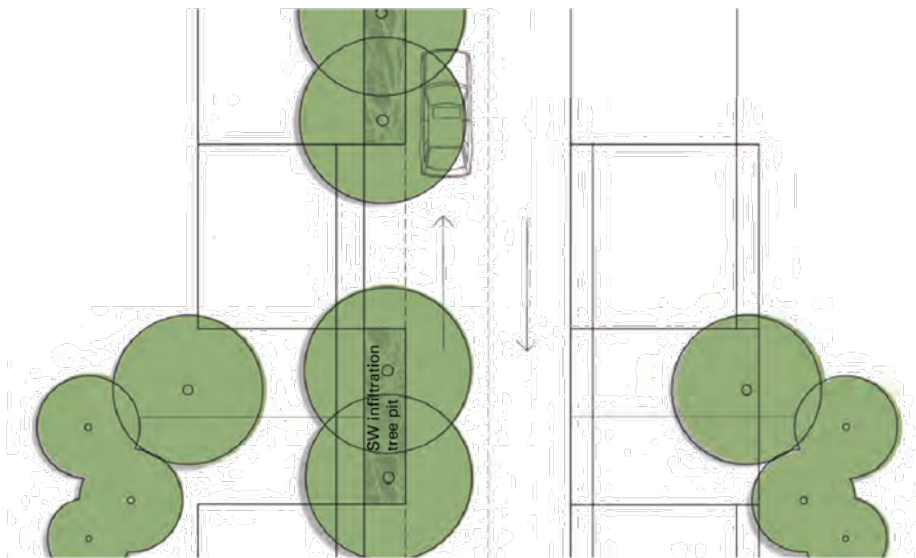
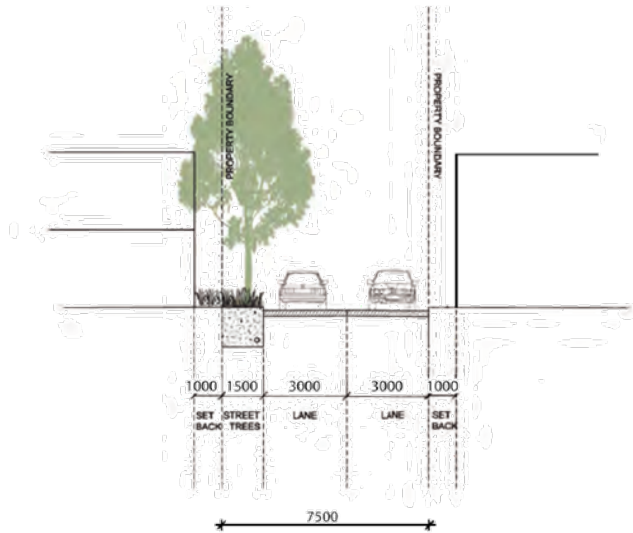


FIGURE 3.15 TYPE 12: LANE



Traffic and Movement

3.3 LANDSCAPING IN THE ROAD RESERVE

Objectives

- To integrate with the biodiversity values of the WTC.
- To contribute to high quality streetscapes.
- To consider public safety in the provision of landscaping.
- To consider stormwater drainage impacts.
- To ensure landscaping is considered at the development planning stage.

Controls

- a) Provide street tree plantings in locations identified in Figure 3.16 and in accordance with Figure 3.16.
- b) Provide landscaping that that:
 - Distinguishes between public and private spaces and between different streets within the street hierarchy.
 - Minimises the risk to utilities and services.
 - Is durable and suited to the street environment.
 - Maintains adequate sight lines for vehicles and pedestrians, especially at driveways and intersections.
 - Does not obscure street lighting, or traffic signals, or overhang the road carriageway so as to interfere with vehicles.
 - Provides appropriate shade.
 - Provides an attractive and interesting landscape character.
- c) Landscaping details are to be submitted with proposals for road construction and include the following:
 - General layout of planting locations.
 - Earthworks.
 - Plant species and sizes (at time of planting and at maturity).
 - Vehicles, cyclist and pedestrian safety.
 - Relationship to utilities and services.



FIGURE 3.16 STREET TREE PLANTING STRATEGY

1. Key endemic vegetation communities

Alluvial Floodplain Shrub Swamp Forest
 Narrabeen Blackbutt Shrubby Forest
 Narrabeen Buttongerry Footholes Forest
 Dooralong Spotted Gum - Ironbark Forest



2. Local streets - medians
 East West Streets
 Ridge Roads

Evergreen species, endemic to area, high canopy and dappled light

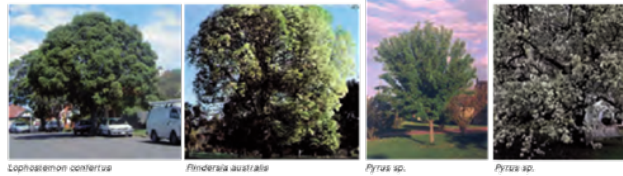
Suggested species	Common Name
Botanical Name	Spotted Gum
<i>Corymbia maculata</i>	Grey Iron Bark
<i>Eucalyptus paniculata subsp paniculata</i>	
<i>Eucalyptus sideropholia</i>	Broad leaved Mahogany
<i>Eucalyptus umbra</i>	Forest red gum
<i>Eucalyptus teriticornis</i>	Lemon scented Gum
<i>Eucalyptus citriodora</i>	Swamp Mahogany
<i>Eucalyptus robusta</i>	Broad-leaved Paperbark
<i>Melaleuca quinquenervia</i>	



3. Local streets
 Lanes

Narrow habit, evergreen, Native and non endemic species

Suggested species	Common Name
Botanical Name	
<i>Eleocharis reticulatus</i>	
<i>Eleocharis eumundi</i>	
<i>Tristaphosia laurina</i>	
<i>Backhousia citriodora</i>	
<i>Backhousia myrtifolia</i>	



4. Main streets
 Nikko Street
 Commercial streets

Medium scaled trees, mix native + non native species, foliage or slower, hardy

Suggested species	Common Name
Botanical Name	Brush Box
<i>Lophostemon confertus</i>	
<i>Fimberia australis</i>	
<i>Stenocarpus situatus</i>	
<i>Pyrus ussuriensis</i>	



5. Central median planting

Moore Park Road - example
 280mm high kerb x 200mm wide
 total width of median 3100mm



FIGURE 3.17: SUGGESTED STREET TREE SPECIES



Traffic and Movement

3.4 VEHICLE FOOTPATH CROSSINGS

Vehicular footpath crossings disrupt pedestrian movement and threaten safety. The design of vehicle access to buildings also influences public domain quality.

Overly wide and high vehicle access points detract from the streetscape and the active use of street frontages. The design and location of vehicle access to buildings should minimise conflicts on footpaths, particularly along pedestrian priority places, and visual intrusion and disruption of streetscape continuity.

Driveways and vehicle access should be designed in accordance with the provisions of Section 3.5 of this DCP and are to comply with AS and AS/NZS 2890.

Objectives

- Reduce vehicular access impacts on the public domain.
- To make vehicle access to buildings compatible with pedestrian movements.

Controls

- One vehicle access point only (including service vehicle access and non-residential parking within retail/residential developments) will be generally permitted per development site.
- Vehicular entries in the Town Centre Civic Precinct are restricted in Street Types 1-5.
- Provide vehicle access points capable of shared access at a later date.
- Vehicle access ramps parallel to the street frontage are not permitted.
- Integrate vehicle entry points into the building design.
- Doors to vehicle access points are to be roller shutters or tilting doors fitted behind the building facade.
- Vehicle entries are to have high quality finishes to walls and ceilings, as well as high standard detailing. No service ducts or pipes are to be visible from the street.
- Porte cocheres are not favoured and may only be permitted for hotels subject to urban design, streetscape, and pedestrian amenity considerations. Where practicable, porte cocheres are to be internal to the building, with one combined vehicle entry and exit point, or one entry and one exit point on two different frontages of the development.
- An indented porte cochere, with separate entry and exit points across the footpath, may be permitted in exceptional circumstances for buildings with one street frontage. This is provided that it is constructed entirely at footpath level and provides an active frontage at its perimeter.
- Adhere to relevant standards for pedestrian sight distances.

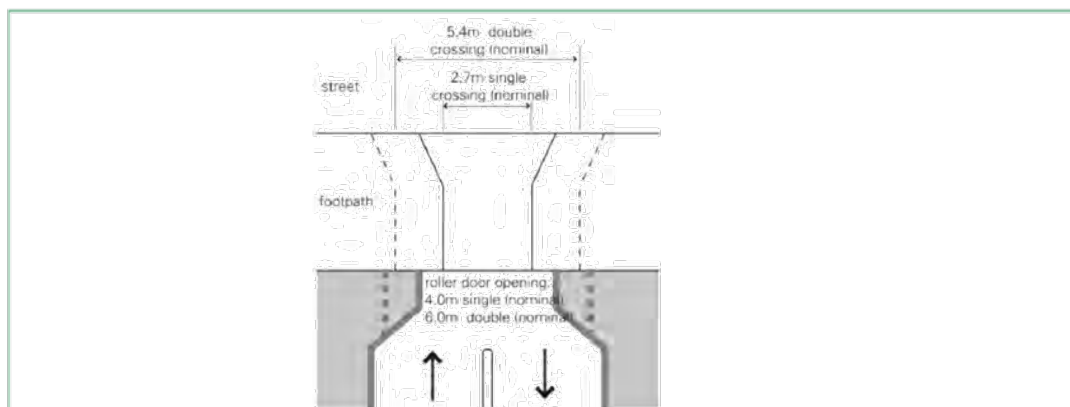


FIGURE 3.18 VEHICLE FOOTPATH CROSSINGS

3.5 DRIVEWAYS AND MANOEUVRING AREAS

Objectives

- To ensure vehicle access to buildings is compatible with pedestrian movements and the public domain.
- To provide vehicle entry points integrated into building design and architecture.
- To design vehicle access to appropriate traffic and safety management standards.
- To minimise the number and width of vehicle crossings to retain streetscape continuity and reinforce a high quality public domain.
- To provide clear separation of usages for service vehicles private cars, and pedestrians/cyclists.
- To consider pedestrian safety in siting car park entries and, where practicable, allow for trolley storage bays.
- To minimise stormwater runoff from uncovered driveways and parking areas.

Controls

- a) Driveways should be:
 - Located in accordance with AS/NZS 2890.1:2004 and where possible sight distance should comply with Safe Intersection Sight Distance in accordance with Austroads (2009), Guide to Road Design Part 4A: Unsignalised and Signalised Intersections Table 3.2.
 - Provided from lanes and secondary streets rather than the primary street, wherever practical.
 - Located taking into account any services within the road reserve, such as power poles, drainage inlet pits and existing street trees.
 - Set back a minimum of 1.5m from the relevant side property boundary where adjacent to residential development.
- b) Integrate vehicle access with the building design so it is visually recessive.
- c) Use high quality materials and finishes.
- d) Clearly differentiate vehicular and pedestrian access.
- e) Provide for all vehicles to enter and leave in a forward direction.
- f) Comply with relevant Australian Standards for driveway widths and grades, car space dimensions, vehicular ramp width/grades, and passing bays.
- g) Vehicular ramps less than 20m long within developments and parking stations must have a maximum grade of 1 in 5 (20%).
- h) Site access ways to underground parking to minimise noise impacts on adjacent habitable rooms, particularly bedrooms.

3.6 ON-SITE PARKING

On site parking includes underground (basement), surface (at-grade) and above ground parking, including parking stations.

Objectives

- To provide adequate on-site parking for all land uses.
- Minimise the visual impact of on-site parking.
- To provide adequate space for parking and manoeuvring of vehicles (including service vehicles and bicycles).



Traffic and Movement

- To enable the interim use of certain sites for at grade parking
- To promote the use of public transport, bicycles and walking.

Controls

- On-site parking must meet the relevant Australian Standard (AS/NZS 2890.1 2004 and AS 2890.2:2002).
- On-site vehicle, motorcycle and bicycle parking is to be provided in accordance with **Table 2 and 3** below.
- Provide appropriately designated and signed disabled parking spaces for people with disabilities in accordance with **Table 4** below.
- Provide bicycle parking/storage in developments, where indicated in **Table 3**.
- Accommodate on-site parking underground, otherwise integrated into the building design.
- Above ground parking is to be at the rear of shops, restaurants and the like. It is to be located behind the building line and screened from the public domain, where possible.
- Natural ventilation should be provided to underground parking areas where possible, with ventilation grilles and structures integrated into the building façade and not located on the primary street façade.

Table 2 : Required parking rates

Land use	Parking requirement	
Residential		
Backpackers' accommodation	1 space/ 5 occupants/lodgers plus 1 space for resident manager, plus 1 space/ 2 employees.	
Dual occupancy	1 space/ 1 and 2 bedroom dwellings; 2 spaces/ 3 bedroom dwelling or larger.	
Dwelling houses	1 space/ 1 and 2 bed. dwelling; 2 spaces/ 3 bed. dwelling or larger(min 1 garaged); 2 spaces/ 3 bed. dwelling permitted on lots <200m ²	
Residential flat buildings	1 space/ 1 and 2 bed. dwelling; 2 spaces/ 3 bed. dwelling and larger; Visitor parking: 1 space/ 5 dwellings.	Bicycle parking: 1 space/2 dwellings Visitor bicycle parking: 1 spaces/ 12 dwellings
Seniors' Living	As per Seniors' Living SEPP	
Tourist and visitor accommodation	1 space/ unit; Plus 1 space for the manager; Plus 1 space/ 2 employees; Additional space per 3 seats if public restaurant included.	
Recreation		
Aquatic centre	30 spaces 500sqm GFA.	
Bowling green	30 spaces for first green, plus 15 spaces/ additional green. Motorcycle parking: 1 space/25 car spaces, or part thereof.	
Entertainment facility	1 space/10 seats for 75% of total seats, and 1 space/4 seats for 25% of total seats.	

Registered club & pub	<p>Car parking:</p> <p>1 space/4sqm of bar area, plus</p> <p>1 space/6sqm of lounge, beer garden, gambling area, plus</p> <p>1 space/10 seats or 20sqm area of auditorium, plus</p> <p>1 space/resident manager, plus 1 space/ 2 employees</p> <p>NOTE: Restaurants and dining rooms require additional parking at the relevant rate specified in this Table below.</p> <p>Motorcycle parking: 1 space/ 25 car spaces, or part thereof</p>
Recreation facility	<p>7 spaces/100sqm GFA</p> <p>Motorcycle parking: 1 space/25 car spaces or part thereof.</p> <p>Bicycle parking: 1 space/200sqm GFA.</p>
Squash & tennis courts	3 spaces per court
Health & community services	
Art & craft centre	1 space/15sqm GFA.
Child care centre	1 space/40sqm GFA.
Educational Establishments	<p>1 space/ 2 staff;</p> <p>plus 1 space/ 30 students for high schools</p> <p>plus 1 space/ 5 students for higher education establishments;</p> <p>plus 1 bus standing area/ 200 students.</p>
HACC facility	1 space/25sqm.
Hospitals	<p>1 space/ 3 bed,</p> <p>plus 1 space/ 3 employees,</p> <p>plus 1 space/ professional staff.</p>
Library	1 space/100sqm GFA.
Medical Centre	1 space/25sqm GFA.
Place of public worship	1 space/ 10 seats, or 1 space/ 10sqm GFA, whichever is greater.
Youth centre	1 space/15sqm GFA.
Retail & business premises	
Bulky goods	1 space/ 50sqm GFA.
Business premises	1 space/ 30sqm GFA.
Neighbourhood shop	1 space/ 20sqm GFA where the GFA of a neighbourhood shop, or cluster of shops, exceeds 200sqm. Otherwise no off-street parking is required.
Restaurant	15 spaces/ 100sqm GFA, or 1 space/ 3 seats, whichever is lesser.
Retail premises	1 space/20sqm GFA
Service stations	<p>Minimum 4 spaces plus 6 spaces/service bay</p> <p>NOTE: Convenience stores and restaurants attached to a service station require additional parking at the relevant rate specified in this Table.</p>



Traffic and Movement

Access for the disabled

1 space/100 parking spaces; minimum 3.2m width.

Comply with Australian Standard 2890.1.

Where access for the disabled is required, parking shall be located adjacent to the building's nearest disabled access. The path of travel from the parking area shall have adequate width and gradient.

Other uses

For land uses not specified in this Table, the Roads and Traffic Authority guidelines will be applied to developments of a minor nature including, extensions. However, a traffic impact statement (with recommendation for on-site car, motorbike and bicycle parking) is required with all major applications..

Table 3 On-site bicycle parking for non-residential development

Use	Requirement
Retail	Provide the following minimum rates of bicycle parking Supermarkets: 1 space 750sqm of GFA for employees 1 space 1000sqm of GFA for shoppers Specialty shops: 1 space 300sqm of GFA for employees 1 space 300sqm of GFA for shoppers Neighbourhood shops: 8 bicycle spaces minimum
Commercial	Provide the following minimum rates of bicycle parking. Employee: 1 space 150sqm of GFA Visitor: 1 space 750sqm of GFA
Community Centres	6 bicycle spaces at the community centre
Parks	16 bicycle spaces at sports grounds

3.7 PEDESTRIAN AND CYCLE NETWORK

Objectives

- To provide clear and safe pedestrian and cycleway access for the use of the community, within and beyond the WTC.
- To give priority to pedestrians.
- To promote walking and cycling in preference to motor vehicles.
- To provide walking trails in open space areas linking with residential and Town Centre Civic Precinct destinations.



FIGURE 3.19 BUS, CYCLE AND PEDESTRIAN ROUTES

Controls

- Key pedestrian and cycle routes are to be provided generally in accordance with **Figure 3.19**.
- The design of cycle ways located within the street reserve is to be in accordance with **Figures 3.3-3.15**.
- Provide footpath widths in accordance with street sections drawings in **Figures 3.3-3.15**.
- All pedestrian and cycleway routes and facilities are to be consistent with the Austroads guides for cycleways; Guide to Road Design Part 3 Geometric Design AGRD03-09 and Guide to Road Design Part 6A Pedestrian and Cyclist Paths AGRD06A-09.
- Pedestrian and cycle ways are to be constructed as part of the infrastructure works for each stage of development. The infrastructure staging needs to cover the primary routes as part of the essential street framework.
- Provide adequate change and shower facilities for cyclists in commercial and retail development providing employment for 20 persons or more. Locate those facilities close to bicycle storage areas.

3.8 PEDESTRIAN AMENITY

Pedestrian amenity incorporates elements of individual developments that directly affect the quality and character of the public domain. The following pedestrian amenity provisions are intended to achieve a high quality of urban design and pedestrian comfort in the public spaces of the WTC.

The pedestrian environment provides people with their primary experience of, and interface with the WTC. This environment needs to be safe, functional and accessible. It should also provide a wide variety of opportunities for social and cultural activities.

The pedestrian environment is to be characterised by design excellence, high quality materials and standards of finish appropriate to a town centre. Roads, arcades and through site links should form an integrated pedestrian network, providing a choice of ground level routes for pedestrians.

The controls in this section aim to increase the vitality, safety, security and amenity of the public domain by:

- encouraging ground level through site links;
- providing links between residential areas, community facilities, public transport and the Town Centre Civic Precinct;
- ensuring active street frontages and clear building street addresses;



Traffic and Movement

- ensuring awnings on the Town Centre Civic Precinct street frontages; and
- protecting significant views and vistas along streets.

3.9 SAFETY AND SECURITY

The design of buildings and public spaces has an impact on perceptions of safety and security, as well as providing potential opportunities for crime. A safe and secure environment encourages activity, vitality and viability, enabling a greater level of passive and active security.

Objectives

- Developments are to maximise safety and security for pedestrians.
- To reduce opportunities for crime through environmental design.
- To contribute to public domain safety.
- To encourage a sense of ownership of public and communal open spaces.

Controls

- Address 'Safer-by-Design' principles (including the NSW Police 'Safer by Design' crime prevention through environmental design (CPTED) principles) in public and private domain design, and in all developments generally.
- Provide a 'safety by design' assessment (CPTED) from a qualified consultant for large scale retail and commercial development with a construction value of \$10 million or over.
- Design for passive surveillance of public and communal spaces, access ways, entries and driveways in building design.
- Avoid blind corners and alcoves that provide concealment opportunities in pathways, stairwells, hallways and car parks.
- Maximise the number of residential 'front door', ground level entries in mixed use buildings.
- Provide entrances in visually prominent positions, which are easily identifiable, and with legible numbering.
- Clearly define the development boundary to strengthen the transition between public, semi-private and private space. This can be actual or symbolic, and can include landscaping, fences, and changes in paving material.
- Provide adequate lighting to the relevant Australian standards to all pedestrian access ways, parking areas and building entries.

3.10 EQUITABLE ACCESS AND MOBILITY

Any new development must be designed to ensure that safe and equitable access is provided. This is of particular concern in Warnervale given the significant percentage of the population aged 55 years or older, and the steep topography of parts of the WTC.

Objectives

- To provide safe and easy access to buildings.
- To enable use and enjoyment of spaces regardless of one's age and physical condition.
- To contribute to the vitality and vibrancy of the public domain.
- To ensure buildings and places are accessible to people with a disability.
- To provide a safe and accessible public domain.

Controls

- a) Make main building entry points clearly visible from primary street frontages.
- b) Enhance building entry points as appropriate, with awnings, building signage or high quality architectural features, to improve clarity of building address and contribute to user amenity.
- c) The design of facilities (including car parking requirements) for disabled persons must comply with the relevant Australian Standard (AS 1428 Pt 1 and 2, AS 2890-1 Off Street Carparking or as amended) and the Disability Discrimination Act 1992 (as amended).
- d) Provide barrier-free access for a minimum of 20% of dwellings (and associated common areas) for every application for development.
- e) Provide at least one main pedestrian entry with barrier free access to at least the ground floor in all development.
- f) Provide continuous paths of travel from all public roads and spaces, as well as unimpeded internal access.
- g) Provide durable materials commensurate with the standard of the adjoining public domain (street), with appropriate slip resistant materials, tactile surfaces and contrasting colours for all pedestrian access ways, entry paths and lobbies.

3.11 PUBLIC TRANSPORT NETWORK

Objectives

- To encourage the use of public transport within and beyond the WTC.
- To provide opportunities for transport choice and encourage easy transition between transport modes.
- To ensure clear, safe pedestrian and cycle links to public transport nodes.
- To ensure the railway station and associated development minimises impacts on the Heath Wrinklewort daisy.

Controls

- a) Provision of bus routes, bus stops, and bus shelters will be determined by the bus operator in consultation with Council. Applications which include new roads are to consult with the local bus operator, and Council (as the local road authority) to confirm potential bus routes and ensure the road carriageway is of suitable size to accommodate bus services.
- b) Indicative bus routes and stops are provided on Figure 3.1.

3.12 TRANSPORT INTERCHANGE

- a) A transport interchange is to be provided on the eastern side of the railway station, to include the following facilities:
 - Bus stops
 - Taxi ranks
 - “Kiss n’ ride” drop off areas
 - Bicycle parking and storage
- b) Commuter carparking shall be provided in close proximity to the railway station, indicative locations are shown in **Figure 3.19**.
- c) Adequate lighting, shelters, and seating are to be provided at the transport interchange to maximise public amenity and safety.

4 Public Open Space

4.1 PUBLIC DOMAIN

Objectives

- To create a vibrant and safe areas of public open space.
- To provide public domain elements including public art in a coordinated manner with a unifying theme.
- To ensure high quality design and embellishment of all public open space.
- To provide a range of public open spaces to reflect different characteristics, environmental values and functions.
- To ensure the conservation values of the WTC are protected, where possible, in any use of public open spaces.
- To retain elevated, visually sensitive land that contributes to the landscape character of the WTC.
- To provide a focus for social and recreational activity and public life.
- To meet the public open space and recreational needs of residents in an equitable manner
- To protect ridgeline vegetation.

Controls

- Public open spaces are to be provided in accordance with the provisions at **Table 4**. Plans should be prepared in consultation with council, where council will be the owner of these areas of land.
- Address alternative water source options to reduce potable water consumption in Plans of Management adopted for the public domain and open spaces listed in **Table 4**.
- Provide easily accessible levels and coherent links between public squares and open space.
- Address 'Safer-by-Design' principles (including the NSW Police 'Safer by Design' crime prevention through environmental design (CPTED) principles) in public domain design.
- All signage is to comply with SEPP 64 and Wyong Advertising Signs DCP No. 50



FIGURE 4.1 OPEN SPACE PROVISION

Table 4: Public open space

Name	Objective	Controls
Hill Top Park	<ul style="list-style-type: none"> To provide for active open space and community uses in an accessible landscaped setting. 	<ul style="list-style-type: none"> Retain and enhance the existing canopy where possible. Provide community uses. Capitalise on views to and from the park. Maintain the landscaped, visual prominence of the hill. Provide pedestrian and cycle connections to the riparian corridor. Use the site's topography to advantage and provide landscaped public carparking at the lower level, adjoining the riparian corridor. Remediate former tip area. Provide a strong and distinct tree edge to the park. Provide good lighting to encourage night activities.
Riparian corridors	<ul style="list-style-type: none"> To provide for the protection and management of riparian values. To restrict development within the corridor to uses appropriate to riparian values. 	<ul style="list-style-type: none"> A Plan of Management is to be prepared in consultation with OEH for long term conservation and management of riparian corridors. The Plan of Management is to include: <ul style="list-style-type: none"> measures for the protection and rehabilitation of the riparian corridor; and siting, design and management of adjacent development to minimise impacts on the ecological and hydrological functions of the corridor buffer. No Asset Protection Zones (APZs) are to be located within the Core Riparian Zone. Provide limited, formal walking trails in the riparian corridor buffer only, not the core riparian corridor. These can comprise "eco"/nature pathways, and interpretive signage, where appropriate. Limit all non-pedestrian access (e.g. motor bikes, trial bikes, etc) and all informal access.
Heath Wrinklewort Reserve	<ul style="list-style-type: none"> To conserve the Heath Wrinklewort. 	<ul style="list-style-type: none"> A Plan of Management is to be prepared in consultation with OEH for long term conservation and management of riparian corridors. The Plan of Management is to include: <ul style="list-style-type: none"> protection of the Heath Wrinklewort; and management and monitoring arrangements. No APZs are to be located within the Heath Wrinklewort Reserve. Establish formal walking trails in the Heath Wrinklewort Reserve. These can comprise "eco"/nature pathways, and interpretive signage, where appropriate. Limit all non-pedestrian access (e.g. motor bikes, trial bikes, etc) and all informal access. Maintain existing landforms and minimise disturbance to existing vegetation. Undertake ongoing weed control in accordance with a Plan of Management. Orient adjoining development to the Heath Wrinklewort Reserve to provide passive surveillance.
Other public and private parks	<ul style="list-style-type: none"> To reinforce the vegetated character of the WTC. To provide visual and functional links with other adjacent open space areas where possible. To provide amenity to surrounding residential areas. To assist in providing connectivity for ecological values. 	<ul style="list-style-type: none"> Wyong Council is to prepare a Plan of Management for the Ridge Top Parks (East and West). Retain existing tree canopy in any development of parks. Supplement existing vegetation where necessary with native plantings (in accordance with Figure 4.2). Provide pedestrian and cycle connections (refer to Figure 3.14). Provide seating and other facilities in accordance with the specifications for a landscape plan set out below. Provide stormwater quality and quantity treatment in accordance with IWCM and best practice WSUD.

4 Public Open Space

4.2 LANDSCAPE STRATEGY & DESIGN

Objectives

- To retain existing, native vegetation in public open space areas, where possible.
- To minimise potable water consumption.
- To integrate with the biodiversity values of the WTC.
- To complement the existing natural and visual values of the WTC.
- To contribute to high quality streetscapes and public domain.
- To consider public safety in the provision of landscaping.
- To ensure landscaping is considered at the development planning stage.
- To allow for drainage, capture, recycling and reuse.

Controls

- a) Provide 50% minimum vegetation cover in landscaped public open space areas, comprising:
 - local indigenous species;
 - drought tolerant species; or
 - a mixture of indigenous and drought tolerant species.
- b) Provide water retaining media mixed into the soil for any exotic plantings.
- c) Provide water conserving mulch comprising sustainable organic materials such as municipal green waste collection processed to the Australian Standard for Composting (AS44540).
- d) Controls a) - c) above do not apply to water efficient lawn areas or water retention/treatment areas.
- e) Provide tree species requiring deep soil planting in public open space areas, and public facilities, (where possible).
- f) Provide landscape design that:
 - is consistent in distinguishing between public and private spaces;
 - minimises risk to utilities and services;
 - is durable and suited to the local environment;
 - provides appropriate shade; and
 - provides an attractive and interesting landscape character.
- g) Submit a landscape plan with a superlot subdivision application to detail the treatment of the public domain and open space within the land subject to the subdivision application. The following is to be included:
 - general layout
 - earthworks
 - plant species and sizes (at time of planting and maturity)
 - safety features & lighting
 - vehicular, cyclist and pedestrian safety
 - utilities and services
 - public art
 - hard and soft landscaping treatments

-
- street furniture
 - shade structures
 - drinking fountains
 - play equipment
 - signage
 - planter boxes
 - feature fencing
 - connections to cycleways and pedestrian paths
- i) Identify and retain existing native vegetation and fauna habitat (for example large hollow bearing trees, nest trees and those important for protection of habitat areas), where possible.
 - j) Protect native vegetation where possible prior to, during and post development.
 - k) Any public water features are to use re-circulated, treated rainwater. Any moving displays are to be designed for minimal evaporative and splash water loss without compromising the use of water.
 - l) Integrate landscape design with WSUD systems, as detailed in Section 6 of this DCP.

5 Building Form

Building form and character comprise the individual elements of building design that collectively contribute to the character and appearance of the built environment.

The building form development provisions in this section are intended to encourage high quality design for buildings primarily in the Town Centre Civic and Civic Fringe Precincts in the WTC. The resulting built form and character should contribute to an attractive public domain, and produce a desirable setting for its intended uses.

The controls in this section aim to:

- Establish the scale, dimensions and form of buildings appropriate for a town centre setting.
- Achieve an attractive and sustainable built form.
- Provide a strong definition of the public domain.
- Achieve active street frontages with good physical and visual connections between buildings and the street.
- Ensure consistent main street frontages for buildings with a common alignment.
- Provide for pedestrian comfort in all weather.
- Provide places that are easy to maintain.
- Ensure building depth and bulk is appropriate to the environmental setting and landform.
- Ensure building separation is adequate to protect amenity, daylight penetration and privacy between adjoining developments.
- Encourage mixed use development with residential components that achieve active street fronts and maintain good residential amenity.
- Achieve an articulation and finish of building exteriors that contribute to design excellence.
- Provide for a high quality landscape to contribute to the amenity of the WTC and a sustainable urban environment.
- Ensure building heights do not interfere with flight paths from Warnervale Aerodrome.

5.1 ACTIVE STREET FRONTAGES

Active street frontages promote an interesting and safe pedestrian environment. Busy pedestrian areas and non-residential uses such as shops, studios, offices, cafes, recreation and promenade opportunities, promote the most active street fronts.

Residential buildings contribute positively to the street by providing a clear street address, and direct access from, and outlook over the street.

Objectives

- To promote pedestrian activity and safety in the public domain.
- To maximise active street fronts in the Town Centre Civic Precinct.

Controls

a) Active frontage uses at street level include the following:

- retail entries,
- shop fronts,
- glazed entries to commercial and residential lobbies, occupying less than 50% of the street frontage, to a maximum of 12 metres frontage,
- cafés or restaurants if accompanied by a street entry,

- active office uses, such as reception, if visible from the street, and
 - entries to public buildings.
- b) Provide active street fronts on the ground level of all areas identified in **Figure 5.1**.
 - c) Encourage active street fronts in commercial and mixed use development, by providing non-residential uses on ground level.
 - d) Provide active ground floor uses at the same general level as the footpath and directly accessible from the street.
 - e) Encourage the provision of openable shop fronts for ground floor restaurants, cafes and the like.

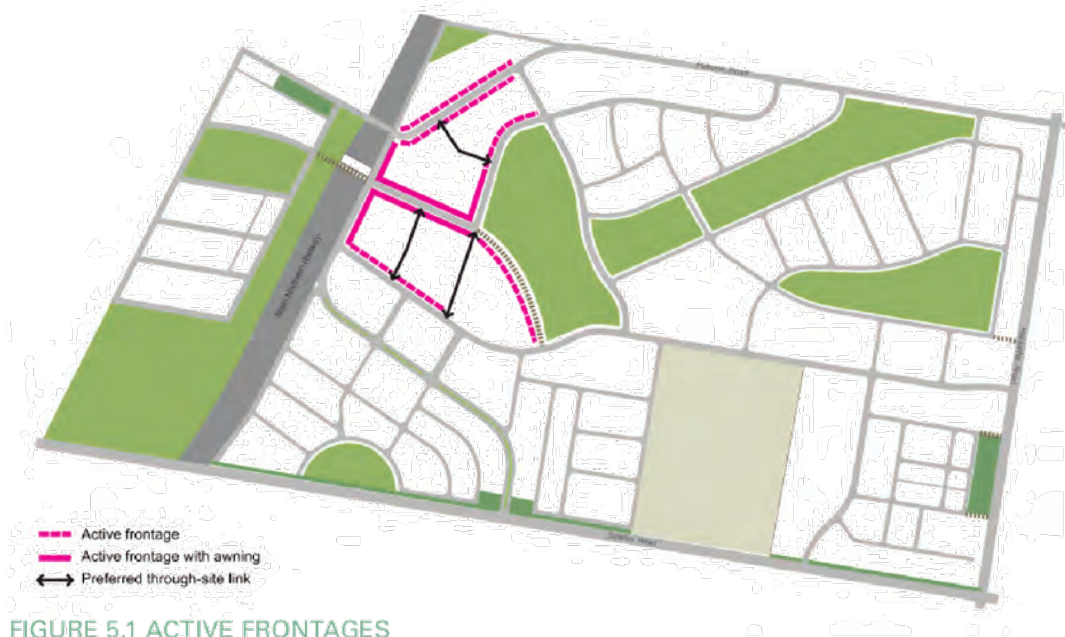


FIGURE 5.1 ACTIVE FRONTAGES

5.2 CIVIC SQUARE

Objectives

- To provide a generous, centrally located public square to cater for a variety of civic activities.

Controls

- Provide a north facing public square adjoining Main Street up to 2,700m².
- Activate the square with retail functions, cinema foyers and various community uses.
- Allow for outdoor dining on the square.
- Provide on grade pedestrian links through the retail centre and from adjoining sites to arrive at the square.
- Landscape the square to provide shade in summer and sun in winter.
- Provide good lighting of the square to encourage night time use.
- Integrate high quality public art into the square.

5 Building Form

5.3 BUILDING TO STREET ALIGNMENT AND STREET SETBACKS

Street setbacks and building alignments establish the front building line and help to create street proportions. They can contribute to the public domain by enhancing streetscape character and the continuity of street facades.

Street setbacks can also be used to enhance a building's setting and address. They provide for landscape areas, entries and deep soil zones. In the Town Centre Civic Precinct, buildings are to be built to the street alignment to reinforce urban character and improve pedestrian amenity and activity.

Street setbacks offer comfortable wind conditions, view corridors, appropriate pedestrian scale, and good growing conditions for street trees.

Objectives

- To provide front setbacks appropriate to building function and character.
- To establish a street's desired spatial proportions and define the street edge.
- To create a public and private space transition.
- To locate active uses, such as shopfronts, closer to pedestrian activities.
- To allow an outlook to, and surveillance of, the street.
- To maintain sun access to the public domain.

Controls

- Comply with street building alignment and street setbacks, as shown at **Figure 5.2**.
- Properties adjoining Sparks or Hakone Roads are to provide a landscaped buffer for the entire property boundary, as shown on **Figure 5.2**.
- Properties along Hakone Road are to allow for the widening of this road in accordance with specification provided by Wyong Council.
- Balconies may project up to 600mm into front building setbacks, provided the cumulative width of all balconies at that particular level totals no more than 50% of the horizontal width of the building façade, measured at that level.
- Minor projections into front building lines and setbacks for sun shading devices, entry awnings and cornices are permissible.



FIGURE 5.2 BUILDING TO STREET ALIGNMENT AND SETBACKS

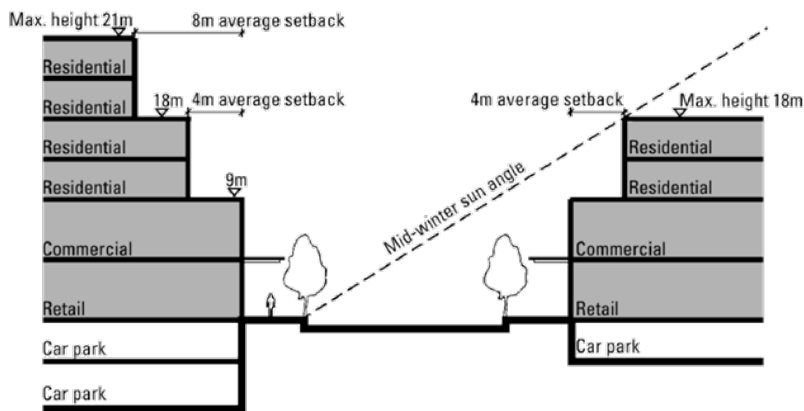


FIGURE 5.3 TYPE 4 STREET, SECTION THROUGH MIXED USE BUILDING

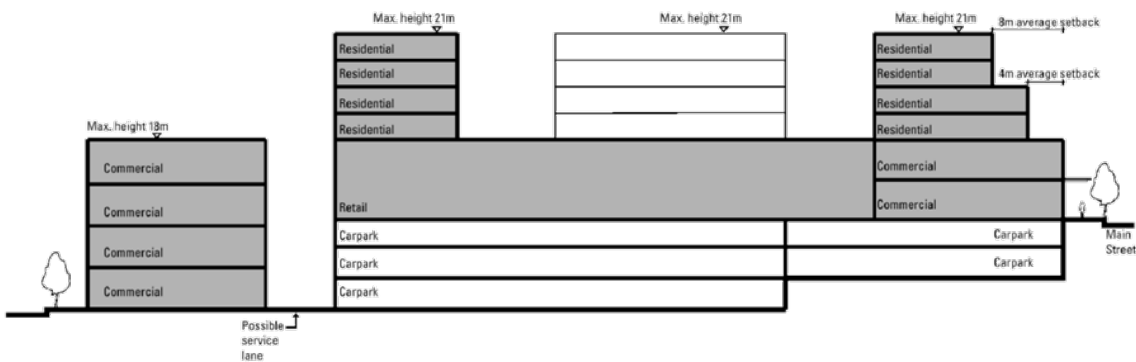


FIGURE 5.4 SECTION THROUGH RETAIL CENTRE (FROM TYPE 6 TO TYPE 4 STREETS)

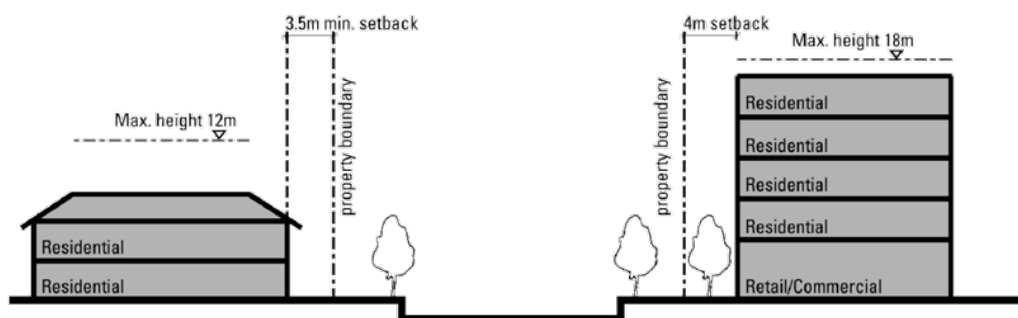


FIGURE 5.5 SECTION THROUGH MAIN STREET (TYPE 6)

5 Building Form

5.4 STREET FRONTAGE HEIGHTS

Well framed streets are an important town centre characteristic. Street frontage heights are specified to achieve a sense of street enclosure appropriate to the WTC's natural setting, status as a town centre, and the function and character of different parts of the WTC.

Street frontage height controls apply within the Town Centre Civic Precinct. Street frontage heights refer to the height of the building directly addressing the street from the ground level up to the first (if any) setback.

Objectives

- To achieve comfortable, pedestrian, street environments in terms of daylight, scale, sense of enclosure and wind mitigation.
- To achieve a healthy environment for street trees.
- To reinforce the intrinsic character of the WTC whilst enabling flexible building design.
- To protect solar access to key streets and public spaces.
- To encourage a strong architectural expression of buildings fronting Town Centre streets.

Controls

- a) Comply with the minimum and maximum heights above ground level on the street front as shown in **Figures 5.3-5.5**.
- b) Heights of buildings and all structures are not to exceed the maximum building height standards provided on the Obstacle Limitation Surface (OLS) map for Warnervale Aerodrome. Any buildings within the Warnervale Town Centre site that exceed these height controls will require referral and consent from the Civil Aviation Safety Authority.

5.5 AWNINGS

Awnings increase the useability and amenity of public footpaths by protecting pedestrians from the weather. They encourage pedestrian activity along streets. They also support and enhance the vitality of areas in conjunction with active edges such as retail frontages.

Awnings provide a public presence and interface within the public domain, and contribute to a development's identity.

Objectives

- To provide shelter for public streets where most pedestrian activity occurs.
- To address the streetscape by providing a consistent street frontage in the Town Centre Civic Precinct.

Controls

- a) Continuous street frontage awnings are to be provided for all new developments as indicated in **Figure 5.1**.
- b) Awnings should be horizontal in form and generally comply with the following:
 - minimum 2.4m deep (dependent upon footpath width),
 - soffit height of between 3.2m and 4m,
 - integrate with steps (should not exceed 700mm) for design articulation or to accommodate sloping streets with the building design,
 - low profile, with slim, vertical fascias or eaves (generally not to exceed 300mm height), and

- set back from kerb to allow for clearance of elements including street furniture, and trees (minimum 0.6m, typically 1.2m).
- c) Match awning design with building facades, be complementary to awnings on adjoining buildings to maintain continuity.
- d) Wrap awnings around corners for a minimum 6m.
- e) Location and design to consider mature street trees and access to services.
- f) Provide under-awning lighting to facilitate night use and to improve public safety. Recess lighting into the awning soffit or, wall mount it onto the building.
- g) Be self supporting not requiring posts, to minimise the impact on pedestrians.

5.6 BUILDING EXTERIORS

The creation of a high quality, public domain is dependent upon a consistent approach to the design of new development including, the articulation and finish to building exteriors.

Objectives

To ensure that new buildings in the WTC:

- contribute positively to the streetscape and public domain by means of high quality architecture, materials and finishes;
- provide richness of detail and architectural interest, especially at visually prominent parts, such as lower levels and roof tops;
- present appropriate design responses to adjoining development which complement the streetscape;
- clearly define adjoining streets, street corners and public spaces and avoid ambiguous external spaces with poor pedestrian amenity and security;
- maintain a pedestrian scale in the articulation and detailing of lower levels; and
- contribute to a visually interesting ridgeline.

Controls

- a) Consider adjoining buildings in the design of new buildings in terms of:
 - appropriate alignment and street frontage heights,
 - setbacks above street frontage heights,
 - appropriate materials and finishes,
 - facade proportions including, horizontal or vertical emphasis, and
 - the provision of enclosed corners at street intersections.
- b) Provide balconies and terraces, particularly on low rise parts and where buildings overlook parks. Gardens on the top of roof areas of buildings are encouraged.
- c) Articulate facades so that they address the street and add visual interest.
- d) Construct external walls of high quality, durable materials and finishes with self-cleaning attributes, such as face brick work, rendered brick work, stone, concrete and glass.
- e) Avoid finishes with high maintenance costs, those susceptible to degradation or corrosion, or finishes that result in unacceptable amenity impacts, such as reflective glass.
- f) Avoid expanses of single materials to assist articulation and visual interest. However, maximise glazing for retail uses, but break glazing into sections.
- g) Limit sections of opaque or blank walls greater than 4m in length along the ground floor, to a maximum of 30% of a buildings frontage.

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- h) Highly reflective finishes and curtain wall glazing are not permitted above ground floor level (see Section 8.11).
- i) Submit a materials sample board and schedule with applications with a value in excess of \$1 million or, for part of any development built to the street edge.
- j) Minor projections up to 450mm from building walls above 3.6m (in accordance with those permitted by the BCA), may extend into the public space. This is provided that the projection is not defined as gross floor area, does not detract from significant views and vistas, and provides a public benefit, such as:
 - expressed cornice lines that assist in enhancing the streetscape, and
 - projections such as entry canopies that add visual interest and amenity.
- k) The design of roof plant rooms, antennas, ducting, compressors, utilities and lift over-runs are to be integrated into a building's architecture.

5.7 REFLECTIVITY

Reflective materials used on building exteriors can result in undesirable glare for pedestrians, and potentially hazardous glare for motorists. Reflective materials can also transfer additional heat load to other buildings. Thus, the excessive use of highly reflective glass is discouraged.

Buildings with glazed roofs, facades or awnings should be designed to minimise hazardous or uncomfortable glare arising from reflected sunlight.

Objective

- To restrict sunlight reflection from buildings to surrounding areas and other buildings.
- To ensure amenity and safety for pedestrians and motorists.

Controls

- a) New buildings and facades should not result in glare that causes discomfort or threatens safety of pedestrians or drivers.
- b) New buildings and facades should not result in glare that causes discomfort or reduces amenity in adjacent residential areas or public domain.
- c) Visible light reflectivity from building materials used on new building facades should not exceed 20%.
- d) A reflectivity report analysing the impacts of potential solar glare on pedestrians and motorists may be required - subject to a proposal's extent and nature of glazing and reflective materials.

5.8 MIXED USE BUILDINGS

Mixed use buildings provide for a variety of activities within town centres. Uses within a building are best located in a pattern and layout suitable to the use mix: retail and business activity at ground level to assist street activation; and residential uses, requiring privacy and noise mitigation, located above street level.

Mixed use development within the WTC is preferred in sustainable locations, close to public transport (the railway station and transport interchange), and central recreational areas such as the Hill Top Park.

Objectives

- To encourage a variety of mixed use developments in the Town Centre Civic Precinct.
- To create lively streets and public spaces in the town centre.
- To increase the diversity and range of shopping and recreational activities for workers, residents and visitors.
- To enhance public safety by increasing activity in the public domain.

- To minimise potential conflicts and achieve compatibility between different uses.
- To ensure that the design of mixed use buildings addresses residential amenity, the public domain and the street.
- To create separate, legible and safe access and circulation in mixed use buildings.



FIGURE 5.6 MIXED USE BUILDINGS

Controls

- Provide flexible building layouts for variable tenancies or uses within buildings for mixed use blocks as indicated in **Figure 5.6**.
- Provide minimum floor-to-ceiling heights of 3.3m for commercial office and other uses such as retail facing streets and pedestrian lanes, and 2.7m for residential.
- Avoid blank walls at ground level.
- Separate service requirements, such as loading docks, from residential access, and the main street frontage.
- Clearly separate and distinguish commercial and residential entries.
- Locate clear, residential and commercial entries directly from the public street.
- Provide security access controls to all entrances into private areas, including car parks and internal courtyards.

5 Building Form

5.9 RESIDENTIAL FLAT BUILDINGS AND SHOP TOP HOUSING

Objectives

- To establish a high quality residential housing environment where all dwellings have a good level of amenity.
- To encourage a variety of housing forms.

Controls

- a) Shop top housing and residential flat buildings are to:
- be located generally within the Town Centre Civic and Civic Fringe precincts.
 - be consistent with the guidelines and principles outlined in SEPP 65 – Residential Flat Development, except where controls are provided in Table 5 below.
 - not significantly impact upon the existing or future amenity of any adjoining land upon which residential development is permitted, with respect to overshadowing impact, privacy impact or visual impact.
- b) Residential flat buildings are to have a direct frontage to an area of the public domain, including streets and public open space.

Table 5: Controls for Shop Top Housing (residential component only) and Residential Flat Buildings (RFBs)

Element	R1 zone	B2 and B4 zones
Street Frontage (min)	30m	30m
Primary Front Setback (min)	4.5m	Ground and first floor: refer to Section 5.3 of this DCP. Upper floors: 4m (average) up to 18m in height; 8m (average) above 18m Zero setback will be considered to service lanes subject to the application demonstrating a satisfactory level of amenity for residents and neighbours will be achieved.
Side Setback (min)	2m	0
Rear Setback (min)	6m	4m
Boundary to public open space area (min)	N/A	4.5m Buildings must address the adjoining public open space
Private Open Space (min)	10m ² per apartment Min. depth 2m	10m ² per apartment Min. depth 2m
Communal Open Space (min)	RFBs: 15% of site area	RFBs: 15% of site area
Landscaped Area (min)	20% of site area	No minimum, however landscaping should be achieved in setback areas at ground level where possible.
Car Parking	1 - 2 bedrooms: 1 space 3 or more bedrooms: 2 spaces 1 visitor space per 5 apartments Car parking spaces to be located below ground level or behind the building line and screened to minimise visual impact from the street. Bicycle parking spaces: 1 per 2 dwellings Visitor bicycle parking: 1 per 12 dwellings	1 - 2 bedrooms: 1 space 3 or more bedrooms: 2 spaces 1 visitor space per 5 apartments Car parking spaces to be located below ground level or behind the building line and screened to minimise visual impact from the street. Bicycle parking spaces: 1 per 2 dwellings Visitor bicycle parking: 1 per 12 dwellings

5.10 PLANTING ON STRUCTURES

The following controls apply in the Town Centre Civic Precinct where planting on roof tops or over car park structures are proposed. They apply particularly for communal open space required for mixed use and non-residential developments.

Objectives

- To contribute to the quality and amenity of open space on roof tops and internal courtyards .
- To encourage the establishment and healthy growth of trees and plantings.
- To minimise the use of potable water for irrigating planting on structures.

Controls

- a) Areas with planting on structures are to be irrigated with an alternative water source.
- b) Design for optimum conditions for plant growth by:
 - providing soil depth, volume and area appropriate to proposed plant size,
 - providing appropriate soil conditions and irrigation methods, and
 - providing appropriate drainage.
- c) Design planters appropriate to soil depth and plant selection by:
 - ensuring planter proportions accommodate the greatest possible soil volume and depths to ensure tree growth, and
 - providing square or rectangular planting areas rather than narrow linear areas.
- d) Increase minimum soil depths in accordance with:
 - the mix of plants in a planter, for example, where trees are planted in association with shrubs and groundcovers,
 - the level of landscape management particularly, the frequency of irrigation,
 - anchorage requirements of large and medium trees, and
 - soil type and quality.
- e) Provide sufficient soil depth and area to allow for plant establishment and growth. The following minimum standards are recommended:

Plant type	Min soil depth	Min soil volume
Large trees (over 8m high)	1.3 m	150 cu m
Medium trees (2m to 8m high)	1.0 m	35 cu m
Small trees (up to 2m high)	800 mm	9 cu m
Shrubs and ground cover	500 mm	n/a

- f) Provide a minimum 200sqm publicly accessible area as a rooftop garden for retail, commercial and public buildings, where practical, in the Local Centre zone. The rooftop garden should be designed and constructed according to best practice principles including access for maintenance. The building or strata manager, or the consent authority (if applicable), is to maintain the garden for the following purposes:
 - green space for public enjoyment;
 - demonstration of alternative, low water use agricultural practices; and
 - thermal insulation for uses within the building.



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5.11 SITE FACILITIES AND SERVICES

Objectives

- To design urban infrastructure as an integral part of urban design.
- To achieve a planned system of services, integrated with streetscape design to reduce maintenance time, damage and repair costs and contribute to the public domain.
- To ensure site facilities (such as clothes drying areas, mail boxes, recycling and garbage disposal units/areas, screens, lighting, storage areas, air conditioning units and communication structures) are unobtrusively integrated into development.
- To ensure that site services and facilities are adequate for the nature and quantum of development.
- To establish appropriate access and location requirements for servicing.
- To ensure service requirements do not have adverse amenity impacts.

Controls

- a) Provide underground services for all domestic serving utilities, including electrical services.

Mail boxes

- b) Provide mail boxes for residential buildings and/or commercial tenancies in accessible locations adjacent to the main entrance to the development. Mail boxes should be integrated into a wall where possible and be constructed of materials consistent with the appearance of the building.
- c) Mail boxes shall be secure and large enough to accommodate articles such as newspapers.

Communication structures, air conditioners and service vents

- e) Locate satellite dishes and tele-communications antennae, air conditioning units, ventilation stacks and any ancillary structures:
- away from the street frontage,
 - integrated into the roofscape design and in a position where such facilities will not become a skyline feature at the top of any building, and
 - adequately setback from the perimeter wall or roof edge of buildings.
- f) A master antenna must be provided for residential apartment buildings. The antenna should be sited to minimise its visibility from surrounding public areas.

Waste (garbage) storage and collection

- g) All development is to adequately accommodate waste handling and storage on-site. The size, location and handling procedures for all waste, including recyclables, is to be determined in accordance with the consent authority's waste policies and advice from relevant waste handling contractors.
- h) Access for waste collection and storage is preferred from rear lanes, side streets or rights of ways.
- i) Waste storage areas are to be designed and located to:
- ensure adequate driveway access and manoeuvrability for any required service vehicles,
 - not create any adverse noise impacts on existing developments or sensitive noise receptors such as habitable rooms of residential developments, and
 - be screened from the public way and adjacent development that may overlook the area.
- j) The storage facility must be well lit, easily accessible, on-grade for movement of bins, free of obstructions that may restrict movement and servicing of bins or containers and designed to minimise noise impacts.
- k) Collection vehicles are to enter and depart in a forward manner. Reversing on site will only be permitted where there is no conflict with pedestrians or other vehicles.

Location requirements for waste storage areas and access:

- l) Where waste volumes require a common collection, storage and handling area, this is to be located:
 - for residential buildings, at ground behind the main building setback and façade, or within a basement or enclosed car park, and
 - for commercial, retail and other development, on-site in basements or at ground level within discrete service areas not visible from main street frontages.
- m) Where above ground garbage collection is prohibitive or impractical due to limited street frontage, or would create an unsafe environment, an on-site basement storage area must be provided.
- n) Where a mobile compaction vehicle is required to enter the site, the access and circulation area shall be designed to accommodate a vehicle with the following dimensions:

Position	Dimension
Vehicle length	12300mm
Vehicle width	3500mm
Vehicle height – travel (Safe height in confined areas – top door closed and forks down)	3800mm
Vehicle height – operation (Top door open with a bin at full tipping position)	6000mm

Service docks and loading/unloading areas

- o) Provide adequate space within any new development for the manoeuvring, loading and unloading of service/delivery vehicles.
- p) Preferably locate service access off rear lanes, side streets or rights of way.
- q) Screen all service doors and loading docks from street frontages and from active overlooking from existing developments.
- r) Design circulation and access in accordance with AS/NZS 2890.1 and AS 2890.2.
- s) Service/delivery vehicles need to enter and leave service area in a forward manner and are to be separate from general parking and pedestrian areas.

Fire service and emergency vehicles

- t) For developments where a fire brigade vehicle is required to enter the site, vehicular access, egress and manoeuvring must be provided to, from and on the site in accordance with the NSW Fire Brigades (FB) Code of Practice – Building Construction – NSWFB Vehicle Requirements.



Environmental Management

This section outlines objectives and development controls for environmental management issues.

This section applies only to non-residential (retail and commercial) development, the public domain, public and private parks, and community facilities. State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies to residential development.

The controls in this section aim to:

- ensure the environmental impacts of new development are managed in a sustainable and economical way;
- provide an adequate and renewable supply of natural resources; and
- ensure a healthy environment.

6.1 WATER CONSUMPTION

The Central Coast is currently subject to extreme water supply shortages. Combined with the changes predicted to occur as a result of climate change, developing a safe and secure water supply without compromising the health of the region's water sources is one of the region's greatest challenges. Hence, a range of options need to be considered to develop a more secure water supply system; and future growth must be carefully managed.

By integrating water use efficiency, water collection and water reuse measures into building and infrastructure design, development can help minimise demands on potable water supply.

Water can be conserved in two ways: by reducing mains water demand; and by re-using water otherwise lost as run off or wastewater.

This section includes controls relating to water consumption reduction, water capture, treatment options, and water re-use.

Objectives

- To reduce potable mains water demand from non-residential development by promoting water-efficient appliances, alternative water sources for appropriate purposes, and wastewater reuse.
- To reduce wastewater disposal and encourage its reuse in retail, commercial, community and public development.
- To lower greenhouse gas emissions.
- To encourage innovation in the collection and reuse of alternative water sources.

Controls

General

Applicants can submit alternative solutions to the controls in this section where it can be demonstrated that an equal or superior outcome will result.

Water consumption reduction

- a) Use an alternative water source for the irrigation of public or private open space.
- b) Provide all irrigation of public and private open spaces by sub-surface, drip irrigation systems controlled by timers and soil moisture or rainfall sensors.
- c) Provide for future supply of reticulated recycled water to non-residential development by installing:
 - a reticulated alternative (that is, a "third pipe") network to all non-residential allotment boundaries;
 - pipe network sizing capable of supplying:
 - all residential demand for toilet flush and laundry cold water;

- all non-residential toilets and urinals in the Local Centre zone; and
 - other non-potable water demands including, non-commercial car-washing, hose-down, laundry, and cooling towers.
- d) All water fixtures in non residential buildings including, public facilities should be rated to deliver maximum water flows of:
- 6 litres per minute for hand basins, and
 - 9 litres per minute for showers
- e) Provide other water efficiency measures in non-residential buildings and public facilities including:
- all toilets to be provided with dual flush systems of no more than 6 litres per full flush and 3 litres per half flush.
 - manual or sensor operated, low volume flush systems fitted to all urinals (excluding waterless, or ultra water-efficient urinals),
 - trigger nozzles on all hoses and kitchen dishwashing facilities, and
 - automatic shut off for all public hand basin taps.
- f) Locate all non-residential hot water systems as close as practical to the hot water end-use (for example, aquatic centre shower facilities).

Alternative water supplies and treatment options

- a) Potable water must not be drawn on for the following uses in non-residential development, unless as a backup supply:
- toilet and urinal flushing,
 - fire service testing,
 - clothes laundering,
 - hosing-down,
 - car washing.
- b) As long as “fit for purpose” treatment measures appropriate to the water source and the water end-use are applied, alternative water sources for non potable uses may include:
- rainwater harvested from roofs, or
 - treated
 - waste water,
 - stormwater or
 - greywater (such as collected from showers, hose-down, car-wash or laundry facilities).
- c) Gravity feed is a preferred characteristic of the treatment options. If it cannot be achieved, localised, modular treatment technologies should be used rather than centralised treatment, to avoid the use of unnecessary water pumping energy.
- Preferred localised, modular treatment options include:
 - subsurface flow wetlands;
 - suspended growth systems including, activated sludge systems;
 - fixed growth systems, including trickle filters, rotating biological contactors;
 - re-circulating media filters (fixed film bio-reactor);
 - sand and depth filtration;
 - membrane filtration including micro, ultra, nano filtration and reverse osmosis; and
 - membrane bioreactor.

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Cooling towers

- a) Cooling towers, or other forms of evaporative coolers for the provision of cooled air to, or the rejection of heat from heating, ventilation, air conditioning, chilling or refrigeration systems, must (except in cases of emergency, such as failure of the particular water supply), draw 100% of their water use from an alternative water supply.

Suitable, alternative water supplies include:

- harvested rainwater or
- appropriately treated:
 - waste water,
 - stormwater or
 - greywater (such as collected from showers, hose-down, car-wash or laundry facilities).

6.2 INTEGRATED WATER CYCLE MANAGEMENT AND WATER SENSITIVE URBAN DESIGN

The WTC straddles the catchment divide between Porter's Creek and Wallarah Creek in the most upstream reaches of both catchments. A number of important aquatic ecosystems are present within and downstream of the WTC. Many of the systems are sensitive to changes in hydrology. Water quality and quantity are therefore important issues requiring at source treatment as well as measures to be implemented within drainage corridors to detain and treat stormwater before it leaves the site.

Development within Warnervale Town Centre is to be guided by the principles of Water Sensitive Urban Design (WSUD). WSUD is to be adopted throughout the development to promote sustainable and integrated management of land and water resources incorporating best practice stormwater management, water conservation and environmental protection.

A WSUD Strategy is to be prepared for each development, outlining how the following provisions are to be met and optimised through the development. The WSUD Strategy is to comply with the requirements and deliver the various elements of the Warnervale Town Centre Integrated Water Cycle Management Strategy (IWCM), and other relevant council IWCM and WSUD Technical Guidelines.

As summarised in Table 5, various elements of the IWCM Strategy are categorised as 'Private' or 'Public' by their location (either, within the private allotment or, on public land), and responsibility/ownership (either, privately owned/operated or, Council owned/operated).

Individual developers or allotment builders will be responsible for the delivery (design, construction and establishment) of individual IWCM elements. The developer will then give the 'private' IWCM infrastructure to the owners or managers of the private land (owners' corporation or building managers), and the 'public' IWCM infrastructure to Council.

As part of the early conceptual design for individual development sites, developers must consult with the consent authority to resolve and confirm the preferred responsibility and requirements for delivering the IWCM infrastructure.

Objectives

- To protect the key hydrologic characteristics of Porter's Creek Wetland and Wallarah Creek.
- To recommend that hydrologic performance objectives for development within the Porter's Creek Wetland and Wallarah Creek catchments are listed and preliminary storage requirements are provided as indicated on **Figure 4.1 in section 4 Public Open Space**.
- To guide development consistent with the principles of Water Sensitive Urban Design (WSUD).
- To ensure that stormwater runoff achieves best practice standards, through the development of an appropriate treatment train at a lot scale and streetscape.
- To limit changes in flow rate and flow duration within the receiving waterways as a result of development.

- To protect the receiving wetlands and waterway ecosystems through:
 - Preservation of both the flooding and drying hydrology from the development area to the wetlands.
 - Preservation of the pre-development flows within Wallarah Creek which influence stream disturbance (3mth and 1.5yr ARI).
- To minimise impacts of flood flows discharging from the WTC on downstream waterways.
- To mitigate the impacts of urban development on stormwater quality through incorporating best practice stormwater management principles and strategies in development.
- To safeguard the environment by improving the quality of water run-off.

Controls

Wetland and Stream Hydrology Controls

- a) All development within the Porter's Creek and Wallarah Wetland Catchment, must attain the following:
- Preserve the pre-development 30 day low flow duration frequency curve for the dry season (October to January).
 - Preserve the low flow spells frequency curve for the dry season.
 - Preserve the pre-development 30 day high flow duration frequency curve for the dry season (October to January).
 - Maximise collection and reuse of stormwater in line with the above points.

The above requirements are deemed to be satisfied through the adoption of stormwater storages which are connected via pumps and pressure reticulation to the Regional IWCM Scheme.

- b) In addition to the above point, all development within the Wallarah Creek Catchments must attain the following:
- Maximise collection and reuse of stormwater. In order to preserve as far as practical the pre-development hydrology (such as low/high flow durations and frequencies).
 - Preserve the pre-development channel forming flows within Wallarah Creek for events up to and including the 2 year ARI storms.
 - Mimic the pre-development peak flows within the Wallarah Creek for events up to and including the 2 year ARI storm which tend to cause erosion of localised sections of the bed and banks and dictate stream health.
 - Post development flow duration should be no greater than 4 times the pre-development flow duration.

Stormwater Quality Controls

- a) All stormwater from the Warnervale Town Centre development discharging into the hydrologic management systems (ie. stormwater storage) is to be treated in accordance with best practice:
- 85% reduction in the mean annual load of Total Suspended Solids (TSS).
 - 65% reduction in the mean annual load of Total Nitrogen (TN).
 - 45% reduction in the mean annual load of Total Phosphorus (TP).
 - Retention of litter greater than 5mm for flows up to 50% of the one-year ARI peak flow.
 - No visible oils for flows up to 50% of the on-year ARI peak flow.
- b) All other stormwater from the Warnervale Town Centre development discharging directly into 'receiving environments' (i.e. 7G wetlands, Porters Creek Wetland, Wallarah Creek) is to be treated in accordance with Wyong Shire Council's Stormwater Management Plan:
- 90% reduction in the mean annual load of Total Suspended Solids (TSS).
 - 50% reduction in the mean annual load of Total Nitrogen (TN).
 - 50% reduction in the mean annual load of Total Phosphorus (TP).
 - Retention of litter greater than 5mm for flows up to 50% of the one-year ARI peak flow.
 - No visible oils for flows up to 50% of the one-year ARI peak flow.

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- c) Compliance with these standards to be determined through stormwater quality (MUSIC) modelling in accordance with the IWCM Strategy.
- d) The configuration and sizing of appropriate WSUD measures to meet the stormwater quality objectives should be identified in accordance with the IWCM Strategy and documented for development application.

Appropriate Treatment Train

- A treatment train consists of a combination of treatment measures which address the range of particular size pollutants found in stormwater. The selection and order of treatment is important as well as the proximity of treatment to its source and the distribution of treatment throughout the catchment.
- For Warnervale Town Centre site a final mix of ‘At Source’, ‘Streetscape’ and end of pipe’ treatment is to be defined by individual developers with the overall aim to treat stormwater to the required levels prior to delivery to the stormwater storages.

Accepted treatment measures include: rainwater tanks and harvesting, forecourt wetlands and bioretention systems, bioretention pods within lots and streetscape, permeable paving in carparks and some roads, proprietary gross pollutant traps, buffer strips and grass verge treatment. Council Development staff are to be consulted whilst formulation the treatment train strategy.

Table 6: Summary of WTC IWCM Strategy

WATER CYCLE MANAGEMENT ELEMENT	Private (Private allotment owned and managed)	Public (Council owned and managed)
Demand management: AAA+ fixtures and appliances, dual flush toilets, waterless urinals, water efficient gardens (residential demand management in accordance with BASIX).	✓	
Rainwater Tanks: Residential tanks where required by BASIX to meet 40% potable water consumption reduction. Non-residential tanks where required to supply non-potable demand.	✓	
‘At Source’ Stormwater Treatment: For large retail, commercial and apartment allotments, treatment systems integrated into landscapes and forecourts to collect runoff and facilitate treatment prior to discharge from the allotment. Eg. Bioretention pods and systems, roof top gardens, WSUD carparks, stormwater harvesting.	✓	
‘Streetscape’ Stormwater Treatment: Integrated into road reserves to collect road and allotment runoff and facilitate treatment prior to discharge to stormwater drainage system and subsequently the stormwater storage eg. Bioretention pods, WSUD carparks, permeable paving (and swales where appropriate).		✓
Stormwater Storage: Stormwater Storage sized in combination with rapid drawdown pump rate to remove excess stormwater and deliver the wetland hydrologic objectives.		✓
Stream Disturbance Management Storage of 2 yr flows to preserve the current peak flows entering Wallarah Creek, ensure flow is delivered in a dispersed manner and protective of already scoured zones.		✓

Development Application

All uses

- a) Applicants must consult with the consent authority at an early, conceptual design stage to confirm the IWCM Strategy requirements in relation to their development site. Water conservation aspects of those requirements will not apply to private dwellings built to be compliant with BASIX. The IWCM Strategy discussions will provide the developer with the following:
 - Confirmation of the land use type to apply on the development site.
 - Detail the relevant IWCM objectives and identify any variations from the IWCM Strategy.
 - Details of the IWCM Infrastructure relating to the development and any variations from the IWCM Strategy
 - Method for stormwater treatment systems and stormwater storage design if the catchment/ development areas vary from the IWCM Strategy.
 - Indication of preferred delivery (construction, establishment and handover) model for the IWCM elements.
- b) Following conceptual design, applicants must submit a WCM Plan to the consent authority as part of the Development Approval. The WCM Plan must provide the following:
 - Description of the existing WTC including topography, vegetation and soils.
 - Location in relation to the IWCM Strategy catchments and the stormwater storage to which the development drains.
 - Description of the proposed development including, roof areas, landscaped areas (for irrigation), ground level hardstand and uses through the development site.
 - Description of stormwater treatment strategy including, 'at source', 'streetscape' or 'precinct' scale elements to deliver the stormwater quality objectives. Results of performance assessment using the MUSIC model in accordance with the MUSIC Modelling Guidelines must be provided with the conceptual design including, size, depth, and landscape integration of the IWCM elements.
 - Drainage strategy for the site to ensure runoff is delivered to the relevant stormwater storage.

Construction Certification

- a) Undertake the design development and detailed design of the IWCM elements in accordance with Australian Runoff Quality and WSUD Technical Guidelines (ARQ, 2003), and with the design approach described in WTC IWCM Strategy.
- b) Submit the following documentation for the design development and detailed design for Construction Certification in addition to standard landscape and civil drawings:
 - IWCM/WSUD Functional Design Report (describe key functional elements and provide relevant WSUD/IWCM Specifications);
 - Construction and Establishment Methodology;
 - Monitoring and Maintenance Plan.

Construction and Establishment

- a) Applicants must submit a site specific construction and establishment methodology as part of design development and detailed design. The methodology must be submitted with the Construction Certification, and document the IWCM elements.

Hard paved surfaces

- a) Incorporate WSUD principles in the design of the public domain and private hard paved surfaces.
- b) Use pipes and pits to direct drainage from streets and other impervious surfaces (including, car parks, paved outdoor areas, footpaths) into gross pollutant traps and oil and grit/sediment separators.
- c) Pass collected stormwater through a filtration system for further treatment. Direct collected treated stormwater into bioretention trenches or holding tanks before reuse or, discharge to council's trunk stormwater drains or to natural watercourses.



Environmental Management

- d) The types of pollutants, estimated pollutant loadings and level of pollutant retention of any stormwater discharged into natural watercourses should reflect current best practice, and be consistent with the objectives and recommendations of the Australian Runoff Quality and WSUD Technical Guidelines.

6.3 RIPARIAN CORRIDORS

Objectives

- To protect the ecological function of vegetated riparian corridors.
- To retain, and where appropriate, modify and/or rehabilitate existing watercourses and riparian zones.
- To reduce the risk of stream erosion within Wallarah Creek and Porter's Creek following development.
- To create a stable environment that enhances stream ecology.
- To provide habitat connectivity across the WTC.
- To allow for the use of the riparian corridor buffers for low impact recreational activities such as walking and cycling.

Controls

- a) The tributary to the west of the railway corridor is to be protected through a core riparian corridor width of 40m minimum, with 15m buffers either side, forming a total corridor of 70m.
- b) The Wallarah Creek tributary is to be protected through a core riparian corridor width of 60m minimum, with 10m minimum buffers either side, forming a total corridor of 80m minimum.
- c) The vegetated buffers either side of the Core Riparian Zone (CRZ) can include the Outer Protection Area of the Asset Protection Zone (APZ). Refer to **Figures 6.1 and 6.2**.
- d) Where there are important patches of vegetation, the setback width of CRZs should vary to incorporate existing endemic vegetation.
- e) Stormwater infrastructure, water quality treatment ponds, pedestrian and cycleways and asset protection zones are to be located outside of the CRZ. These uses are permitted within the non-core riparian buffer if the impact on riparian functions is minimal and its integrity maintained and where they have been specifically identified in the WSUD strategy for the site
- f) The understorey can be cleared in the riparian zone to satisfy the requirements for an Outer Protection Area of the APZ, and bushfire legislation.
- g) The location of access ways to and within a riparian buffer is not to compromise the ecological integrity of any existing riparian vegetation, the stream-bed or bank stability.
- h) The impact of pedestrian and cycleways and general access points to riparian corridors is to be minimised by using ecologically informed design principles (for example, elevated accessways that allow sunlight to penetrate and vegetation to grow beneath).
- i) Development adjoining the riparian corridors will need to provide a fence to the boundary with the riparian corridor.

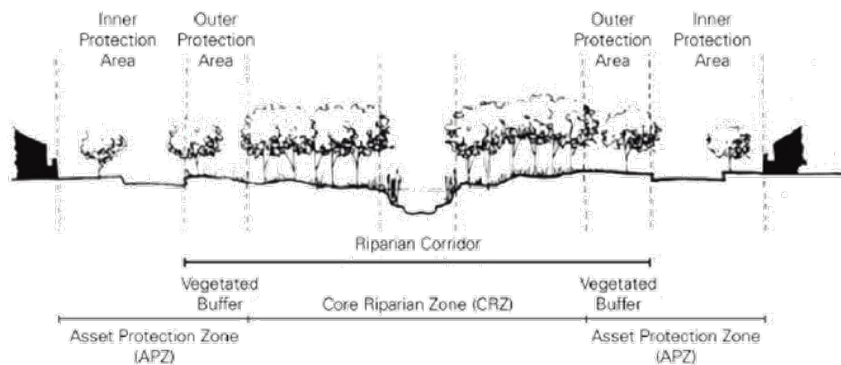


FIGURE 6.1 RIPARIAN CORRIDOR FEATURE ZONES

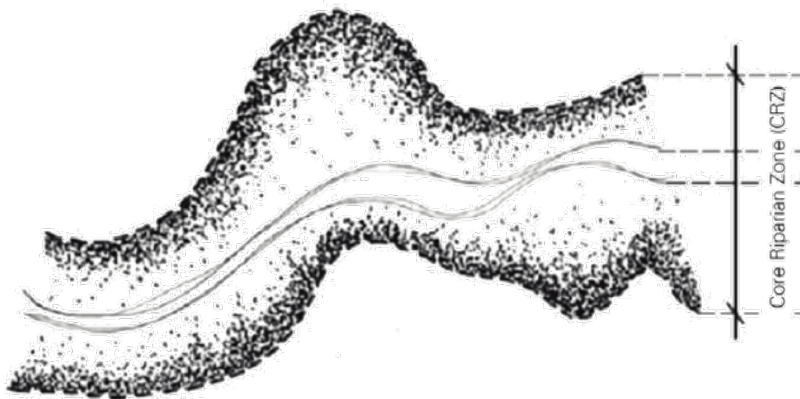


FIGURE 6.2 RIPARIAN CORRIDOR VARIABLE SETBACKS

6.4 TREE RETENTION AND BIODIVERSITY

Objectives

- Protection and enhancement of existing significant trees, where possible.
- To improve or maintain biodiversity values.
- To maintain or improve as much existing vegetation as practicable.
- To reduce impacts of runoff from roads and impervious areas on adjacent lands.
- To manage weeds during and after construction, to prevent the spread of weeds.

Controls

- Submit a tree survey plan with all subdivision applications. The tree survey plan is to identify the location, type and condition of all existing trees, and trees proposed to be removed and retained. Where trees are to be maintained, details of protection methods, during and after construction, are also required. Details are also to be provided to address wildlife that may be displaced and relocation of habitat (eg. fallen logs, hollows etc) into the riparian corridor and other suitable areas on the WTC site.

6 Environmental Management

- b) Where earthworks necessitate the removal of existing trees, applicants are required to comply with section 6.8 of this DCP.
- c) Plant a range of endemic tree and shrub species throughout the WTC, in accordance with the landscape specification.
- d) Native vegetation (canopy level) shall be provided, where possible, within neighbourhood parks, riparian corridors and street verges to create a 'stepping-stone corridor' for terrestrial biodiversity. Details of any planting shall be provided within a detailed Landscape Plan submitted at DA stage.
- e) Submit a weed management plan (if required by the consent authority), for subdivision applications which:
 - identifies weed control measures during and after development,
 - requires land to be revegetated after disturbance or construction activities to reduce the likelihood of weed species growing on the WTC, and
 - topsoils brought onto the WTC to be free of weeds before use.

6.5 BUSHFIRE HAZARD MANAGEMENT

Objectives

- To prevent the loss of life and property due to bushfires, by discouraging the establishment of incompatible uses on bushfire prone land.
- To encourage sound management of bushfire prone land.
- To implement fire management activities that reduce threats to life and property.
- To ensure ecological thresholds are not exceeded.

Controls

- a) Asset Protection Zones (APZs):
 - are to be located wholly within a development site;
 - may incorporate roads;
 - are to be located wholly outside of a Core Riparian Zone (CRZ), and outside the Heath Wrinklewort Reserve;
 - may be located within the CRZ buffer but must not compromise the tree canopy;
 - may be used for open space and recreation subject to appropriate fuel management;
 - are to be established and maintained in accordance with the Planning for Bushfire Protection 2006;
 - may incorporate private residential land, but only within the building setback (no dwellings are to be located within the APZ), and
 - are to be generally bounded by a perimeter fire trail/road that is linked to the public road system at regular intervals in accordance with Planning for Bushfire Protection 2006.
- b) DAs for the WTC, and residential development or Special Fire Protection Purpose developments are subject to s100B of the Rural Fires Act 1997, and s 79BA of the EP&A Act 1979.
- c) DAs are to address the requirements of Planning for Bushfire Protection 2006.
- d) Meet the standards of Planning for Bushfire Protection 2006 for reticulated water. Water supply is to be via a ring main system, engineered to the requirements of Australian Standard 2419.1-1994 Fire Hydrant Installations.
- e) Bushfire Hazard Management measures are to be incorporated into Council's Plans of Management for public domain and open space.

- f) Where an allotment fronts and partially incorporates an APZ, it shall have an appropriate depth to accommodate a dwelling with private open space and the minimum required APZ. The APZ will be identified through a Section 88B Instrument (Conveyancing Act 1919, as amended).
- g) Temporary APZs, identified through a Section 88B Instrument, will be required where development is proposed on allotments next to undeveloped land. The temporary APZ will not be required, and shall cease upon, development of the adjacent stage.
- h) School buildings fronting bushland areas shall be setback 35 metres from the bushland boundary.

6.6 CONTAMINATION MANAGEMENT

Objectives

- To ensure that changes to land use do not increase the risk to public health or the biophysical environment.
- To avoid inappropriate restrictions on land use.
- To provide advice to support decision making and inform the community.
- To consider the likelihood of land contamination as early as possible in the planning process.
- To link decisions about the development of the land with the information available about contamination possibilities.

Controls

- a) DAs for development on land identified in **Figure 6.3** need to be accompanied by a preliminary investigation in accordance with the contaminated land planning guidelines (under s145C of the AP&A Act).
- b) In considering a DA, the consent authority must be satisfied that land, where it is contaminated, is suitable in its contaminated state, or will be suitable after remediation, for the purpose for which the development is proposed to be carried out.
- c) If land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, the consent authority must be satisfied that a site will be remediated before the land is used for that purpose.
- d) Comply with a maximum 1 in 3 grade for embankments.
- e) Submit a geotechnical assessment to the consent authority with a DA for development on land indicated in **Figure 6.4**.
- f) If, under extraordinary circumstances, approval is given by the consent authority for cut and fill to exceed 1m in height:
 - a report is required from a qualified geotechnical engineer certifying the stability of the resulting slope and adequacy of retention therein;
 - all details regarding proposed lot reshaping shall be shown on engineering plans submitted for approval including, but not limited to the following:
 - i) the proposed finished and existing surface levels of each lot. Lots shall be graded in accordance with the consent authority's requirements for drainage.
 - ii) the location and type of all proposed retaining structures in accordance with the consent authority's requirements for methods for retaining fill.
 - iii) where existing trees cannot be retained, comply with the consent authority's requirements.
 - iv) batters generally in accordance with the consent authority's requirements for the retention and extent of fill.
 - v) all longitudinal sections (sewer and inter-allotment drainage longitudinal sections) within terraced developments must reflect the proposed finished surface levels and be designed accordingly.

Environmental Management



FIGURE 6.3 LAND REQUIRING CONTAMINATION INVESTIGATION



FIGURE 6.4 LAND REQUIRING FURTHER GEOTECHNICAL INVESTIGATION

- vi) the proposed earthworks for preparation prior to cut and fill, fill material, compaction and testing of material, topsoiling, stabilising and revegetation, must comply with the above requirements.
- g) Where earthworks necessitate the removal of existing trees, the site is required to be replanted with a minimum of six advanced saplings of suitable species. Planting is to be clear of the likely building location, a minimum of 2m from side or rear boundaries, and shall not be commenced until the earthworks have been completed and topsoiled.

6.7 RETAINING WALLS AND EARTHWORKS

Objectives

- To provide a consistent treatment for the provision of retaining walls.
- To accommodate proposed development on site without the need for excessive cut and fill or construction of high retaining walls.
- To encourage designs conforming to natural land forms.
- To ensure that building design is appropriate.

Controls

- a) Construct retaining walls in consistent, visually recessive materials and colours.
- b) Encourage landscaped embankments in preference to retaining walls and similar garden wall.

6.8 SOILS

Objectives

- To implement measures as part of development to prevent any degradation of the existing soil and groundwater environment.
- To minimise erosion and sediment loss during and after construction.
- To minimise water pollution from erosion siltation and sedimentation.
- To ensure that development does not contribute to environmental damage of water-courses and vegetation on the WTC and beyond.
- To minimise air and water pollution due to soil loss either through erosion or poor site practices

Controls

- a) Development should be designed and constructed to effectively integrate with the natural topography of the site, minimising the need for excessive sediment disturbance.
- b) Soil loss from a development site should be prevented through the installation and maintenance of effective site management practices.
- c) An erosion and sediment control plan (ESC Plan) is required to be submitted with all DAs (including complying development) where the proposal involves site disturbance, excavation or filling (other than for minor building modifications) including:
 - demolition
 - excavation
 - trenching
 - building

6 Environmental Management

- d) The ESC Plan must make reference to the entire construction and post construction period. All devices must be installed prior to commencement of any other demolition or construction works on-site.
- e) The ESC Plan is to be prepared according to the requirements of the NSW Department of Housing, Managing Urban Storm water: Soils and Construction, 2004, and Council's Policy E1: Erosion and Sediment Control from Building Sites.
- f) For large scale developments (greater than 5000sq m), more extensive controls will be required according to the requirements of the NSW Department of Housing's controls referred to in (e) above.
- g) Suspended solid concentrations in storm-water leaving the site shall not exceed more than 50mg/l.
- h) All controls are to be maintained through the life of the works and shall be inspected and repaired at the end of each working day.
- i) Dust control measures should be applied to reduce surface or airborne movement of sediment from exposed areas of the site.
- j) All DAs for land identified in **Figure 6.4** require the submission of a geotechnical study to the consent authority.

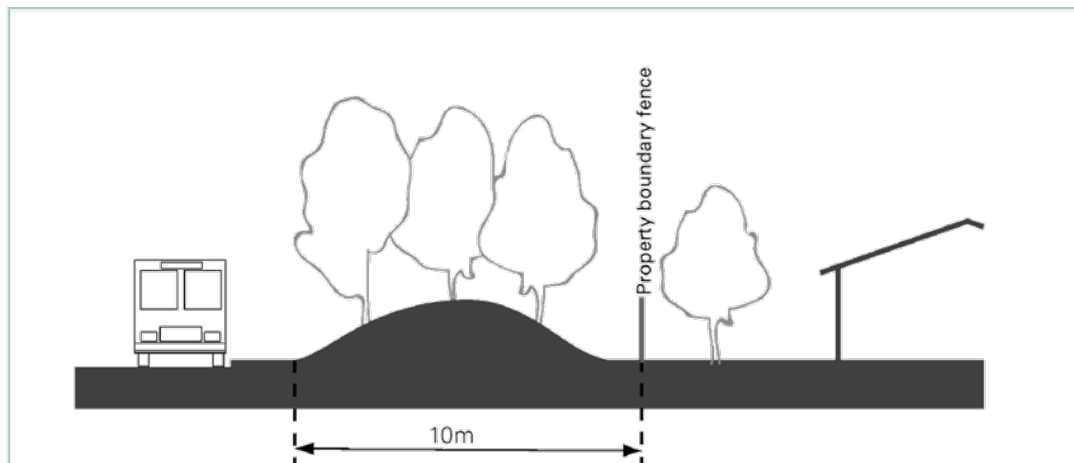


FIGURE 6.5 NOISE MITIGATION MEASURES IN NOISE AFFECTED AREAS

6.9 ACOUSTICS

Objectives

- To minimise noise and vibration impacts from the railway corridor and Sparks Road.
- To establish appropriate built forms to mitigate noise and vibration impacts.
- To minimise noise impacts on residential uses, places of public worship, hospitals, educational establishments and other noise sensitive buildings in proximity to the railway corridor.

Controls

- a) Provide noise mitigation measures to minimise noise from the railway corridor and Sparks Road. A landscaped acoustic buffer is to be provided between building boundary fences and the nearest road kerb along Sparks Road (refer to **Figure 6.5**).

-
- b) Provide all practicable mitigation measures for rail noise and vibration as per the Rail Infrastructure Corporation and State Rail Authority Interim Guidelines for Councils: Consideration of Rail Noise and Vibration in the Planning Process, 2003, for development on land within 60m of the north-south rail corridor.
 - c) Reduce road noise impacts in accordance with the Roads and Traffic Authority Environmental Noise Management Manual, 2001.
 - d) The environmental noise goal for new dwellings shall be 60dB(A) L10 18 hours at 1 metre from the facade of future dwellings or 45dB(A) L10 18 hours within those dwellings when tested in accordance with the Environmental Protection Authority's Environmental Criteria for Road Traffic Noise, May 1999. The consent authority may consider a variation of the external noise goal, based on an applicant's sound economic and technical considerations and evidence that the internal noise standard specified in AS/NZS 2107-2000 can be reasonably achieved for all affected new dwellings.
 - e) Submit a noise study prepared by an appropriately qualified acoustic consultant with DAs for properties fronting Sparks Road and in the vicinity of access roads. The noise study is required to identify appropriate noise amelioration measures including dwelling design and acoustic buffer design. The design noise level shall be based upon estimated traffic flows, speeds and percentage of heavy goods vehicles expected in the next ten years (this information will be supplied by Council).
 - f) A landscaped acoustic buffer is to be provided along the southern boundary of the school on Sparks Road.
 - g) Noise amelioration mounds should be treated with stepped construction of subgrade to enable better keying of top soil to the sub-grade mounds. Top soil depth should be 200mm minimum and no slope should have a batter greater than 1:3. Mounds should be constructed with tree planting within batter grass treatments. Grasses should only be planted as a temporary measure so that tree establishment is not hindered by competition with grassing.
 - h) Any noise mitigation measures are to be located outside the Heath Wrinklewort Reserve.
 - i) Adopt other mitigation measures, where relevant in consultation with the consent authority.
 - j) Mitigate noise impacts on residential areas from non-residential uses by imposing operating hours and other operational measures, as appropriate.

6.10 WASTE AND RECYCLING

The minimisation of waste from development can reduce impacts on the public domain, contribute to building amenity and limit potential, harmful impacts on the environment. Waste management covers all development stages, from construction and use, to demolition. It also includes waste storage and collection.

Objectives

- To minimise waste generation and disposal to landfill by careful source separation, reuse and recycling.
- To avoid waste generation through design, material selection and building practices.
- To plan for the types, amount and disposal of waste generation during demolition, excavation and construction of developments.
- To ensure the efficient storage and collection of waste, and the quality design of facilities.



Environmental Management

Controls

Non-residential development

- a) DAs/PAs for all non-residential development must be accompanied by a waste management plan that addresses:
- best practice recycling and reuse of construction and demolition materials,
 - use of sustainable building materials that can be reused or recycled at the end of their lives,
 - handling methods and waste storage area locations such that handling and storage has no negative impact on the streetscape, building presentation or, amenity of occupants and pedestrians,
 - procedures for the on-going sustainable management of green and putrescible waste, garbage, glass, containers and paper including, estimated volumes, required bin capacity and on-site storage requirements.

The waste management plan is to be prepared by a specialist waste consultant and is subject to approval by the consent authority.

Residential development

- a) In developments not exceeding four dwellings, individual waste storage facilities may be permitted.
- b) In development of more than six dwellings or, where the topography or distance to the street collection point makes access difficult for individual occupants, a collection and storage area is required. The storage area must be located in a position which is:
- not visible from the street,
 - easily accessible to dwelling occupants,
 - accessible by collection vehicles or adequately managed by the owners' corporation to permit removal of bins to an approved collection point,
 - has water and drainage facilities for cleaning and maintenance; and
 - does not immediately adjoin private open space, windows or clothes drying areas.
- c) Subject to Council's collection policy, common garbage storage areas must be sized to accommodate either the number of individual bins required or a sufficient number of larger bins of minimum dimensions as required by Council.
- d) The size and number of the waste bins shall be determined having regard to the need for either, on-site access by collection vehicles or, the requirement for bins to be wheeled to the street for collection by a contractor. If transferred to the street for collection, the owners' corporation or, a caretaker must be responsible for the movement of bins to the collection point.

Residential Development Controls

The controls in this section relate to detached, semi-detached and multi-unit dwellings.

7.1 NEIGHBOURHOOD AND SUBDIVISION DESIGN

Objectives

- To establish a clear urban structure that maximises the 'sense of neighbourhood' and encourages walking and cycling over private car use.
- To establish a subdivision layout that utilises the residential development areas efficiently, maximises the natural attributes of the site and clearly defines and reinforces the public domain.
- To ensure that all residential lots are afforded a high level of amenity in terms of solar access, views/ outlook and/or proximity to public and community facilities and parks.
- To provide a range of densities, lot sizes and house types to foster a diverse community and interesting streetscapes.

Controls

- a) Residential neighbourhoods to have a mixture of lot sizes as shown in the examples in **Figure 7.1**.
- b) Subdivision layout is to create a legible and permeable street hierarchy that responds to the natural site topography, the location of existing significant trees and solar design principles.
- c) Pedestrian connectivity within each residential neighbourhood is to be provided between the residential areas and public open space areas, public transport nodes, education and community/ recreation facilities.
- d) Street blocks are to be generally a maximum of 250m long. Block lengths and widths are to be provided generally in accordance with the principles in **Figure 7.1**.
- e) Lot orientation and configuration is to be generally consistent with the subdivision principles shown at **Figure 7.1**. The preferred lot orientation is either on a north-south or east-west orientation as per **Figure 7.1**). Where other amenities such as views and outlook over open space are available, an alternative lot orientation can be considered.
- f) The minimum lot size for standard dwelling lots is 250m². The minimum depth of a lot is 17m.
- g) Lots smaller than 250m² are to be accompanied by plans for the proposed dwellings on these lots (ie. an Integrated Development Application) to demonstrate that dwellings can be located in these lots to comply with the controls in this DCP.

Residential Development Controls

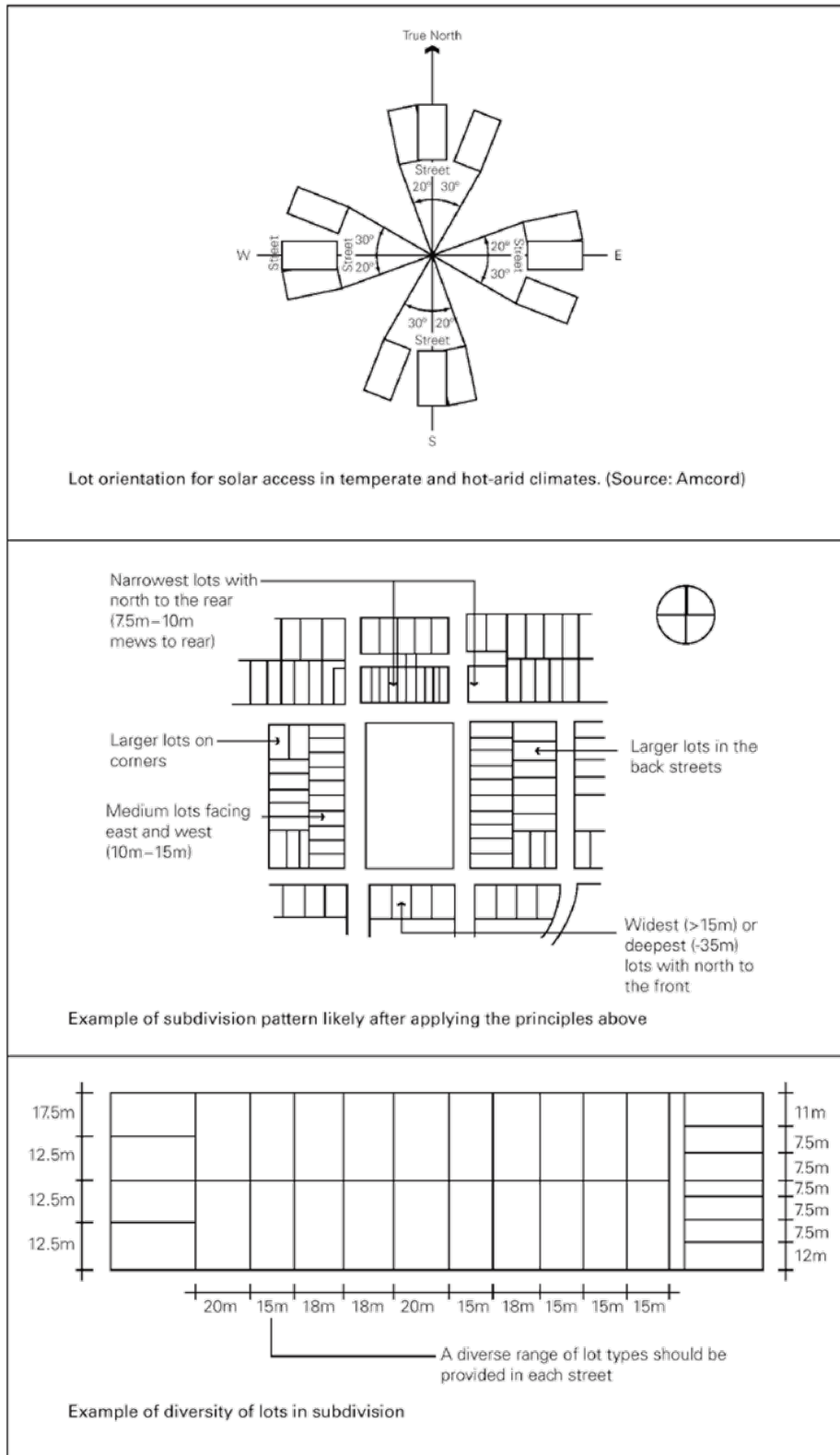


FIGURE 7.1 SUBDIVISION, LOT ORIENTATION AND LOT FRONTAGE VARIATION PRINCIPLES

7.2 STREETScape AND ARCHITECTURAL DESIGN

The landscape character of the street is created by well defined gardens, street trees and the visibility of backyard trees beyond the house. The streetscape character is a major contributor to the overall character of the neighbourhood. The corner lots are very significant as they provide opportunity for more prominent architectural features and means of way finding. Front fencing should be considered as part of the streetscape element rather than an extension of the dwelling.

Objectives

To ensure that buildings are designed to enhance the existing and future desired built form and character of the neighbourhood by encouraging innovative and quality designs that fit harmoniously with their surroundings.

- ▲ To encourage a diversity of house types and densities to be provided within residential streets.
- ▲ To ensure the provision of equitable access to natural light and ventilation for the occupants of all residential buildings.
- ▲ To provide a clear distinction between private and public space and to encourage casual surveillance of the street.
- ▲ To create an attractive and cohesive streetscape through the provision of simple and articulated building and roof forms and generous landscape.

Controls

- a) Good streetscape design principles are illustrated at Figure 7.2. The primary street facade of a dwelling must incorporate at least two of the following design features:
- ▲ entry feature or portico,
 - ▲ awnings or other features over windows,
 - ▲ balcony or window box treatment to any first floor element,
 - ▲ recessing or projecting architectural elements,
 - ▲ a variation in scale to adjoining properties,
 - ▲ open verandah,
 - ▲ mixture of building materials,
 - ▲ bay windows or similar features, or
 - ▲ verandahs, pergolas or similar features above garage doors.
- b) The secondary street facade for a dwelling on a corner lot must incorporate at least two of the following design features:
- ▲ verandah,
 - ▲ gable,
 - ▲ vertical architectural elements to reduce the horizontal emphasis of the facade,
 - ▲ entry feature or portico,
 - ▲ balcony/window boxes or similar elements, or
 - ▲ landscaping/fencing compatible with the status of the surrounding streetscape.

Residential Development Controls

- e) Eaves are to provide sun shading and protect windows and doors and provide aesthetic interest. Except for walls built to the boundary, eaves should have a minimum of 450mm overhang (measured to the fascia board). Council will consider alternative solutions to eaves so long as they provide appropriate sun shading to windows and display a high level of architectural merit.
- f) Proposed dwelling colours, materials and finishes are to be from a predominantly neutral palette of colours. Bright and highly reflective colours are to be avoided, except for architectural features. Multi coloured and black roof tiles are not permitted.
- g) Exact mirror imaging of dwelling facades to form dual occupancy (duplex) housing is not permitted. However, symmetrical dual occupancy design is permitted where each dwelling in the dual occupancy can satisfy two different design features as listed in sub clause (1) above and where the overall design of the dual occupancy is appropriate in the streetscape having regard to design, building form and bulk. The repetition of identical housing designs in a group of dwellings, other than for terrace housing and the like, will not be permitted.
- h) Garage doors are to be designed to recede from the front facade so as not to dominate the dwelling and the streetscape.
- i) Complex roof forms should be avoided. The pitch of hipped and gable roof forms on the main dwelling house should be between 22.5 degrees and 34 degrees. Skillion roofs, roofs hidden from view by parapet walls, roofs on detached garages, studios and ancillary buildings on the allotment are excluded from this control.
- j) Porticos and entry features are to be limited to one storey in height.
- k) All main entries to dwellings are to be to the front / primary street only and not to side streets.



FIGURE 7.2 GOOD STREETSCAPE DESIGN PRINCIPLES

7.3 SITE COVER AND LANDSCAPED AREA

Objectives

- To encourage the use of native species of flora and low maintenance landscaping;
- To contribute to effective stormwater management and energy efficiency;
- To enhance the landscape character of the area.

Controls

- a) Dwellings are to comply with the maximum site cover and minimum landscaped area requirements (as a percentage of the allotment area) below. The landscaped area (see definition at Glossary) means any part of a site, at ground level, that is permeable and consists of soft landscaping, turf or planted areas and the like.
- b) Landscape treatment is to be provided within the front setback zone to provide a clear delineation between the private and public domain and minimise stormwater runoff. The front setback area of a dwelling is to contain landscaping and a minimum of one tree is to be provided, where possible. The selected tree must be a minimum pot size of 75 litres and a mature height of no less than 6m. This may include existing trees that are to be retained within the front setback area. The DA plans must indicate the extent of landscaped area and nominate the location of a selected tree.
- c) Subsoil drains are to be installed around the perimeter of residences and connected to the stormwater system to prevent accumulation of water and concentration of salts.
- d) Use of low flow watering facilities is encouraged to avoid over watering. Low water demand drought resistant vegetation is to be used in common landscaping areas, including native salt tolerant trees.
- e) The minimum landscape area is as follows:
 - Lots <300m²: 10% of the lot area
 - Lots 300m² 450m²: 15% of the lot area
 - Lots >450m²: 20% of the lot area

Table 7: Site Cover

Lot width*	5m – 10m	>10m – 15m	>15m
Site Cover (Max.)	60% of lot area	60% of lot area	50% of lot area
	70% of lot area on lots <200m ² and have a rear loaded garage		

* Measured at the building facade line

Residential Development Controls

7.4 DWELLING HEIGHT, MASSING AND SITING

Objectives

- To ensure development is appropriately scaled to suit the dwelling's context and its scale.
- To ensure building heights achieve built form outcomes that reinforce quality urban and building design.
- To protect residential amenity.

Controls

- a) Single dwelling housing and multi dwelling housing is to be generally up to 2 storeys in height. Council may permit a 3rd storey or 1 storey over garage, if it is satisfied that it is located:
- on a prominent street corner, or
 - adjacent to a neighbourhood or local centre or public open space, or a golf course, or riparian corridors, or
 - on land with a finished ground level slope equal to or more than 8%, and
 - is not likely to impact adversely on the existing or future amenity of any adjoining land on which residential development is permitted, having regard to overshadowing, visual impact and any impact on privacy.
- b) For lots equal to, or greater than, 350m², the upper (2nd) level of a dwelling is to be no more than 35% of the lot area. Where the lot width is 15m or less, this is to be reduced to and no more than 30%. Upper floors are to be designed to maximise solar access to areas of private open space on the subject site and adjoining properties and minimise privacy impacts on adjoining properties.

Note: "Principal private open space" (PPOS) means the portion of private open space which is conveniently accessible from a living zone of the dwelling, and which receives the required amount of solar access.

7.5 FRONT SETBACKS

Objectives

- To provide a variety of streetscapes that reflect the character of different precincts, the diversity of edge conditions, house types and road hierarchies.
- To encourage the use of simple and articulated building forms.
- To reduce the dominance of garages on the streetscape.
- To encourage the use of eaves, verandahs, balconies and feature elements on the front facades of dwellings.

Controls

- a) Dwellings are to be consistent with the front setback controls and principles at Table 8 and Figure 7.3.

Note: the 'Building facade line' is the predominant front building line of a dwelling at ground level.

- b) The 'Articulation zone' consists of architectural elements which address the street frontage. Elements permitted in the articulation zone include the following:
- entry feature or portico,
 - awnings or other features over windows,
 - eaves and sun shading,
 - balcony or window box treatment to any first floor element,

- recessing or projecting architectural elements;
 - open verandahs;
 - bay windows or similar features;
 - verandahs, pergolas or similar features above garage doors.
- e) The garage line is to be set back a minimum 5.5m and minimum 1m behind the Building Facade Line.

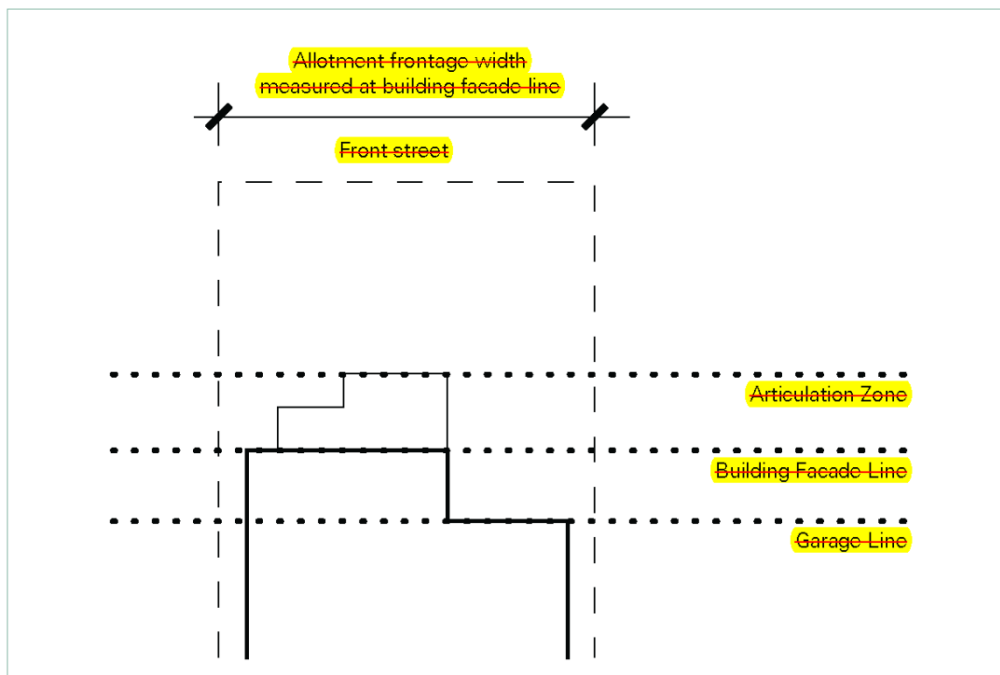


FIGURE 7.3 FRONT SETBACK PRINCIPLES DIAGRAM

Table 9: Front Setbacks

Lot width*	5m – 10m	>10m – 15m	>15m
Building facade line	3.5m	4.5m	Lots >15m – 20m: 4.5m to building facade line Lots > 20m: 4.5m to ground floor & 5.5m to upper floor
Articulation zone	2.5m	3.5m	3.5m
Garage line	5.5m to garage line & 1m behind the building facade line	5.5m to garage line & 1m behind the building facade line	5.5m to garage line & 1m behind the building facade line

* Measured at the building facade line

Residential Development Controls

7.6 SIDE AND REAR SETBACKS

Objectives

- To create an attractive and cohesive streetscape.
- To minimise the impacts of development on neighbouring properties in regard to view, privacy, and overshadowing.
- To encourage the efficient use of land.
- To provide 'breathing space' between buildings.

Controls

- a) Dwellings are to be consistent with the side and rear setback controls at Table 9. Projections permitted into side and rear setback areas include eaves, sun hoods, gutters, down pipes, flues, light fittings and electricity or gas meters, rainwater tanks and hot water units.
- b) Side setbacks are to be determined having regard to dwelling design, lot orientation, adjoining dwellings, landscape features and topography and the preferred locations diagram at Figure 7.4.
- c) Walls along boundary setbacks are to be staggered / indented to avoid the appearance of unduly long walls.

Table 9: Minimum Side and Rear Setbacks

Lot width at building façade line	5m-8m	>8m-10m:	>10m-15m	>15m
Side Setback (min) - Zero both sides*	Zero both sides*	Side A: Zero* Side B: 0.9 OR Zero both sides for Attached Dwellings only*	Side A: Zero* Side B: 0.9	Side A: 0.9m Side B: 1.5m
Rear Setbacks (min). Excludes lots with a rear loaded garage	3m	3m	Lots up to 300m ² : 3m Lots >350m ² : 4m	4m

*Subject to zero lot line provisions in Section 7.7 of this DCP

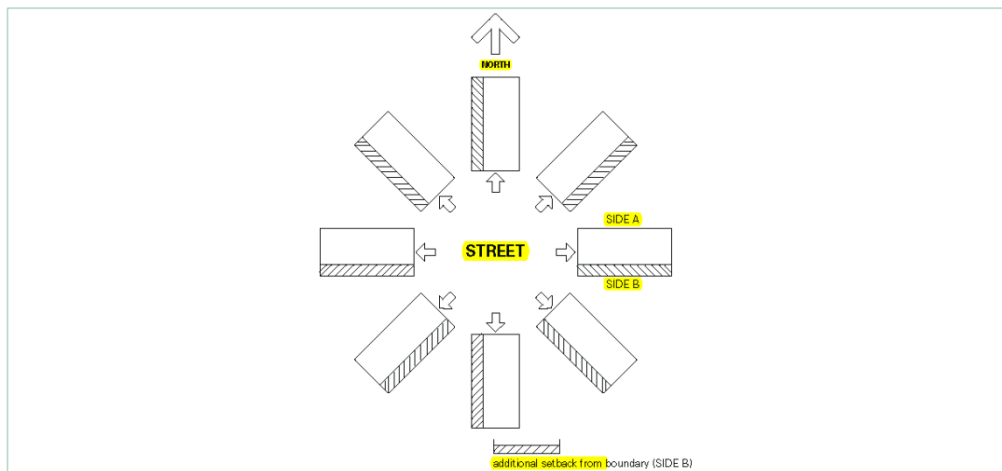


FIGURE 7.4 SIDE SETBACK LOCATION PRINCIPLES

7.7 ZERO LOT LINES

Objectives

- To create an attractive and cohesive streetscape and facilitate the efficient use of land.
- To provide appropriate distance between dwellings.

Controls

- a) Dwellings are to be consistent with the zero lot line setback controls at Table 10. It must be demonstrated that the use of a zero lot line setback will not adversely affect the privacy and solar access of an adjoining property.
- b) The location of zero lot line development is to be determined with regard to dwelling design, allotment orientation, adjoining dwellings, landscape features and topography and the preferred lot orientation illustrated at Figure 7.5.
- c) An easement for maintenance of the zero lot line wall (and any services along the side of the dwelling) is to be provided on the adjoining property. No overhanging eaves or services will be permitted within the easement. The S88B instrument supporting the maintenance easement is to be worded so that Council is removed from any dispute resolution process.
- d) Setbacks must satisfy site distance requirements in accordance with AS 2890.1.
- e) Attached and Semi-Detached Dwellings subject to a single development application may have attached walls longer than the zero lot line length in Table 10 below, if the application can demonstrate that a good level of residential amenity can be achieved for the dwellings, and adjoining properties.

Table 10: Zero Lot Lines

Length of zero lot line	5m-8m	>8m-10m	>10m-15m	>15m
Standard lots (excluding corner lots)	15m (excludes rear garages with laneway access)	15m (excludes rear garages with laneway access)	Lots >10m-12.5m: 11m Lots >12.5m-15m: 7m (garage only)	No zero lot line

* Measured at the building facade line

** See Figure 7.5 for preferred location of zero lot based on lot orientation

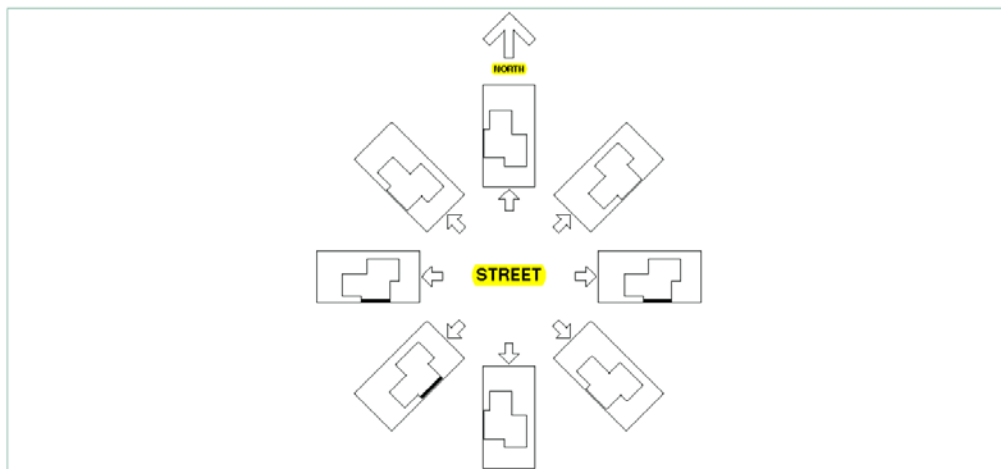


FIGURE 7.5 ZERO LOT LINE PRINCIPLES

Residential Development Controls

7.8 CORNER LOTS

Objectives

- To ensure corner sites are developed as visually prominent elements in order to promote a strong and legible character, while maintaining sight lines for the safety of pedestrians and vehicles.
- Ensure corner lots contribute to the creation of attractive, safe living environment.
- Promote the potential of the corner lots to form a gateway to the street.
- Ensure corner houses address both street frontages to provide overlooking to the street.
- Avoid blank walls in walls fronting both streets.

Controls

- a) The facade of a dwelling on a corner lot is to address both streets and be appropriately articulated. Garages on corner lots are encouraged to be accessed from the secondary street.
- b) For two-storey homes on corner allotments, upstairs windows visible from both streets, must have matching sill and head heights.
- c) Splays on corner lots shall be designed in accordance with Figure 7.6. For lots less than 15m wide, the minimum setback to dwellings from the secondary street boundary (not including the splay) shall be 2m. For lots greater than 15m wide, the minimum setback to dwellings from the secondary street (not including the splay) shall be 3m. Dwellings shall have a minimum of 0.9m setback from the splayed corner, subject to meeting sight distance requirements in accordance with AS/NZS 2890.1:2004.

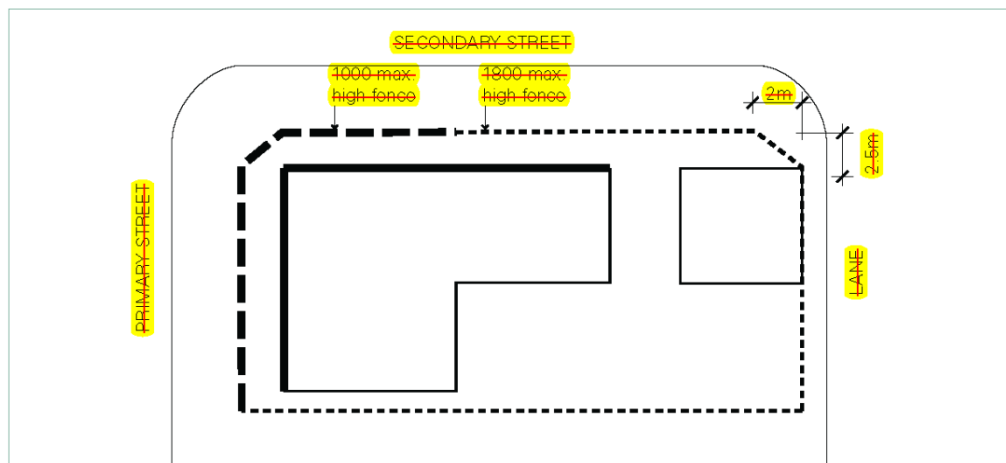


FIGURE 7.6 CORNER SPLAY DIAGRAM

7.9 PRIVATE OPEN SPACE

Objectives

- To provide a high level of residential amenity with opportunities for outdoor recreation and relaxation within the property.
- To enhance the spatial quality, outlook, and usability of private open space.
- To facilitate solar access to the living areas and private open spaces of the dwelling.

- ▲ To ensure that dwellings are designed to minimise overshadowing of adjacent properties and to protect minimum standards sunlight access to private outdoor living space of adjacent dwellings.

Controls

- a) Each dwelling is required to be provided with an area of Private Open Space (POS) and Principal Private Open Space (PPOS) consistent with Table 11.
- b) The location of PPOS is to be determined having regard to dwelling design, allotment orientation, adjoining dwellings, landscape features, topography and the preferred locations of PPOS illustrated at Figure 7.7.
- c) 50% of the area of the required PPOS (of both the proposed development and adjoining properties) should receive at least 3 hours of sunlight between 9am and 3pm at the winter solstice (21 June).
- d) The PPOS is required to be conveniently accessible from the main living area of a dwelling or alfresco room and have a maximum gradient of 1:10. Where the PPOS is permitted as a semi-private patio or balcony which is provided with a fence or landscaped screen no more than 1 m in height, or rooftop area it must be located to be directly accessible from a living area.

Table 11: Private Open Space

Lot width*	5m – 10m	>10m – 15m	>15m
Private Open Space	Min. 20% of the allotment area Min. dimension 2m	Min. 20% of the allotment area Min. dimension 2m	Min. 20% of the allotment area Min. dimension 2.5m
Principal Private Open Space	Min. 16m ² with a min. dimension of 3m**	20m ² with a min. dimension of 3m To be located behind the building facade line**	24m ² with a min. dimension of 4m To be behind the building facade line**

* Measured at the building facade line

** See Figure 7.7 for the preferred location of PPOS

Note: "Private open space" (POS) means the portion of private land which serves as an extension of the dwelling to provide space for relaxation, dining, entertainment and recreation. It includes an outdoor room / 'alfresco room', which is a semi-enclosed space (at least 1 side open) located adjacent a living/ dining/kitchen area of a dwelling that sits within the main roof line of a dwelling.
 "Principal private open space" (PPOS) means the portion of private open space which is conveniently accessible from a living zone of the dwelling, and which receives the required amount of solar access.

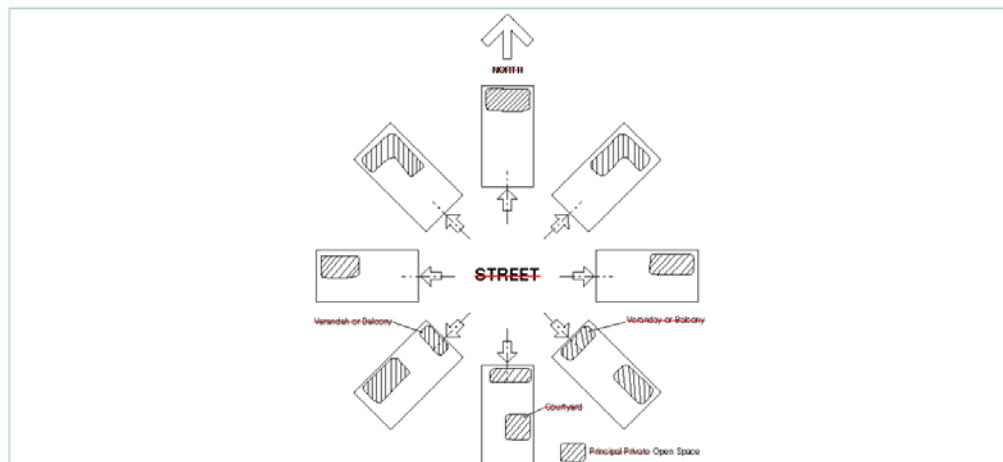


FIGURE 7.7 PRINCIPAL PRIVATE OPEN SPACE LOCATION PRINCIPLES

Residential Development Controls

7.10 PRIVACY

Objectives

- To site and design dwellings to meet requirements for visual and acoustic privacy, whilst minimising visual and acoustic impacts of development on adjoining properties.

Controls

- a) Direct overlooking of main habitable areas and private open spaces of adjacent dwellings should be minimised through building layout, window and balcony location and design, and the use of screening devices, including landscaping.
- b) Habitable room windows with a direct sightline to the habitable room windows in an adjacent dwelling within 9m are to:
 - be obscured by fencing, screens or appropriate landscaping, or
 - be offset from the edge of one window to the edge of the other by a distance sufficient to limit views into the adjacent window; or
 - have sill height of 1.7m above floor level; or
 - have fixed obscure glazing in any part of the window below 1.7m above floor level; or
 - fixed screen or opaque windows can be built closer than non-habitable room windows.
- c) The design of dwellings must minimise the opportunity for sound transmission through the building structure, with particular attention given to protecting bedrooms and living areas.
- d) In attached dwellings, bedrooms of one dwelling are not to share walls with living spaces or garages of adjoining dwellings, unless it is demonstrated that the shared walls and floors meet the noise transmission and insulation requirements of the Building Code of Australia.
- e) The internal layout of residential buildings, window openings, the location of outdoor living areas (ie courtyards and balconies), and building plant should be designed to minimise noise impact and transmission.

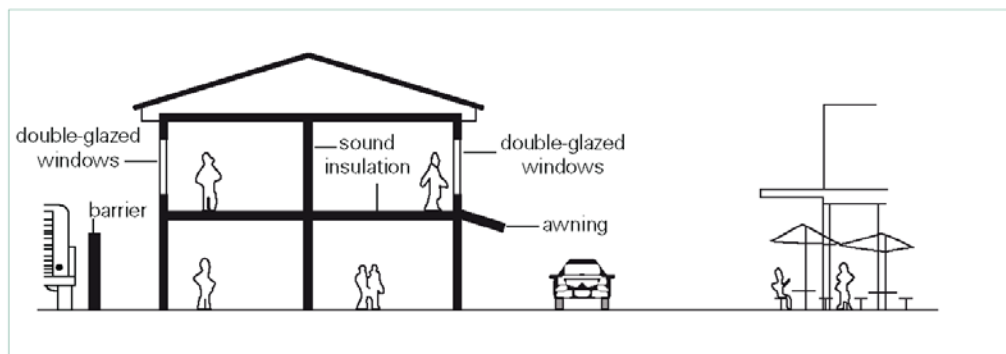


FIGURE 7.8 STRATEGIES FOR MINIMISING NOISE TRANSMISSION

7.11 GARAGES, SITE ACCESS AND PARKING

Objectives

- To provide safe and secure on-site parking for residents and visitors.
- To reduce the visual impact of garages, carports and parking areas on the streetscape and improve dwelling presentation.

- To ensure the design of garages do not dominate the frontage of the house.
- To encourage the use of studies over garages to provide surveillance, work from home or residential accommodation opportunities.

Controls

- a) The garage location requirements are set out in Table 12. Where a carport or garage entry forms part of the front facade of a dwelling, the carport or garage is to be set back a minimum of 5.5m from the front boundary to enable a car to be parked in the driveway. A carport or garage is to be setback at least 1m behind the front building facade. Garages adjacent to, and accessed from a rear lane may be built to the rear boundary.
- b) The location of driveways is to be determined with regard to dwelling design and orientation, street gully pits and tree bays and is to maximise the available on-street parking and the preferred garage location principles illustrated at Figure 7.9.
- c) Carports and garages are to be treated as an important element of the dwelling facade and interface with the public domain. They are to be integrated with and complementary, in terms of design and material, to the dwelling design. Garage doors are to be visually recessed through use of materials, colours, and overhangs. When facing the street, the maximum total width of a garage or carport door is to be 50% of the building facade length.
- d) The maximum width of a driveway at the property boundary is to be 4.5m. On narrow roads, a wider driveway width may be required in order to comply with AS 2890.
- e) Indicative examples of shared driveway / mews court arrangements are shown at Figure 7.10. The maximum number of dwellings serviced from a shared driveway is 10. Where 5 or more dwellings are served from a shared driveway, Council may require the driveway to be owned and maintained by a community / resident association or the like.
- f) The maximum travelling distance from a public road to a garbage collection area within a shared driveway / mews court is 70m. Where garbage collection is required to occur within the shared accessway / mews court (ie when an alternative collection point is not available), the layout is to be designed to enable a garbage truck to enter and leave in a forward direction. A minimum pavement width of 5m and a turning circle is required.
- g) All visible services are to be located within 1m of either side of the lot boundary prolongation. This is to include stormwater drainage assets such as kerb inlet pits.
- h) Garages must be located in accordance with site distance requirements specified in AS 2890.1.
- i) Attached dwellings to have rear loaded garages only.

Table 12: Garage Locations

Lot width at building facade line	5m-7m	>7m-10m	>10m-12.5m	>12.5m-15m	Lots >15m
Rear loaded garages	Single, double or tandem garage	Single, double or tandem garage	Single, double or tandem garage	Single, double or tandem garage	Single, double or tandem garage
Front loaded garage	Not permitted	Front loaded single or tandem garage	Single, double (with separate garage doors) or tandem garage	Front loaded single, double or tandem garage	Front loaded single, double or tandem garage

Residential Development Controls

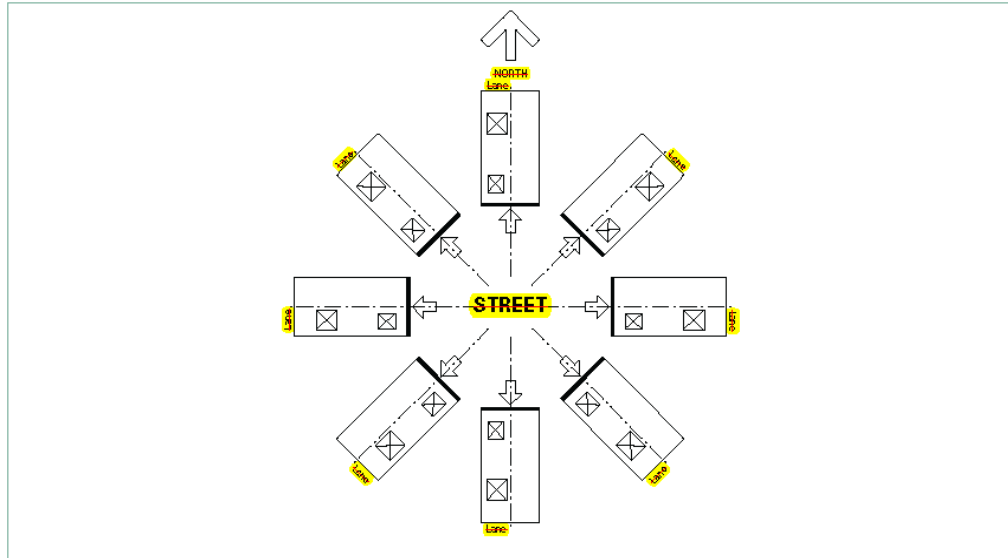


FIGURE 7.9 GARAGE LOCATION PRINCIPLES

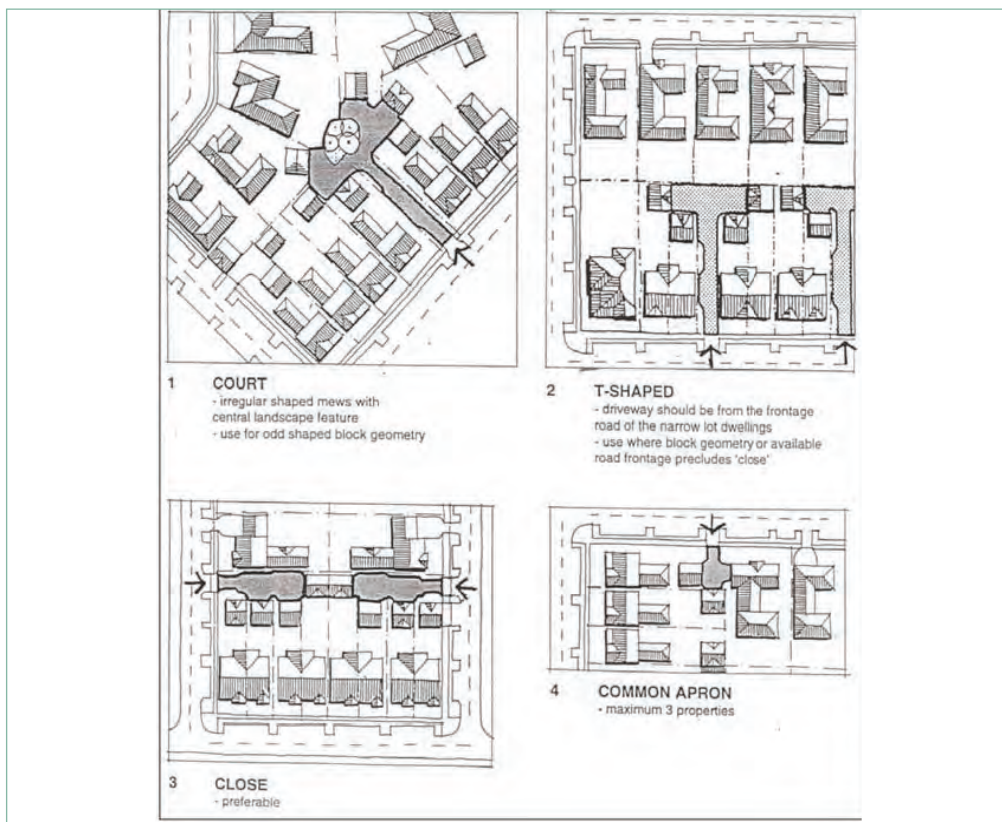


FIGURE 7.10 INDICATIVE SHARED DRIVEWAY CONFIGURATIONS

7.12 FLOOR TO CEILING HEIGHTS

Objectives

- ▲ To increase the sense of space within homes and provide well-proportioned rooms.
- ▲ To promote the penetration of daylight deep into rooms.
- ▲ To achieve quality interior spaces.

Controls

- a) The minimum floor to ceiling heights for all dwellings (excluding residential apartments) are provided at Table 13 and illustrated at Figure 7.11.

Table 13: Minimum Floor to Ceiling Heights

Lot width*	5m–10m	>10m–15m	>15m
Floor to ceiling height	2.4m minimum for all floors and all non-habitable rooms	2.4m minimum for all floors and all non-habitable rooms	2.7m minimum for all ground floor habitable rooms 2.4m minimum for all upper floors and all non-habitable rooms
Attic floor to ceiling heights	1.5m minimum wall height at edge of room with a 30 degree minimum ceiling slope		

*Measured at the building facade line

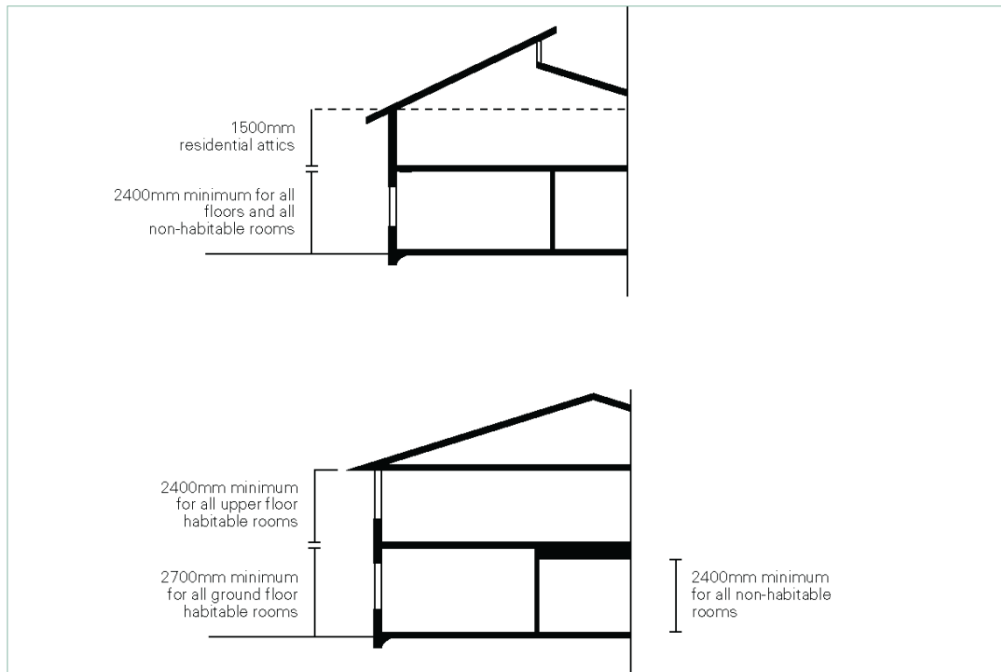


FIGURE 7.11 FLOOR TO CEILING HEIGHTS

Residential Development Controls

7.13 SAFETY AND SURVEILLANCE

Objectives

- To ensure that the siting and design of buildings and spaces, through casual surveillance, decreases the opportunity for crime.
- To ensure that development encourages people to use streets, parks and other public places without fear of personal risk.

Controls

- a) Dwellings should be designed to overlook streets, lanes and other public or communal areas to provide casual surveillance. In the case of corner lots habitable windows are also be oriented to overlook the side street.
- b) The design of all development, in particular, the public domain and community facilities is to enhance public surveillance of public streets and open space/conservation areas.
- c) Appropriate design of publicly accessible areas (eg parks, footpaths, etc) encourages a sense of community ownership of open and public spaces.
- d) Use of roller shutters other than garages is not permitted on doors and windows facing the street. Any security railings must be designed to complement the architecture of the building.
- e) Developments are to avoid creating areas for concealment and blank walls facing the street.
- f) Pedestrian and communal areas are to have sufficient lighting to ensure a high level of safety. These areas must be designed to minimise opportunities for concealment.
- g) All development should aim to provide casual surveillance of the street as a means of passive security. This should be achieved by maximising outlooks and views, but minimising the overlooking of neighbouring properties. Opportunities for casual surveillance from dwellings / studios are to be incorporated into the design of shared driveways and where rear access is proposed from laneways.
- h) All developments are to incorporate the principles of *Crime Prevention Through Environmental Design* (CPTED). Development Applications for subdivision, public open space and community facilities may require a formal crime risk (CPTED) assessment as part of the EP&A Act 1979, development assessment and *Camden Council's Designing Safer Communities – Safer by Design Guidelines* (October 2002).

7.14 FENCING

Front fence design and materials can have significant impacts on the quality of the public domain and adjoining properties. Appropriate design promotes surveillance and defines the public and private domain interface.

Front fences include fences to primary and secondary street frontages, and side boundary fences forward of the building alignment.

Objectives

- To ensure boundary fencing is of a high quality and does not detract from the streetscape.
- To ensure front fences allow for passive surveillance of the street.
- To clearly define the public and private domain interface.
- To contribute to street amenity and the character of the WTC.

Controls

- a) ~~Front fencing shall be in harmony with the street, consistent in design and style with its dwelling and a maximum of 1m high. Separate application is to be made for fences higher than 1m and for courtyard walls. Side and rear fencing are to be a maximum of 1.8m high. Front fences and walls are to not impede safe sight lines for traffic.~~
- b) ~~Front fences over 1m in height above street level, must be at least 50% visually permeable.~~
- c) ~~Notwithstanding the above, the maximum height of any portion of a front fence must not exceed 1.2 m above street level.~~
- d) ~~On corner lots the preferred outcome is for the dwelling to front both street frontages providing a better overall streetscape presentation. Where fencing to the secondary street frontage is proposed, it is not to exceed 1.8m high for more than one third of the length of the secondary road frontage, if relevant.~~
- e) ~~On corner lots the front fencing style is to be continued along the secondary street frontage to at least 1m behind the building line of the dwelling. Side fences higher than 1m are not to extend past the Building Facade Line or Garage Building Line.~~
- f) ~~Where a dwelling is located adjacent to open space, boundary fencing is to be of a high quality material and finish. The design of the fencing is to permit casual surveillance of the open space and provide the dwelling with outlook towards the open space. Fencing that adjoins mews or rear accessways is to permit casual surveillance. Metal or timber paling or lapped/capped fencing can only be used internally between dwelling lots.~~
- g) ~~Where cut is proposed on the boundary of a lot, retaining walls are to be constructed with side fence posts integrated with its construction (relevant construction details are required with retaining wall approval). Otherwise retaining wall must be located a minimum of 450mm from the side or rear boundary of the lot containing the cut.~~
- h) ~~The use of decorative and varied materials is preferred.~~
- i) ~~The use of sheet metal is not permitted.~~

7.15 CUT AND FILL

Objective

- a) ~~To minimise the extent of cut and fill within residential allotments, including multi lot subdivisions.~~
- b) ~~To protect and enhance the aesthetic quality of the area by controlling, to appropriate levels, the form, bulk and scale of land forming operations.~~
- c) ~~To ensure that filling material is satisfactory and does not adversely affect the fertility or salinity of soil, or the quality of surface water or groundwater.~~
- d) ~~To ensure that the amenity of adjoining residents is not adversely affected by any land forming operation.~~

Controls

- a) ~~DAs are to illustrate where it is necessary to cut and/or fill land and provide justification for the proposed changes to the land levels.~~
- b) ~~Proposals requiring significant moving and filling of earth will be considered if it contributes to the overall quality of the development and the urban design outcomes for the area. A Validation Report will be required to be submitted to Council prior to the placement of imported fill on site. All fill shall comply with the Department of Natural Resources – "Site Investigation for Urban Salinity" and The DECC Contaminated Sites Guidelines – "Guidelines For the NSW Site Auditor Scheme (2nd edition) – Soil Investigation Levels for Urban Development Sites in NSW."~~

Residential Development Controls

- e) Earth moved from areas containing noxious weed material must be disposed of at an approved waste management facility, and transported in compliance with the Noxious Weeds Act 1993.
 - d) No earthworks shall be undertaken without approval from council whereby excavation exceeds 500mm or fill exceeds 500mm from the present surface level of the property without approval from Council.
 - e) On sloping sites, site disturbance is to be minimised by use of split level or pier foundation housing designs. Council will consider greater out for basement garages.
 - f) Retaining walls within residential allotments are to be no greater than 500mm high at any point on the edge of any residential allotment. A combined 1m maximum retaining wall height is permissible between residential lots (2 x 500mm). Where terraced walls are proposed the minimum distance between each step is 0.5m. A variation to the retaining wall heights can be considered with supporting justification and concurrence of the adjoining neighbour.
 - g) The maximum height of voids within individual allotments is 3m **Figure 7.12**.
 - h) All retaining walls proposed for the site are to be identified in the building DA.
- Note: Filling on lots to be either contained within the 'building footprint' or no closer than 2 metres of a property boundary up to 500mm in depth.*

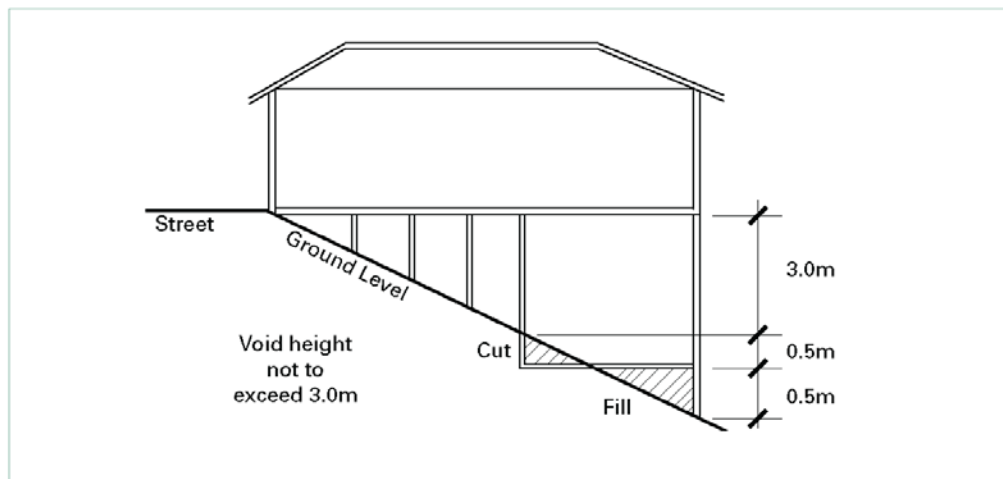


FIGURE 7.12 PREFERRED MAXIMUM CUT AND FILL WITHIN RESIDENTIAL LOTS

7.16 STORMWATER AND CONSTRUCTION MANAGEMENT

Objectives

- ▲ To manage stormwater discharge in a manner that minimises impacts on downstream receiving waters.
- ▲ To minimise soil erosion and siltation during construction and following completion of development.

Controls

- a) A Stormwater Concept Plan is to be submitted with each building DA indicating how stormwater will be managed and disposed of. Drainage for individual developments shall be designed in accordance with the stormwater quality and quantity targets set by the DECC, Australian Rainfall and Runoff (1997), and Council's Engineering Design Specification. All subsurface drains are to be connected into the stormwater system within the site downstream of any water tanks.

- b) All development shall be carried out in accordance with an approved Soil and Water Management Plan prepared in accordance with *Managing Urban Stormwater – Soils and Construction*, Landcom 4th Edition March 2004 ('The Blue Book').
- c) Where properties fall away from the street and/or are unable to drain to a local drainage system, an easement for draining through downstream properties must be created in the subdivision plan.

7.17 ADDITIONAL CONTROLS FOR DUAL OCCUPANCY DWELLINGS

The following controls apply specifically for Dual Occupancy dwellings (two dwellings on one lot). Other controls in this DCP still apply.

Table 14. Controls for Dual Occupancy Dwellings

Element	Detached	Attached	Attached – One above the other
Site Coverage	60%	60%	60%
Total area of First floor % of site area for lots >350m ²	Lot width 15m or less 35% Lot width >15m 30%	Lot width 15m or less 35% Lot width >15m 30%	Lot width 15m or less 35% Lot width >15m 30%
Private Open Space (Min.)	10% of the allotment area for each dwelling	10% of the allotment area for each dwelling	Lower dwelling: 15% of the allotment area Upper dwelling: Balcony min 10m ² plus a minimum 10m ² at ground level for a service yard/clothes drying area.
Private Open Space	Minimum 16m ² with a minimum dimension of 3m for each	Minimum 16m ² with a minimum dimension of 3m for each	Upper dwelling: Balcony min 10m ² and min dimension 2m (for 1-2 bedroom dwellings) or min dimension 2.4m (for 3+ bedroom dwellings).
Parking	1-2 bedrooms: 1 covered space (max) 3 bedrooms or more: 2 spaces (max) (1 covered) – may be in a tandem parking configuration. The total combined width of garages is to be no more than 10m without a separation of at least 3m. Where garages face the primary street frontage, the maximum width of a garage opening is 6m. Adjoining double width garages will not be supported unless they are separated by a dwelling façade or landscaped area of at least 4m.		

Residential Development Controls

7.18 ADDITIONAL CONTROLS FOR MULTI-DWELLING HOUSING

The following controls apply specifically to Multi-Dwelling Housing (3 or more dwellings on a single lot). Other controls in this DCP still apply.

Objectives

- ▲ To ensure that the design of multi-dwelling housing is consistent with the character of residential areas within the WTC.
- ▲ To ensure the quality of multi-dwelling housing is of a high quality and contributes to the amenity of residents.

Controls

- a) Multi-dwelling housing is to be located on sites with a minimum street frontage of 30m and a minimum depth (from front to rear) of 25m.
- b) Multi-dwelling housing sites are to have direct frontage to a public road (i.e. not on battle-axe lots). Adaptable dwellings are preferably to be single-storey and be located on the street frontage.

Table 15. Controls for Multi-Dwelling Housing

Element	Controls
Site Coverage	60%
Landscaped area (min)	20% of site area
Private Open Space (Min.)	Min. 10m ² per dwelling at ground level, with min. dimension of 2.5m.
Front setback (min)	4.5m
Corner lots secondary street setback (min)	3m
Side setback (min)	2m
Rear setback (min)	4m (excluding rear loaded garages)
Internal building separation distance (min)	5m (unless dwellings are attached by a common wall)
Car Parking Spaces	<p>1-2 bedrooms: 1 covered space (max)</p> <p>3 bedrooms or more: 2 spaces (max) (min 1 covered) — may be in a tandem parking configuration.</p> <p>Garages fronting the street to be set back a minimum of 1m behind the building setback and a minimum 5.5m from the front boundary.</p> <p>Where garages face the primary street frontage, the maximum width of a garage door is 6m and each garage is to be separated by a dwelling façade or landscaped area.</p> <p>1 visitor car parking space per 5 dwellings</p> <p>Bicycle parking spaces: 1 per 2 dwellings</p> <p>Visitor bicycle parking: 1 per 12 dwellings</p>

7.18 SECONDARY DWELLINGS

Secondary dwellings are permitted in accordance with the state Environmental Planning Policy (Affordable Rental Housing) 2009.

Note: Secondary dwellings, also known as Studios or 'Fonzie flats' are encouraged in order to provide children's play spaces, home offices, accommodation for extended families, and opportunities for more affordable housing delivery. The appearance of a secondary dwelling, in terms of the building itself

and its suitability in the context of the local character, is an important issue in the consideration of any application.

Objectives

- a) To encourage a diversity of affordable housing product.
- b) To promote innovative housing solutions that are compatible with the surrounding residential environment.

Controls

- a) Secondary dwellings are to be consistent with the amenity requirements of this DCP.
- b) Secondary dwellings shall incorporate similar or complementary design and construction features, finishes, materials and colours to the principal dwelling.
- c) Windows and private open spaces must not overlook the private space of any adjacent dwellings. Windows to common boundaries must either have obscured glazing, be screened or have a minimum sill height of 1.7m above floor level.

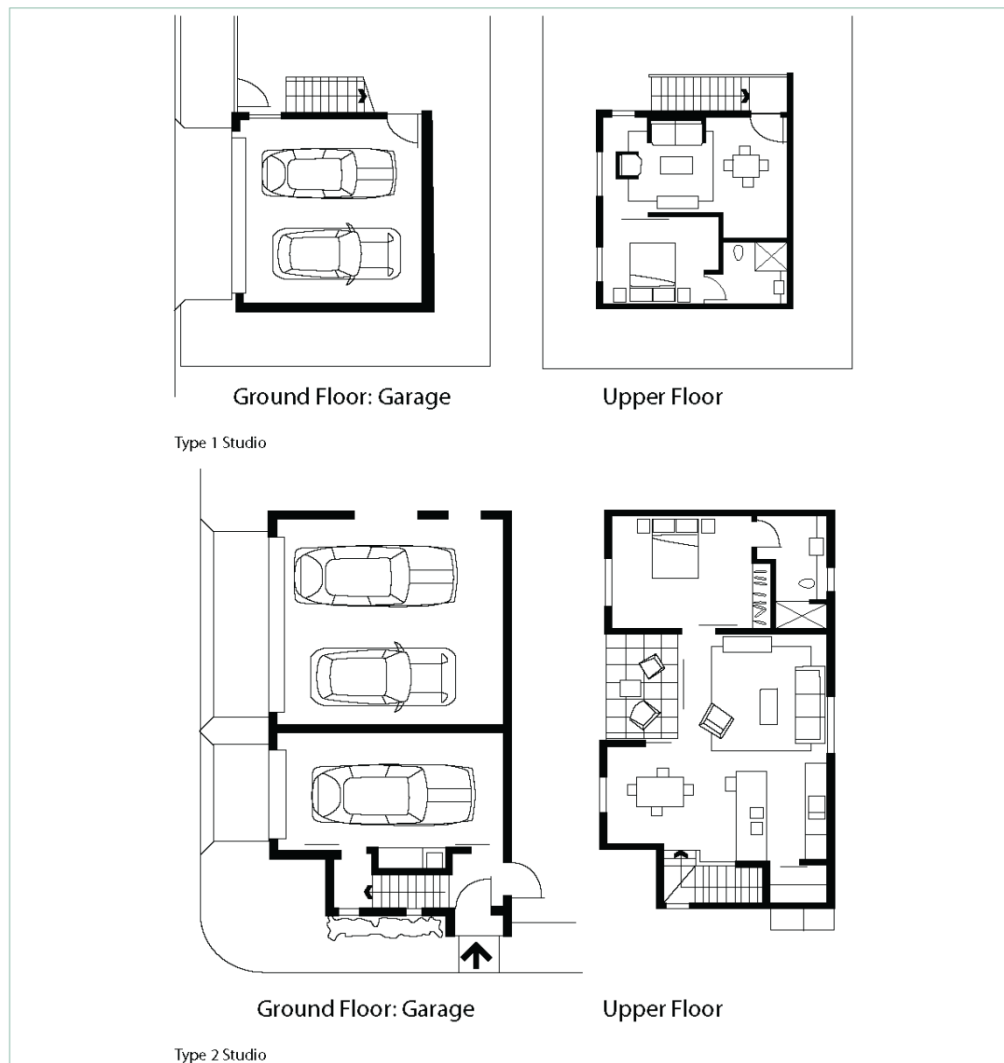


FIGURE 7.13 INDICATIVE EXAMPLES OF SECONDARY DWELLINGS

Residential Development Controls

7.20 SUMMARY OF BUILT FORM CONTROLS

Tables 16-18 below present a summary of the primary built form controls for dwellings based on the varying frontage (measured at the building facade line).

Table 16: Summary of Key Controls for Lots with Frontage 5m – 10m

Element	Control
Site Coverage (max)	60% of lot area 70% if lots <200m ² and a rear loaded garage is provided.
Front Setback (min)	3.5m to building facade line 2.5m to articulation zone 5.5m to garage line or 1m behind the building facade line (whichever is greater)
Side setback (min)	Lot width 5m-8m: Zero both sides Lot width >8m-10m: Side A: Zero, Side B: 0.9 or Zero both sides for Attached Dwellings only
Length of zero lot line on boundary (max)	15m (excludes rear garages with laneway access)
Rear Setback (min)	3m
Area of second storey on lots >350m ² (max)	35%
Private Open Space	Min 20% of the allotment area, minimum dimension 2m
Principle Private Open Space	Min. 15m ² with a min. dimension of 3m directly accessible from living areas
Landscape Area (min)	Lots <300m ² : 10% Lots 300m ² – 450m ² : 15% Lots >450m ² : 20%
Garages and car parking	Lot width 5m-7m: Single, tandem or double rear loaded garage only Lot width >7m-10m: Single, tandem or double rear loaded garage or Frontloaded single or tandem garage

Table 17: Summary of Key Controls for Lots with Frontage >10m – 15m

Element	Control
Site Coverage (max)	60% of allotment area
Front setback (min)	4.5m to building façade line 3.5m to articulation zone 5.5m to garage line or 1m behind the building façade line (whichever is greater)
Side setback (min)	Side A: Zero Side B: 0.9
Length of zero lot line on boundary (max)	Lot width >10m-12.5m: 11m Lot width >12.5m-15m: 7m (garage only) Semi-Detached dwellings may have longer walls on the shared boundary (refer to section 7.7 of this DCP)
Rear Setback (min)	Lots up to 300m ² : 3m Lots >350m ² : 4m
Area of second storey on lots >350m ² (max)	35%
Private Open Space	Min. 20% of the allotment area, minimum dimension 2m
Principle Private Open Space	Min. 20m ² with a min. dimension of 3m directly accessible from living areas
Landscape Area (min)	Lots <300m ² : 10% Lots 300m ² – 450m ² : 15% Lots >450m ² : 20%
Garages and car parking	Lot width >10m-12.5m: Frontloaded single or tandem garages. A double frontloaded garage must have separate garage doors or Rear loaded single, double or tandem garage Lot width >12.5m-15m: Frontloaded single, tandem or double garage or Rear loaded single, double or tandem garage

Residential Development Controls

Table 18: Summary of Key Controls for Lots with Frontage >15m

Element	Control
Site Coverage (max))	50% of allotment area
Front setback (min)	Lot width >15m-20m: 4.5m to building façade line 3.5m to articulation zone 5.5m to garage line or 1m behind the building façade line (whichever is greater) Lot width >20m: 4.5m to building façade line (ground floor) and 5.5m (first floor) 3.5m to articulation zone 5.5m to garage line or 1m behind the building façade line (whichever is greater)
Side setback (min)	Side A: 0.9m Side B: 1.5m
Length of zero lot line on boundary (max)	No zero lot line
Rear Setback (min)	4m (ground floor) 6m (first floor)
Area of second storey on lots >350m ² (max)	30%
Private Open Space	Min 20% of the allotment area, minimum dimension 2.5m
Principle Private Open Space	Min. 24m ² with a min. dimension of 3m directly accessible from living areas
Landscape Area (min)	Lots <300m ² : 10% Lots 300m ² – 450m ² : 15% Lots >450m ² : 20%
Garages and car parking	Frontloaded double or tandem garage or Rear loaded double or tandem garage



Explanatory Notes

The following information is general guidance to applicants. In preparing an application, applicants should seek advice from the consent authority for additional guidance and documents relevant to their proposal.

8.1 WHEN IS A DEVELOPMENT APPLICATION REQUIRED?

There are many instances where an application needs to be lodged with the consent authority. Development is defined in the EP&A Act as:

- the erection of a building on that land,
- the carrying out of a work in, on, or under that land,
- the use of land or of a building or work on that land, and
- the subdivision of that land.

It includes the construction of new buildings, the use of land for a new business, the change of an existing use, additions or alterations to existing premises, and land subdivision.

An application is not required for some development prescribed in the EP&A Regulation and the Exempt and Complying provisions of the State Environmental Planning Policy (Major Projects) 2005 (Amendment No. 24).

8.2 SUBMITTING A DEVELOPMENT APPLICATION

Application requirements should be discussed with the consent authority prior to lodgement. Some, or all of the following, will be required with an application, depending upon the complexity of a development proposal:

- completed application form (all land owners must sign the form and, where applicable, a company seal is also required);
- correct fees;
- Statement of Environmental Effects including a description of the site, the proposed development, the relevant planning controls, a compliance table and the development's environmental impacts;
- drawings, including a site analysis, location and site plans, existing survey, detailed building plans, elevations and sections, landscape plans and shadow diagrams;
- three dimensional representations, such as a model, perspective sketches, CAD generated photo montages or digital model in electronic form;
- indicative materials and finishes; and
- supporting specialist reports, such as geotechnical, wind mitigation studies, equitable access plans, heritage reports, retail development economic studies, BASIX or energy efficiency certification, traffic impacts and management, reflectivity, waste and stormwater management.

Public Notification

An application will be notified in accordance with the requirements of the EP&A Act and the consent authority's notification policy. Notification may include writing to surrounding and potentially affected property owners and residents, relevant newspaper advertisement and placement of notices on the development site.



Explanatory Notes

Referrals

Applications will be referred for comment to other Council departments or state agencies, as applicable. Where referrals are made to external agencies, the DA may take longer to process and applicants should allow for this contingency.

Design Review Panel

State Environmental Planning Policy 65 (SEPP) is aimed at improving the design quality of residential flat development across the state through the application of a series of design principles. It also provides for the establishment of Design Review Panels to provide independent, expert advice to councils on the merit of residential flat development. For residential flat development, applicants should consult with the consent authority regarding presentation to a Design Review Panel.

8.3 ADDITIONAL STUDIES & INFORMATION

Additional studies and information are required for all applications where development may have an adverse impact on significant vegetation and threatened fauna on the site. This is required in order to address the environmental and topographical values of the WTC.

The following additional studies and information are required:

- A survey of all trees on the site including, identification of significant vegetation.
- Measures to retain and preserve the site's significant vegetation during and after construction.
- Information on the likely affect of the construction and development on the long term viability of significant vegetation and threatened fauna on the site.
- A description of the way the development will respond to the significant vegetation and/or threatened fauna.
- A description of any feasible alternatives to the development that are likely to be of lesser effect, and the reasons justifying the carrying out of the development in the manner proposed.
- A full description of proposed measures to mitigate effects on significant vegetation and/or threatened fauna.

8.4 REFERENCES

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Explanatory Notes

8.5 POLICIES AND DEVELOPMENT CONTROL PLANS APPLYING TO WARNERVALE TOWN CENTRE

In addition to the provisions of this DCP, the following policies and chapters of the Wyong Shire Council Development Control Plan 2005 should be taken into consideration.

Reference No.	Policies
A3	Aboriginal Heritage
F3	Filling of Land
F5	Flood Prone Land
O2	Outdoor Eating Areas
P1	Contaminated Land
W1	Water Catchment Areas

Chapter No.	Wyong Shire Council Development Control Plan 2005
Chapter 70	Notification of Development Proposals
Chapter 14	Tree Management
Chapter 50	Advertising Signs
Chapter 58	Dual Occupancies
Chapter 64	Multiple Dwelling Residential
Chapter 66	Subdivision
Chapter 67	Engineering Requirements for Development
Chapter 85	Exempt Development
Chapter 86	Complying Development
Chapter 99	Building Lines
Chapter 100	Quality Housing

8.6 GLOSSARY

Awning

An awning is a predominantly horizontal structure projecting from the host building over a footpath to provide weather protection for pedestrians.

Illuminated sign

A sign which is internally or externally lit by artificial lighting whether that lighting is integral to or, separate from the sign, including signs with flashing or sequenced lighting, spot-lighting, directional, projected or laser lighting.

Inner Protection Area

With reference to Asset Protection Zones, the Inner Protection Area is the area closest to buildings, incorporating the defendable space and for managing heat intensities at the building surface.

Landscaped Area

Landscaped area means a part of a site used for growing plants, grasses and trees, but does not include any building, structure or hard paved area.

OEH

Office of the Environment and Heritage, or its successor.

Lane

An external space which is uncovered and open to the sky and which provides permanent pedestrian and/or vehicle connections through the town centre fabric at all hours.

Outer Protection Area

With reference to Asset Protection Zones, the Outer Protection Area is for reducing the length of flames by slowing the rate of spread, filtering embers and suppressing the crown fire.

Through-site link

An enclosed or partly enclosed arcade within development that has a public character, provides a right of way, and are open and accessible at both ends.

Permeability

Relates to the way that a design affects where people can go and cannot go within an urban district.

Porte cochere

A porch, often used in hotel development, large enough for vehicles such as tourist coaches to pass through.

Projecting wall sign

A sign projecting in either a horizontal or vertical direction from the wall of a building.

Signage

All signs, notices, devices, representations and advertisements that advertise or promote any goods services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage and includes:

- a) building identification signs, and
- b) business identification signs, and
- c) advertisements to which Part 3 applies,
but does not include traffic signs or traffic control facilities.

Site Coverage

Site Coverage is the total area of the lot to be covered by a dwelling house and all ancillary development (e.g. carport, garage, shed). The calculation of site coverage does not include awnings, eaves, unenclosed balconies, decks, pergolas, terraces, verandas, driveways, fences and screens, rainwater tanks attached to the house, swimming pools or spas.

Street alignment

The boundary between allotments, and a street or lane.



Explanatory Notes

Street frontage height

The vertical distance measured in metres at the centre of the street frontage from the average of the street levels at each end of the frontage to the parapet level of the frontage. The parapet level is the horizontal plane in which at least two thirds of the length of the top of the facade is situated. No part of the facade is to be less than 80 per cent of the height.

Under awning sign

A sign located below or otherwise supported from the underside of an awning.

View

An extensive or long range prospect of particular objects or geographic features.

Vista

A view along a street terminated by a building or structure such as an obelisk.

DRAFT CHAPTER 6.2 HAMLIN TERRACE – LOUISIANA ROAD INFILL PRECINCT (LRIP)

1.0 INTRODUCTION

The purpose of this Chapter is to provide specific development guidelines for the Louisiana Road Infill Precinct (LRIP).

1.1 Objectives of this Chapter

- To provide a high quality and varied residential environment with accessible open space, retail and community facilities
- To provide attractive streetscapes which reinforce the function of a street and enhance the amenity of dwellings
- To provide opportunity for a variety of housing types
- To provide a safe and efficient system of roads and pathways for vehicular, pedestrian and cycle movements
- To provide for the protection and enhancement of the environment
- To create a mix of housing promoted with denser development responding to amenity and proximity to local services
- To create a clear urban structure defined by site responsive design through a connected series of 'special places'
- To retain and restore flood affected bushland areas to form part of the wider vegetation corridor
- To adopt water sensitive urban design that employs best practice in quality and quantity controls
- To use existing infrastructure where possible
- To conserve *Grevillea parviflora* and other significant species and communities
- To support the establishment of new Centres at Warnervale and at Wadalba through appropriate Density and design
- To support public transport initiatives and resultant improved air quality emission/sustainability objectives

1.2 Land to which this Chapter Applies

This Chapter applies to land as shown on Figure 1



Figure 1 Land to which Chapter 6.2 applies

1.3 Relationship to other Chapters and Policies

This Chapter should be read in conjunction with other relevant Chapters of this Development Control Plan and other Policy Documents of Council, including but not limited to:

- Chapter 2.1 – Housing and Ancillary Structures
- Chapter 2.4 – Multiple Dwelling Residential Development
- Chapter 2.11 – Parking and Access
- Chapter 3.6 – Tree and Vegetation Management
- Section 4 – Subdivision
- Chapter 6.17 – Warnervale East/Wadalba North West
- Council's Civil Works Design Guideline and Construction Specification

Where any inconsistencies arise with the provisions contained in this Chapter, this Chapter shall prevail.

2.0 DENSITY DISTRIBUTION

The Masterplan for this area nominated a residential density target of 13 dwellings per hectare for the LRIP and noted that the LRIP provided the scope for mixed housing to be located within the precinct closer to the Wadalba Village centre. Therefore a higher residential density target applies for the area denoted as Precinct B with lower targets in Precincts A and C (refer Figure 2 below).

OBJECTIVES AND PRINCIPLES

- The criteria for the location of denser housing forms follow the principle of highest density at locations of high amenity or accessibility. Therefore, density locations reflect:
 - proximity to Wadalba centre and its facilities
 - proximity to public transport stops
 - proximity to open space
- Locations adjacent to the Wadalba Village centre have the best opportunities for denser housing forms to support local facilities, public transport and walkability.
- Other nodal points where bus stops will be located also present opportunities for denser housing forms, creating small local "places".
- Locations around open space and the central environmental corridor are particularly suitable for denser housing, with attached town houses generally to the north of spaces where they will not overshadow their own rear garden (other than those fronting the floodplain) and small lot or courtyard houses on the other frontages.
- The underlying zones of the three villages will have a major bearing on potential residential densities. Precinct B has been zoned Zone R1 to enable a mix of low and medium density housing to occur closer to the Wadalba Village centre.
- The remaining villages, Precinct A and Precinct C do not have the proximity advantage of Precinct B and therefore the underlying zone is a Zone R2 which allows for lower density single dwelling housing.

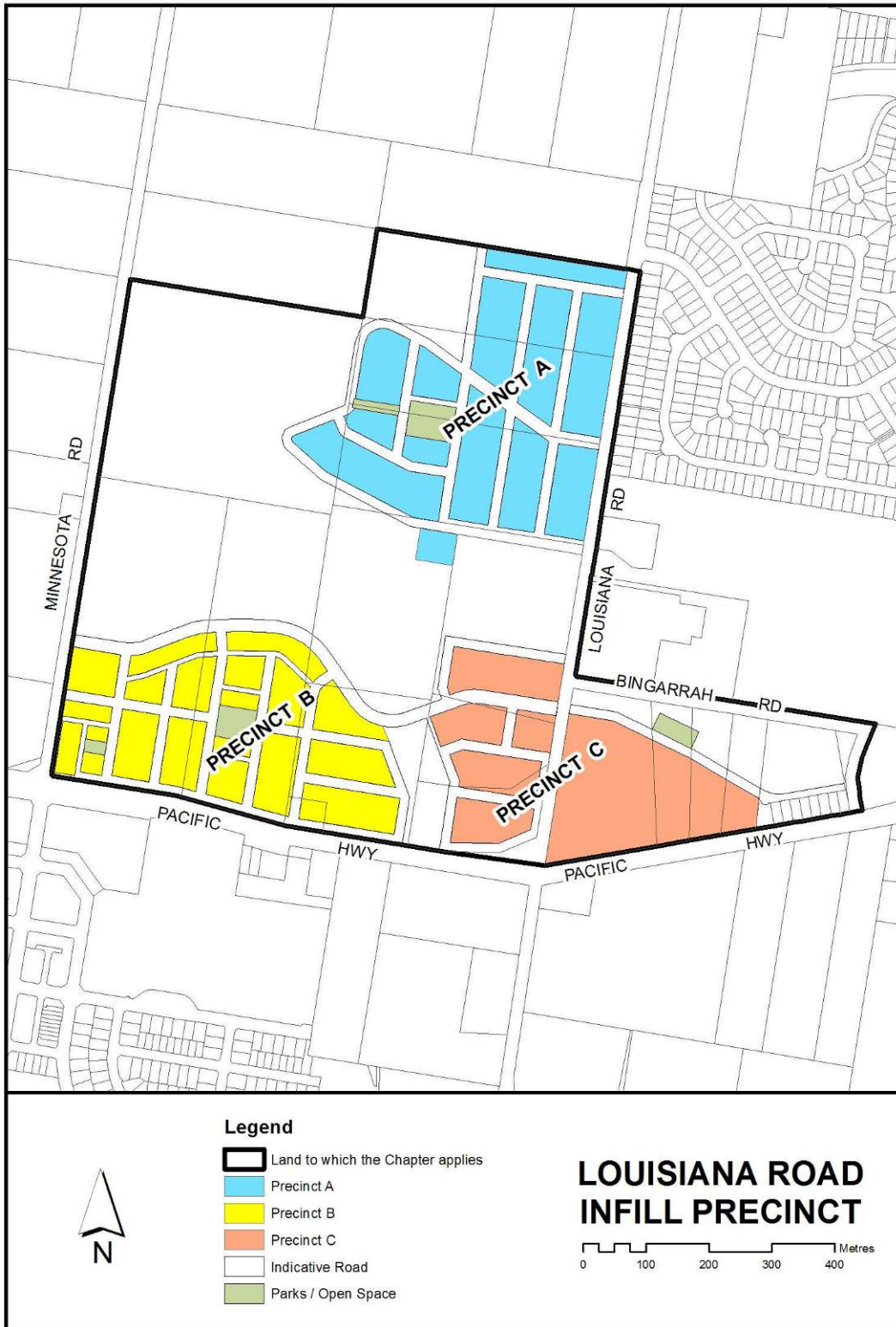


Figure 2 Density distribution map

REQUIREMENTS

- a Housing density generally determined by proximity to Wadalba Village Centre.
- b Lots smaller than 450 square metres shall be considered as Small Lot Subdivision and comply with Part 4 - Subdivision.
- c Smaller lots are to front areas of higher amenity, such as local parks and the bushland floodplain.
- d An overall density of 13 dwellings / ha must be achieved in the Louisiana Road Infill Precinct. This is to be achieved by applying the following minimum density requirement for each precinct as shown on the Figure 2 - 14.5 dwellings / ha in the Precinct B and - 12 dwellings / ha respectively in the Precincts A and C. The density requirements shown on Figures 11, 12 and 17 are indicative of how the overall density requirement of 13 dwellings per hectare may be achieved.

3.0 SUBDIVISION DESIGN

3.1 Streetscape

OBJECTIVES

- To ensure a consistent and pleasant streetscape blending into the surrounding natural environment
- To maintain pedestrian and road safety
- To, as far as possible, preserve the natural features of the area

REQUIREMENTS

- a A streetscape plan, and Landscape Design Report prepared by a suitably qualified landscape professional is to be provided with each subdivision application. The streetscape plan shall show:
 - i the street reserve together with typical cross sections;
 - ii location and detailing of carriageway pavement, parking bays, bus stops, kerbs, footpath, cycle paths and speed control devices;
 - iii location and species of proposed trees or other vegetation;
 - iv location of existing vegetation to be retained and proposed treatments to ensure its health;
 - v typical dwelling front alignments including any proposed setback variations together with any building detailing proposed to promote special character or identity;
 - vi any relevant details for front garden treatment, e.g. fences, driveways and landscape themes;
 - vii any relevant details for the design and location of street furniture - lighting, seats, bus stops, street signs, etc.
- b Applicants are required to consult with Council to ascertain preferred design standards for street furniture prior to the lodgement of a subdivision application.

Note: Wider verges are often necessary to provide space for larger trees, varied service requirements or varied parking requirements particularly where densities are 15 dwellings per hectare or greater.

- c Street landscaping schemes shall:
- i emphasise street tree planting particularly species that attain a minimum height of 8 metres at maturity;
 - ii select species that are drought resistant;
 - iii select species that are locally occurring where possible;
 - iv select species that have a growth habit and propagation that would inhibit weed growth;
 - v select species that would not obscure street lighting, vehicle sight lines at intersections or overhang the carriageway so as to interfere with service vehicles or buses;
 - vi require minimal maintenance once established.

3.2 Road Layout and Hierarchy and Public Transport Routes

OBJECTIVES

- To create a legible road hierarchy
- To maintain links to the past by preserving rural road routes
- To provide adequate and safe links between the three villages and to the surrounding locality and regional road networks
- To encourage multiple access nodes to facilitate quick and even dispersal of local traffic to and out of the local street layout
- To ensure all streets are overlooked by dwellings
- To avoid circuitous loops and cul-de-sacs where possible
- To make provision for efficient and convenient local public transport links and stops

REQUIREMENTS

3.2.1 Intersections

- a Traffic signals are to be provided on the Pacific Highway at the intersection of Louisiana Road to improve safety whilst catering for the expected traffic movements into / out of the new area and other adjacent areas to the north and south.
- b These signals are to be installed by the developer with the first stage of development which has access to Louisiana Road. The installation of the signals is to be carried out in accordance with the requirements of the RMS.
- c Roundabouts are to be provided at the intersection of the East-West Collector road and Louisiana Road and the intersection of Louisiana Road and the southern perimeter road of Precinct A.
- d A 'B' Type intersection in accordance with Austroads Guidelines is to be provided at the intersection of the East-West Collector road and Minnesota Road.

3.2.2 Access

- a No vehicle access is to be permitted to the Pacific Highway between Minnesota Road and Louisiana Road.
- b Properties located east of Louisiana Road on the Highway, currently with direct access to the Highway shall provide rear lane access linking into the internal road layout should any redevelopment of these properties be proposed. Rear Lane provision shall be in accordance with the Structure Plan. Affected properties include Lots 1 to 9 DP 201174 shown in Figure 3.

Note: These lots may be prone to flooding. Council should be consulted with regard to any proposed redevelopment of these lots.

- c Vehicular access to both Minnesota Road and Louisiana Road is to be denied to those properties located between the Pacific Highway and the 1st intersections to be constructed to the north of the Pacific Highway. This is reflected in the indicative lot layout shown in Figure 8.
- d Minnesota Road the East-West Collector Road and Louisiana Road are to be built above the 1% AEP flood level to provide flood free access to the District Centre to the north.
- e Landscaping of a nature to discourage access is to be provided along the edge of the LRIP boundary with the Pacific Highway as shown on Figure 4 and the 'Highway Edge' diagram (see Appendix A). The landscaping should include plants that are terete such as Hakeas. Prior to the consideration of any redevelopment of these sites, Council should be consulted to discuss the potential for flooding on these sites.

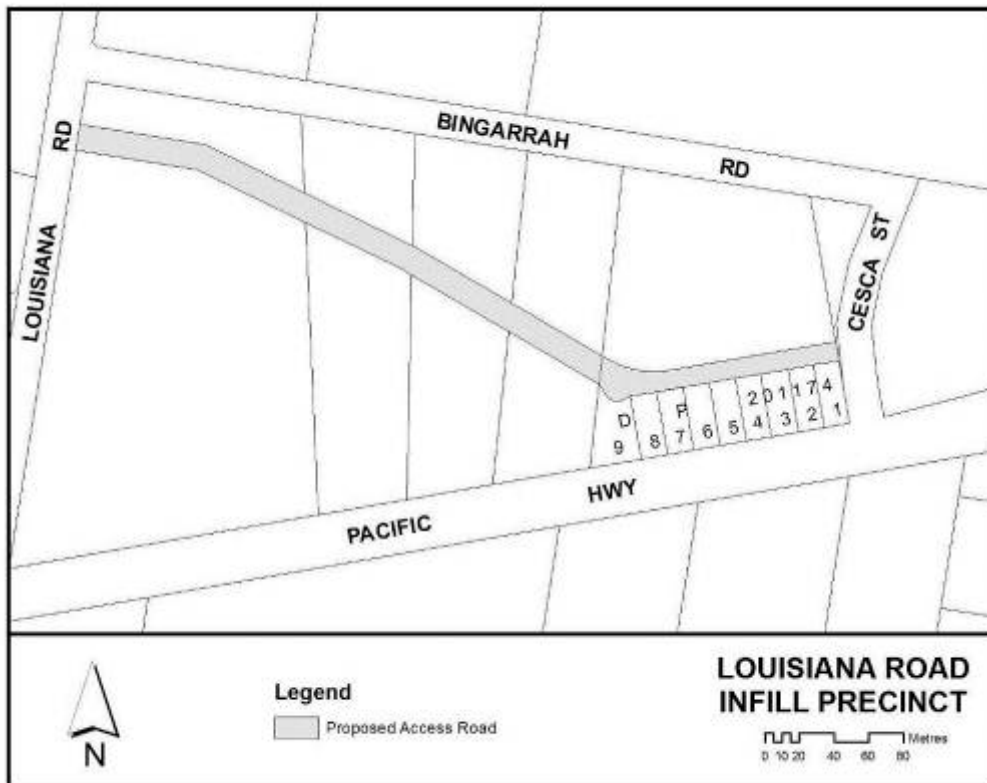


Figure 3 Access to Lots 1 to 9 DP 201174

3.2.3 Public Transport

Public transport is to be accommodated for the LRIP such that every future dwelling shall be within 500 metres walking distance of a bus stop. Bus routes will be located on Pacific Highway, Louisiana and Minnesota Roads.

3.2.4 Road Layout and Hierarchy

The road layout and hierarchy shall comply with Figure 4 and the diagrams in Appendix A. Further detail is provided in Table 1 Road Hierarchy and Layout.

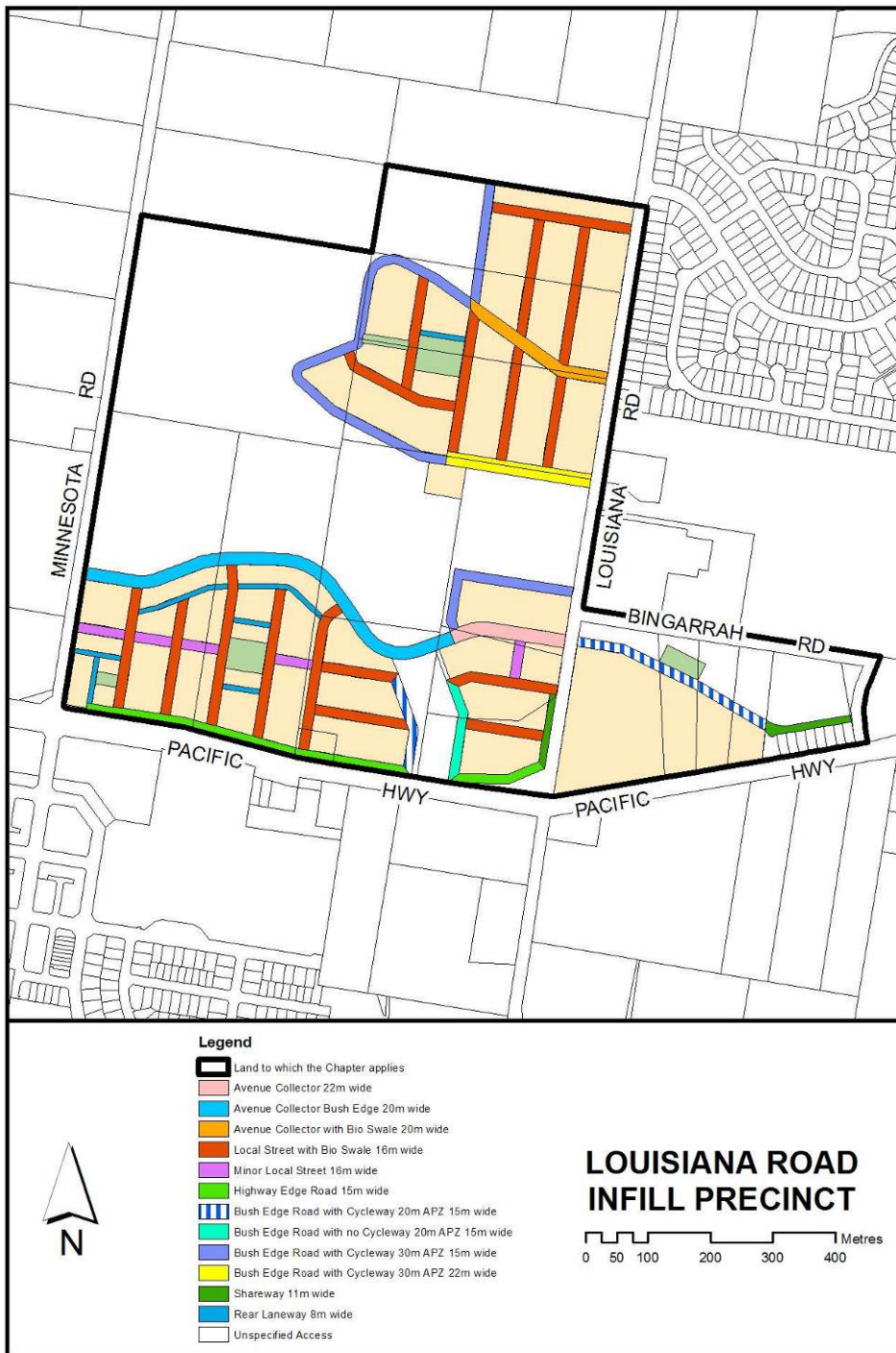


Figure 4 Road typology and hierarchy

Street Type	Indicative Max Volume (per day)	Max Street Speed (km/hr)	Road Reserve Width (m)	Preferred Carriageway / Pavement Width (m)	Parking Provisions within Road Reserve	Kerbing	Paved Footpath Provision	Cycleway Provision	Verge width (m)	Longitudinal Gradient
Avenue Collector	2000	50	22	11	2.5m parking on both sides within carriageway	Upright both sides	1.2 one side 2.5 other side	2.5 off road on one side	5.5m both sides	0.5% to 14%
Avenue Collector – Bush Edge	2000	50	20	11	2.5m parking on both sides within carriageway	Upright both sides	1.2m one side	2.5m Adjacent to but not within road reserve	3.5m Open Space side, 5.5m houses side	0.5% to 14%
Avenue Collector with Bio Swale	2000	50	20	10	2.5m parking both sides within carriageway	Upright one side swale kerb other side	1.2m both sides	None	6.5m to accommodate swale, 3.5m on other side	0.5% to 14%
Local Street with Bio-swales	1000	40	16	7	Within carriageway	Swale kerb one side rolled kerb other side	1.2m both sides	# None	5.5m to accommodate swale, 3.5m on other side	0.5% to 14%
Minor Local Street	1000	40	16	7	Within carriageway	Rolled kerb both sides	1.2m both sides	# None	4.5m both sides	0.5% to 14%
Highway Edge Road	500	30	15	5.5	Within carriageway	Upright Highway side rolled other side	1.2m houses side	Yes on road	4.5m to houses, 5m to highway	0.5% to 14%
Bush Edge Road with Cycleway	1000	40	15	8	Within carriageway	Upright bush side rolled other side	1.2m houses side	2.5m Adjacent to but not within road reserve	5.5m to houses 1.5m other side – Fire track overrun	0.5% to 14%
Bush Edge Road no Cycleway	1000	40	15	8	Within carriageway	Upright bush side rolled other side	1.2m houses side	None	5.5m to houses 1.5m other side – Fire track overrun	0.5% to 14%
Rear Access Laneway	150	20	8	6	None	Rolled both sides		None	0.5m one side 1.5m other side	0.5% to 14%
Shareway	150	20	11	5.5	Within carriageway	Upright both sides	1.2m houses side	None	4.5m to houses 1m other side	0.5% to 14%

Table 1 Characteristics of Street Types for Louisiana Road Infill Precinct

Notes from Table 1:

* Minor Local Street – Vertical kerb adjacent to Reserves

Local Street – 2.0m wide off road cycleway as shown on Figure 19

+ Where upright kerbs are proposed rather than rolled kerbs identified in this table, an additional 0.3m width is to be added to the carriageway pavement and therefore to the overall road reserve width.

3.3 Open Space, Pedestrian and Cycleway Routes

OBJECTIVES

- To provide a range of public open spaces, sufficient for the active and passive recreation needs of residents
- To provide linkages between open space, streets, special places and drainage features to create memorable public domain
- To enhance the appearance, amenity and energy efficiency of urban development through integrated open space and landscape design
- To enable multiple use of open space and open space corridors for recreation, conservation, access and drainage without diminishing the recreation or conservation values of that space
- To provide safe and convenient pedestrian and cycleway networks with clear internal links and connections to external regional network

REQUIREMENTS

a General

i Open space shall be provided which:

- Reflects the positive attributes of the locality and contributes to its character.
- Provides for a range of uses and activities for all members of the community.
- Provides a local focus for social interaction.
- Is cost-effective to maintain.
- Provides or extends bushland corridors and assists the viability of bushland corridors as habitat for native fauna and flora.
- Retains significant natural features including trees.

ii The nature of local parks and natural bushland varies according to intended function and use. This distinction is to be reflected in plans which recognise the different character and function of these forms of open space.

b Local Parks

- i Local Parks are to be generally bounded by public streets and/or fronted by dwellings to enhance passive surveillance and provide a desirable outlook for those properties.
- ii Local Parks are to be provided in accordance with the locations and sizing shown in the Structure Plan represented in Figure 5.
- iii A 5000m² local park is to be provided within the Precinct A.

- iv A 3000m² local park is to be centrally located in Precinct B.
 - v A 2000m² local park is to be provided on the northern edge of the Precinct C.
 - vi Where dwellings front directly onto local parks, appropriate easements are to be placed within these parks to allow for maintenance of utility services.
- c Cycleways and Pedestrian Routes
- i The off-road shared path network is to provide recreational and normal access throughout the Louisiana Road Infill Precinct to other external areas. The on-road cycle network and the off road shared cycleway and pedestrian network is to be provided in accordance with Figure 5. Off-road Cycleways are to be generally aligned with the edge roads to optimise passive surveillance and street lighting.

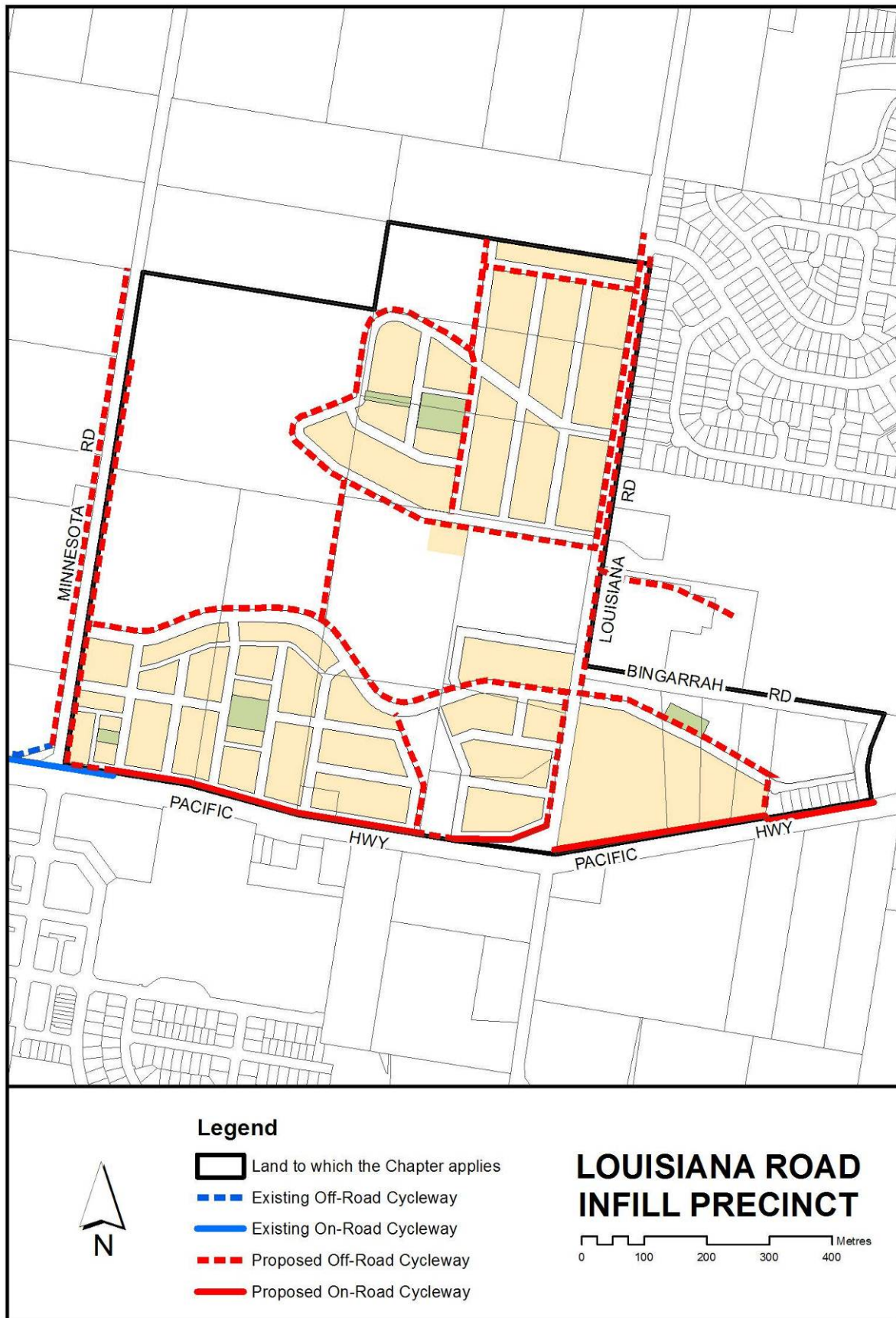


Figure 5 Cycleways and local open space

3.4 Environment and Vegetation Protection

OBJECTIVES

- To maintain biodiversity and protect native flora and fauna species and their habitats (including threatened species and endangered ecological communities) through the designation of public lands
- To protect the environmental and ecological values of land indentified as designated public land
- To minimise the impacts of development upon designated public land, during the construction and occupation of adjoining and adjacent residential areas
- To increase awareness and promotion of a culture of protection of environmentally sensitive lands by the community
- To facilitate long term monitoring of the designated public lands to determine changes (if any) to flora and fauna, particularly threatened species, their habitats and endangered ecological communities and recommend actions if required

REQUIREMENTS

3.4.1 Conservation Management Plan

It is noted that Figure 6 shows peripheral portions of some vegetation types will be removed under the development of this precinct. The plan adopts the recommendation of detailed flora and fauna studies and negotiations with DECC (OEH).

A management plan for environmentally sensitive areas of the LRIP is to be prepared and submitted with the first development application for subdivision and shall be complied with during the ongoing development of the Precinct. Detail of the information required should be discussed with Council prior to lodgement. This management plan shall detail measures to provide for the following requirements:

- a Rehabilitate areas of floodplain and rehabilitate gaps in vegetation, which provide valuable wildlife habitat. The plan for rehabilitation needs to take account of and be integrated with planning for bushfire asset protection zones (APZs), passive recreation activities and WSUD measures that will be located within the floodplain.
- b Restoration works on floodplains shall include revegetation with canopy trees including Forest Red Gum (*Eucalyptus tereticornis*) and Swamp Mahogany (*E. robusta*) to provide winter nectar and pollen source for local fauna.
- c Rehabilitate southern drainage line to create a corridor linkage which connects to the Wadalba Wildlife Corridor (to the south of the study area).
- d The presence of threatened species *Grevillea parviflora* subsp. *parviflora* in the area excluded from development will require management measures such as the implementation of protection zones around the population to reduce the impact of upslope processes.
- e The installation of fauna friendly devices at the point where the drainage corridor crosses the Pacific Highway (if this part of the Pacific Highway is upgraded in the future by the RTA). Principles include:
 - i retention of tall trees on either side of the Pacific Highway or the installation of Squirrel Glider dispersal poles to facilitate the dispersal of arboreal fauna over this gap;

- ii installation of box-style culverts (or a number of culverts) is recommended over this large drainage line for drainage and safe passage of fauna movements. Depending upon the physical characteristics of the landform and construction requirements for this roadway, a raised box style culvert is preferable across this corridor to increase safe fauna movement along the corridor;
 - iii revegetation and weed control programs will be required, and the success of such programs shall be monitored. A program is to be developed as part of the management plan and shall establish management actions for this component of the floodplain. Proposed actions will manage the floodplain, and other areas to be transferred into Council ownership. Additional management controls should require the control of sediment and drainage discharge from existing and new residential areas.
- f Any facilities within the floodplain corridor including, but not limited to roads, drainage works, and small parks should:
- i retain corridors of woodland around, and where possible over, the proposed facilities;
 - ii not impact on the necessary glide angles and width requirements of the squirrel glider;
 - iii not compromise the value and connectivity of the environmental corridor;
 - iv not result in the significant clearing or fragmentation of the remnant vegetation within the area;
 - v sensitively place services such as water, power and telecommunications, that are unavoidably required to be within the wildlife corridor, so as to avoid, protect or retain known habitat features (e.g. hollow bearing trees, dams, drainage lines, etc).
- g No fencing which would prevent movement of ground dwelling mammals, including ground dwelling medium sized mammals, should be erected within the identified floodplain corridor.
- h There is to be minimal use of overhead lighting within the floodplain corridor (to ensure nocturnal movements of native species along fauna corridors are maintained and native species are not disturbed by lighting).
- i All necessary fire protection measures (asset protection zones, fuel free and fuel reduced zones) are not to impact on the floodplain corridor area. APZs are to be largely contained within the development footprint and/or within already cleared lands.
- j Placement and construction of any detention/water treatment structures required within the floodplain are located sensitively and designed and landscaped to enhance habitat values for threatened amphibians and mitigate Identified Key Threatening Processes (e.g. *Gambusia* and frog chytrid).

3.4.2 Vegetation along Eastern Side of Louisiana Road

The existing vegetation, which includes *Angophora Costata*, located along the eastern side of Louisiana Road south of the Bingarra floodplain shall be preserved. Any road improvements and widening, footpaths and service provision is to be located outside of the root zone of these trees. An arborist report is to be submitted to and approved with any application for works adjacent to this vegetation.

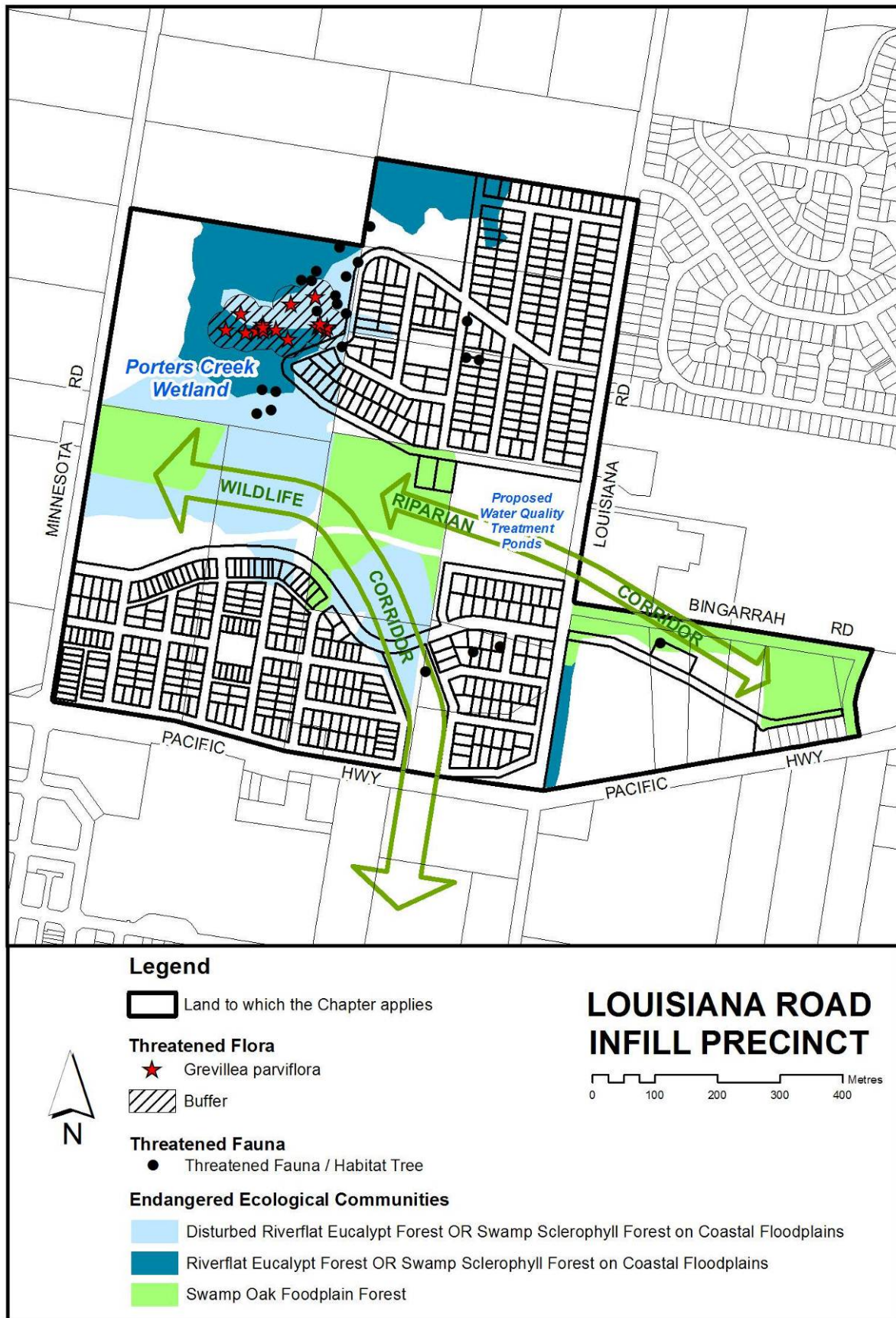


Figure 6 Consolidated environmental constraints and requirements

3.5 Water Cycle Management Requirements

Water Sensitive Urban Design (WSUD) seeks to ensure that development is carefully designed, constructed and maintained to minimise the negative impacts of urban development in the natural water cycle. WSUD utilises contemporary and alternative approaches to urban water management as part of a broader framework of Ecologically Sustainable Development (ESD).

The changes to the natural water cycle (i.e. the creation of an urban water cycle) has an important bearing on the conservation of land resources and biodiversity. A sustainable water cycle makes a significant contribution to the achievement of ESD.

Conventional water supply, stormwater and wastewater practices are largely based on centralised collection, conveyance, treatment and disposal of water flows. By contrast, WSUD promotes a decentralised approach that is attuned to the natural hydrological and ecological processes. It gives greater emphasis to the complete urban water cycle with features designed for on-site collection, treatment and utilisation of water.

A sensitive design response is required for each site meaning that careful consideration must be given to site characteristics such as soil type, slope, water table, rainfall characteristics, scale and density of development, sensitive environments and reuse opportunities.

OBJECTIVES

- To preserve both the flooding and drying hydrology from the development area to the natural wetlands and receiving waters in accordance with the Regional Stormwater Harvesting Scheme (refer to "Louisiana Road infill Precinct (LRIP) Rezoning Plan - Engineering Design Guidelines & Flood Planning")
- To safeguard the environment by improving the quality of stormwater run-off to achieve best practice standards, this shall be done by treating urban stormwater runoff to the standards specified in Council's Stormwater Policy
- To convey all minor storm events from developed areas (up to one-year ARI) to centralised storage basins for the purpose of harvesting stormwater in accordance with the requirements of the Regional Stormwater Harvesting Scheme
- To facilitate the inclusion of WSUD elements into development as an at-source treatment of stormwater whilst balancing with end of line water quality treatment devices in order to meet the required targets and satisfy the Regional Stormwater Harvesting Scheme
- To minimise the piping of stormwater in closed conduits and the use of concrete structures and hard surfaces to convey stormwater
- To preserve the nature of overland flow into the adjacent habitat and Flood Plain
- To control the impacts of urban development on channel bed and bank erosion by controlling the magnitude and duration of sediment-transporting flows
- To limit changes in flow rate, flow duration and overland flow path areas within the floodplain as a result of development. Avoid erosion of watercourses, slopes and banks due to runoff from impervious areas within the development
- To maintain and improve water quality in streams and groundwater systems
- To reduce floodrisk in urban areas and downstream water bodies by adopting requirements for minor and major system flow in accordance with Australian Rainfall & Runoff
- To protect and restore aquatic and riparian ecosystems and habitats

- To protect the scenic, landscape and recreational values of streams and water bodies
- To ensure that WSUD incorporated into residential development is consistent with the State Government's Building Sustainability Index (BASIX)

REQUIREMENTS

- a Works are to be designed and constructed in accordance with Council's Civil Works Design and Construction Manual.
- b The criteria for Urban Stormwater runoff quality for areas within the Woongarrah Creek/Porter's Creek Catchments are as the following:
 - i 85% reduction in the post development mean annual load of Total Suspended Solids (TSS);
 - ii 65% reduction in the post development mean annual load of Total Nitrogen (TN);
 - iii 45% reduction in the post development mean annual load of Total Phosphorus (TP);
 - iv Retention of litter greater than 5mm for flows up to 50% of the one-year ARI peak flow;
 - v No visible oils for flows up to 50% of the one-year ARI peak flow.

Compliance with these standards is to be determined through stormwater quality (MUSIC) modelling.
- c WSUD elements must be provided to control suspended solids and nutrients leaving the site and the drainage system shall ensure that no runoff leaves the development area other than via water quality control structures.
- d A Soil and Stormwater Management Plan shall be submitted with any Development Application for subdivision (or small lot subdivision development) as is required by Part 4 - Subdivision. This plan must address soil erosion, sediment control and stormwater management for the proposed subdivision during the construction phase and over the long term life of the development.
- e In addition to the requirements for this plan as outlined in Part 4, the Soil and Stormwater Management Plan (SSMP) shall comply with the requirements outlined in "Louisiana Road infill Precinct (LRIP) Rezoning Plan - Engineering Design Guidelines & Flood Planning".
- f The SSMP must utilise water sensitive urban design (WSUD) and shall incorporate a treatment train in accordance with Figure 7. The treatment train is intended to maintain outflow from the developed areas at pre-development levels and shall include the following:
 - i Demand Management – AAA+ fixtures and appliances, dual flush toilets, water efficient gardens (residential demand management in accordance with BASIX);
 - ii Rainwater Tanks – Residential tanks where required by BASIX;
 - iii 'At Source' Stormwater Treatment – Collect runoff and facilitate treatment by integration into landscaped areas, i.e. porous pavements, rain gardens, rainwater tanks, swales;
 - iv 'Streetscape' Stormwater Treatment – Integrated into road reserves to collect road and allotment runoff by use of bio swales. Street reserve widths of 16 metres or 18 metres will be required to accommodate bio swales to ensure treatment of stormwater prior to discharge to stormwater drainage systems and subsequently the stormwater storage. Roads shall have one-way cross-fall and a flush or broken kerb to facilitate run-off into the swales;

- v 'Precinct' Stormwater Treatment – Large treatment systems such as wetlands and bio-retention systems integrated into open space, parkland or landscaped areas to accept runoff from the precinct scale catchments and facilitate treatment prior to discharge to the 'stormwater storage'. These large treatment systems are to be provided on the edge of the Woongarra Creek floodplain as shown on Figure 7.
 - vi Stormwater Storage – Stormwater storage sized in combination with rapid drawdown pump rate to remove excess stormwater and deliver the Porters Creek wetland hydrologic objectives. The proposed Regional Stormwater Harvesting Scheme shall draw water from these centralised collection basins as illustrated in Figure 7 (refer to requirement I below regarding interim requirements). The storage basins are to be centralised as much as possible in order to reduce infrastructure such as additional pumps and reticulation.
 - vii Flow Diversion – Diversion of treated flows up to the one-year ARI along the swales / buffer edges of the creek corridor to bio-retention and/or stormwater storage locations at the base of the catchment, adjacent to the floodplain.
- g Where the SSMP varies from the Recommendations of WCP49 supporting documentation, it shall provide justification for the variation and demonstrate to Council's satisfaction that the objectives and key performance criteria outlined above are met by the revised concept.
- h Acceptable WSUD elements include the following; swales, bio-retention basins/swales, sand filters, vegetated buffers, rock rip rap channels, ephemeral wetlands, rain gardens. Design of such features shall be in accordance with the accompanying Council guidelines –"Louisiana Road infill Precinct (LRIP) Rezoning Plan - Engineering Design Guidelines & Flood Planning" and Best Management Practise, examples of which are contained in the following documents:
- i Water Sensitive Urban Design - Derwent Estuary Management Plan 2006, Natural Heritage Trust;
 - ii Australian Runoff Quality- A Guide to WSUD, Engineers Australia 2006;
 - iii WSUD Technical Guidelines for Western Sydney, URS Australia for UPRCT 2004;
 - iv WSUD engineering Procedures: Stormwater, CSIRO for Melbourne Water 2005.
- i Landscaping associated with or adjacent to WSUD elements should be based on plants indigenous to the locality. This will minimise requirements for water, energy, fertilizers and herbicides. This includes the use of native grasses. The landscaping should seek to capture runoff through the use of depressions, swales, rock channels, ridges, reed beds or similar. Details shall be provided in a [Category 3—Landscape design report prepared by a suitably qualified landscape professional](#) with any development application for subdivision or integrated housing.
- j WSUD elements such as bioretention systems / swales and constructed wetlands, that employ soil and vegetation based on treatment processes, require at least two growing seasons (i.e. two years) before vegetation in the systems has reached its design condition (i.e. height and density) thus a careful construction and establishment program should be prepared and implemented to ensure the systems establish in accordance with the design intent whilst accounting for the construction works that may be occurring in the catchment. As part of the design development and detailed design on site specific construction and establishment methodology must be documented for these and other IWCM elements (bioretention systems / swales, wetland and storages and reticulation) and the design package submitted to Council as part of the Construction Certification.

- k Placement and construction of any detention/water treatment structures required within the floodplain are located sensitively and designed and landscaped to enhance habitat values for threatened amphibians and mitigate Identified Key Threatening Processes (e.g. Gambusia and frog chytrid).
- l In the interim and prior to operation of the Regional Stormwater Harvesting Scheme the centralised storage basins shall be designed so as to allow passage of stormwater, up to the one-year ARI flow, into the adjacent floodplain area. (The storage basins will then be modified at a later date for stormwater harvesting by installing pumps and reticulation). Stormwater overflows during the interim period shall be conveyed in a suitable manner so as to minimise erosion and impacts on floodplain hydrology, geomorphology and ecology.
- m Construction of the centralised Stormwater Storages as shown in Figure 7 shall take into account future development within the relevant sub-catchments and the corresponding requirements in accordance with the Regional Stormwater Harvesting Scheme. Future storage requirements shall be included in the storage basins which shall be constructed as part of the Warnervale & Wadalba area.

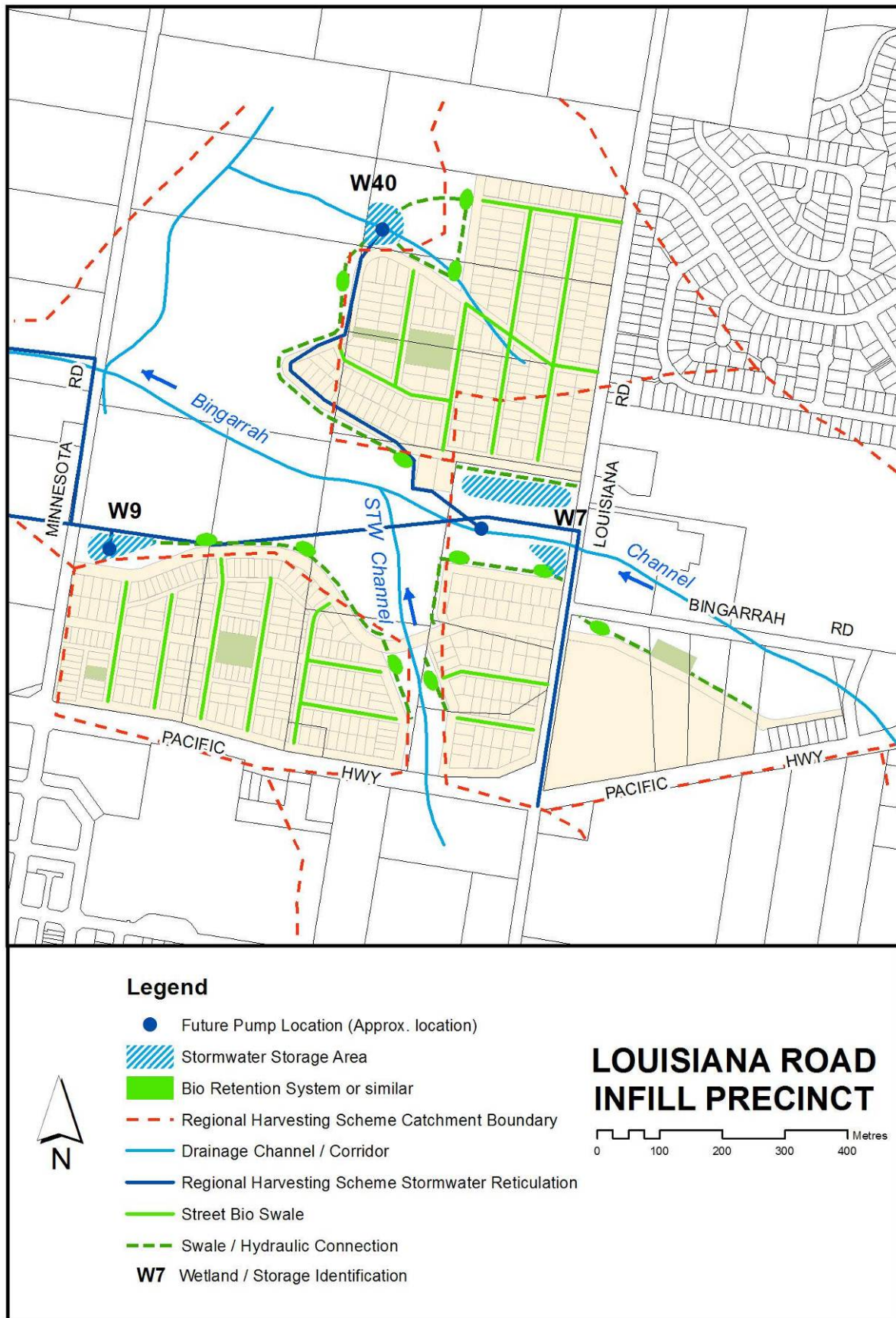


Figure 7 Indicative Water Cycle Management concept plan

3.6 Flood Plain Management and Channel Design

Council has adopted the 1% AEP event as the flood standard to guide planning and flood plain management activities within the Bingarra Channel Reach and Western tributary, known as South West Channel (refer to Figure 7 for location).

Consideration to proposed flood plain filling has been accounted for in the 1% AEP prediction. The proposed filling is associated with the Warnervale and Wadalba area, comprising approximately 4 locations where the subdivision extents encroach on the fringes of the flood plain. Included in the proposed flood plain filling is an area upstream of Louisiana Road which is part of a separate development.

Flood planning investigation and modelling work as part of the Warnervale and Wadalba area included re-alignment of the existing South West Channel and upgrading of Louisiana Road culvert crossing.

This section is to be read in conjunction with the Council guidelines titled –“Louisiana Road infill Precinct (LRIP) Rezoning Plan - Engineering Design Guidelines & Flood Planning”.

OBJECTIVES

- To ensure the subdivision and residential development is established above the 1% AEP flood level and that adequate freeboard to habitable areas is adopted in accordance with Council’s Flood Planning Policy
- To ensure access into and out of the proposed residential areas are possible during the 1% AEP storm event
- To enhance and re-instate floodplain and riparian planting in a suitable manner that is consistent with the floodplain modelling and Best Management Practise for Stream Rehabilitation
- To minimise impacts of flood plain filling and channel re-alignment upon native vegetation and identified Ecological Endangered Communities, particularly within the flood plain
- To minimise and mitigate impacts of the proposed development on the Flood Plain and Channels through the adoption of “soft engineering” solutions such as vegetated batters, rock rip-rap channels, natural stone retaining walls, stabilisation through the use of native vegetation, etc.
- To ensure an adequate interface between subdivision infrastructure and the Flood Plain occurs in order to minimise erosion and sediment transport and mitigate impacts on the hydrology, geomorphology and ecology

REQUIREMENTS

- a Adopt 1% AEP levels as documented in the report titled “Bingarra Flood Planning” prepared by Cardno Willing, July 2007. This is presented in the Wyong Shire Council guidelines –“Louisiana Road infill Precinct (LRIP) Rezoning Plan - Engineering Design Guidelines & Flood Planning”.
- b All residential development to be located on lots identified as being subject to flood related development controls are to comply with the requirements of Chapter 3.3 – Floodplain Management.
- c Louisiana Road and proposed subdivision Bush Edge road, connecting Precinct B and C, shall be trafficable in 1% AEP storm event. Culverts are to be sized in accordance with the concept design documented in the guidelines -“Louisiana Road infill Precinct (LRIP) Rezoning Plan - Engineering Design Guidelines & Flood Planning”.
- d Locate all Bush Edge Roads within the Warnervale & Wadalba area at or above the 1% AEP (see Figure 4).

- e All new channel crossings shall be designed and constructed in accordance with Best Practise Management for Stream design. In particular, road crossings shall be done in accordance with Guidelines prepared by NSW Fisheries "Policy and Guidelines for Fish Friendly Waterway Crossings" and Guidelines for Bridges, Roads, Causeways, Culverts and Similar Structures".
- f Design of the South West Channel re-alignment shall be in accordance with Best Practise Management for Stream Design as documented in the "Natural Channel Design Guidelines" prepared by Brisbane City Council.
- g Stormwater overflows from centralised storage basins are expected in the interim period prior to operation of the Regional Stormwater Harvesting Scheme. These flows have the potential to impact on the floodplain due to the increased quantity of flow expected from the impervious areas. The interim stormwater overflows shall be managed in a suitable manner so as to minimise the impact on the receiving environment. Soft engineering solutions such as rock riprap spillways, and vegetated channels, level spreaders etc should be used together with careful planning to mimic as much as possible the pre-development condition.

4.0 NOISE ASSESSMENT AND MITIGATION

OBJECTIVE

- To ensure that the residents of future dwellings adjacent to the Pacific Highway (or other significant noise generating roads) are not likely to have their amenity impacted by virtue of excessive noise

REQUIREMENTS

- a A report by a suitably qualified acoustic consultant shall be submitted with any development application for subdivision or residential development adjacent to (excluding service roads and buffers) the Pacific Highway or close enough to the Highway that they potentially will be subject to acoustic impact. The report shall provide a detailed assessment of noise within the study area primarily focussed upon the Pacific Highway as the noise source. The Pacific Highway currently carries large volumes of traffic which is expected to increase over time. The site is also affected to a lesser extent by Minnesota Road and Louisiana Roads which both intersect with Pacific Highway. Signals exist at the Minnesota Road intersection and are proposed for the Louisiana Road intersection.
- b The report is to address the following:
 - i identify existing and potential future noise sources;
 - ii identify areas within the precinct where specific development should be restricted due to likely noise;
 - iii identify mitigation measures to reduce existing or potential noise effects to allow development to occur while meeting appropriate environmental and amenity requirements.
- c Noise assessment measures need to take into account, and be consistent with and/or address:
 - i projected traffic volumes along Pacific Highway up to 2018;
 - ii preservation of significant vegetation;
 - iii proposed future land use proposals.
- d Mitigation measures shall address not only internal residential amenity but also measures to ensure appropriate private open space amenity.

- e A requirement of the Structure Plan for the LRIP is the provision of service roads which run parallel to Pacific Highway with residential development proposed to front these service roads. Hence residential development will not be 'backing onto' the Highway as has been past practice. It is intended for residential development to be visible from the Pacific Highway in order to provide passing pedestrians and motorists a sense of place. Recommendations to mitigate noise will need to be consistent with this design approach. While a combination of ~~Category 3~~ landscaping and mounding may be appropriate on land between the service roads and Pacific Highway solid noise fencing is not appropriate.
- f Proposed residential development within the area affected by road noise will require a level of amenity appropriate to a residential area. However, if the level of noise in any area of the site is considered to be excessive for particular land uses, this study must identify exclusion or buffer areas where such development should not be permitted.
- g Development on lots exposed to Pacific Highway (or other significant noise generating roads) will be required to meet the requirements of the RTA Manual of Acoustic Protection in evaluating appropriate noise attenuation from the Pacific Highway. The design of dwellings exposed to/fronting Pacific Highway are to comply with any relevant requirements of Australian Standard 2107.2000 unless otherwise directed by the report required above.

5.0 RESIDENTIAL DESIGN

OBJECTIVES

- To create housing choice particularly focused within Precinct B
- To cluster denser housing types close to village centre, public transport routes and areas of higher amenity
- To avoid garage dominance on small lots
- To ensure that all dwelling types have a proper street frontage rather than fronting onto internalised driveways

REQUIREMENTS

~~a~~ A range of dwelling types and lot sizes will be located within the LRIP to provide future residents with housing choice and to enable residents to age in-situ. The primary location for a range of housing types is Precinct B. Precinct B is zoned R1 Residential under WLEP 2013 and permits with appropriate consent land uses such as multi-dwelling housing and attached dwellings. ~~The Subdivision of land to create lots less than 450m² as Small Lot Housing Development (Refer to Part 4 Subdivision) is also permissible in the R1 and R2 zones. Figure 8 shows an indicative lot type distribution.~~

~~b~~ Five housing types have been identified as being appropriate in the LRIP. ~~Housing types i to iv, fall under the definition of either multi-unit housing, attached dwellings or dwelling houses under WLEP 2013 and may only be located in Precinct B under the R1 Zone as Small Lot Subdivision. The five housing types and applicable allotment widths are categorised as follows:~~

~~i~~ Terrace / Small Lot (7.5 – 9.5m wide);

~~ii~~ Small Courtyard (10 – 12.5m);

~~iii~~ Courtyard (13 – 14m frontage);

~~iv~~ Standard 400-450m² Lots (15m frontages);

~~v~~ Traditional (15m + frontages);

~~Note: Dual occupancies are permissible in both the R2 and R1 Zones.~~

~~c~~ Lots are generally to have a standard depth of 30 metres.



Figure 8 Indicative lot type distribution concept plan

5.1 Requirements for each Housing Type / Lot Size

5.1.1 Terrace / Small Lot (7.5 – 9.5m frontage)

a This housing type provides the opportunity for rear loaded row housing in small groups. They may contain some home / work business opportunity and allow for smaller houses of one or two storeys suitable for singles, couples and the ageing market.

b They will be located in proximity to the Wadalba Village Centre and in areas of high amenity, such as around local parks and adjacent to the floodplain corridor.

c Garaging must be provided from rear.

d Recessed gates to rear yards with landscaping forward of the fencing are to be used to help break up the laneway streetscape.

e Setbacks are as follows:

i both sides – zero lot line;

ii front building – 3.5m;

iii front veranda – 1.5m.



f Where there is a grouping of dwelling types with zero side setbacks (such as terraces and town houses, small courtyards and duplexes), special consideration and treatment is to be given to the dwelling located at each end of the row. The consideration shall take into account the design presentation and the impact upon the adjoining property.

5.1.2 Small Courtyard (10 – 12.5m frontage)

a This housing type provides for small lot courtyard housing forms generally with north facing (good solar access) rear yard and with rear lane car access or single stacked parking. These are zero lot line on one or both boundaries.

b Single width garage for primary street frontage or rear garage may include double width.

c Where laneway access is proposed recessed gates to rear yards with landscaping forward of the fencing are to be used to help break up the laneway streetscape.

d Setbacks are as follows:

i side 1 – zero lot line;

ii side 2 – zero to 0.9m;

iii front building – 3.5 to 4.5m;

iv front veranda setback – 2m.



5.1.3 — Courtyard (13– 14m frontage)

a — This housing type comprises courtyard housing suitable for free standing small family housing. This is a flexible and efficient housing form which allows for a separate house on lots comparable to those in traditional suburbs, with a single or double width garage or a rear garage.

b — Setbacks are as follows:

i — side 1 — zero lot line or 0.9m;

ii — side 2 — 0.9m;

iii — front building — 3.5 to 4.5m;

iv — front veranda — 2m;



5.1.4 — Standard 450m² Lots (15m frontage)

a — This housing type includes detached one and two storey houses on medium lots, with a double garage from the front.

b — Setbacks are as follows:

i — side 1 — zero lot line or 0.9m;

ii — side 2 — 2.5m;

iii — front building — 4.5m;

iv — front veranda — 2m;



5.1.5 — Traditional (15m + frontage)

a — This housing type includes detached one and two storey houses on medium lots.

b — Full compliance with DCP 2012 Chapter 2.1 Housing and Ancillary Structures is required.

c — For lots fronting onto floodplain bushland, greater front building setbacks will be required where Bushfire Asset Protection zone requirements dictate a greater exclusion zone for habitable structures.



5.2 General Residential Design Requirements for LRIP

5.2.1 Building Form

a All buildings are to be designed and sited to address street frontages. Buildings are not to address internalised driveways and 'turn their back' on the primary street front. Building entry is to be clearly identifiable from the street. Buildings are to be designed to create active street frontages with the use of pergolas, decks and verandas as appropriate. Such features should be integrated into the front facades of buildings and variation provided through articulation of façade treatments, colours and materials.



b Building massing shall take account of passive solar access and climate control, special flow between indoor and outdoor areas and reflect the different zones of use such as living, sleeping and garage.

c Roof form shall be integrated into the building design process and shall be composed of simple roof planes that reflect internal layout. They are to be comprised primarily of pitches, skillions and gables with an emphasis on overhangs and eaves to create distinct shadow lines. Roofs should be pitched within a 25-28 degree range and skillion roof forms at 7.5 degrees and above may be used for feature areas. Flat roofs with parapets are strongly discouraged and are not part of the desired future character of the Louisiana Road Infill Precinct. Roofs shall have a minimum overhang of 300mm except where the dwelling is built to the side boundary. In such instances the roof should have a forward projecting gable or roofed element which allows the eaves to be visible from the street.



5.2.2 Walls

Walls shall incorporate a mix of materials, colours and finishes to create an interesting streetscape and promote variety. Complimentary use of composite materials is strongly encouraged on feature walls that front the street or that front the public domain such as public parks and open space. Compositions may include:

a face brick, painted or bagged/rendered masonry, preferably ground floor as a way of highlighting the main entrance;

b fibre composite cladding;

c profiled metal sheeting.



5.2.3 — Windows and Doors

Windows that front the street should have a vertical aspect. Paired or triple window arrangements should be defined by light coloured mullians to emphasise verticality. This approach enables windows to positively contribute to façade character rather than taking on the appearance of 'black holes' in the wall. Casement, awning or double hung windows are encouraged for use on the street frontage. A mixture of different size individual windows on street facing facades is discouraged.



5.2.4 — Garages

a — The dominant appearance of double garages can be reduced in a number of ways. Garages may be setback from the front building façade; a neutral or recessive colour or material can be used; or a central column used to break up the size of the door.

b — Garaging or vehicle accommodation on lots less than 10m must be provided via a rear lane.



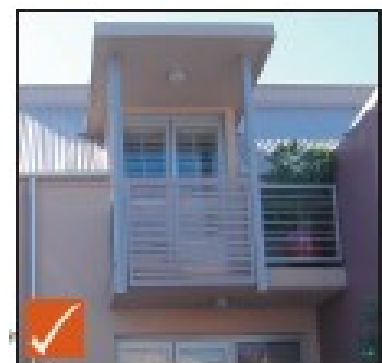
5.2.5 — Front Verandas and Porches

Front verandas and porches are to be designed as articulation elements, to facilitate overlooking of the street and for efficient access and use of the front garden areas. They are to be accessible from an internal area via door(s) and be enclosed by a permanent roof, pergola or similar climate control.



5.2.6 — Balconies

Generous balconies are encouraged and should be posted, cantilevered or contained within the fabric of the building. The objective is to create a lightweight external element to contrast with the main building mass. Heavy concrete structures are not desirable.



5.2.7— Corner Buildings

Buildings on corner lots are to be emphasised as important landmarks and are to be given design emphasis to address both frontages. Applications for buildings on corner lots shall demonstrate how this design emphasis has been addressed and achieved. Design measures to define the corner may include a gable facing both streets, a corner feature, additional height, a ‘wrap-around’ veranda, or a combination of these features. The siting of buildings on corner sites must comply with Council’s setback requirements for “sight lines” at intersections.



5.2.8— Front and Rear Lane Fences

a— Low front fencing is to be provided for development within Precinct B and is encouraged within the Precinct A and Precinct C. Low front fencing defines property boundaries and removes the ambiguity between public and private space without screening. The house and garden are still visible but are defined from public space and neighbouring properties and become useable semi-private spaces.

b— Front fences are not to exceed a height of 1.2m. The base may be solid but the upper component must be transparent. Piers should be used at regular intervals to add interest to long, unbroken stretches of fencing. Solid masonry fences and Colorbond fencing are not to be used within the front setback.

c— Solid fencing such as masonry or Colorbond fencing is not desirable along rear lanes. Fencing is to be semi-transparent to create the perception of, and to facilitate passive surveillance.



5.2.9— Driveways

Driveways shall be coloured in recessive medium tone colours such as medium browns and greys and shall be finished in matt finish materials. Shiny, reflective or bright colours are not to be used.



5.2.10 Rainwater Tanks

The location of rainwater tanks must be shown on Development Application plans. Rainwater tanks must not be located within front setbacks. Rainwater tanks should preferably be integrated into the building design. Rainwater tanks will not be included in the area calculation for private open space.

5.2.11 Boundary Fences

The cost of upgrading common boundary fences rests with the developer.

5.3 Residential Development on Northern Portion of Lot 3 DP 208596 Louisiana Road, Hamlyn Terrace

The access handle for Lot 3 DP 208596 (Lot 3) is proposed to accommodate the southern perimeter road for Precinct A. Located at the western end of the access handle is some cleared land that is above the floodplain, which has the potential to accommodate two residential allotments. This section sets out development criteria to ensure that floodplain and bushfire issues are appropriately addressed in the siting and design of dwellings. The zoning of the two allotments is split with the northern flood free component zoned Zone R2 (Residential) and the flood affected southern portion zoned Zone E3 (Environmental Management). All habitable structures are to be located within the Zone R2 (Residential).

OBJECTIVES

- To accommodate two large residential allotments on the southern side of Precinct A's southern perimeter road
- To provide for appropriate siting of dwellings above the floodplain (1% AEP) including freeboard
- To provide for appropriate Asset Protection Zones (APZs)
- To ensure appropriate fencing within the flood affected portions of the two large residential allotments

REQUIREMENTS

- a A maximum of two residential lots only shall be sited as indicated on Figure 9.
- b The allotments shall have a width of 30 metres, depth of 50 metres and area of 1500 square metres.
- c The dwelling design upon each site shall be single storey and ranch style.
- d The dwelling houses shall be sited on the envelopes outlined in Figure 9 with a minimum building setback of 6 metres.
- e A 30 metre Asset Protection Zone (APZ) applies from the rear boundary of each allotment to the building envelope. The first 10 metres from the rear shall be a Fuel Reduced Zone and the remaining 20 metres closest to the building envelopes being a Fuel Free Zone. No habitable structures shall be located within the APZ.
- f The 30 metre APZ and the building envelope are to be notated on the property title for each site.
- g An APZ Management Plan is to be prepared and submitted with any development application for a dwelling on each these sites.
- h A restriction as to user specifying a minimum floor level of 600mm freeboard above the 1% AEP flood level is to be placed on the title of each of the two allotments.

- i Only open wire type fencing with posts that swing from the top are to be situated to the south of the identified building envelopes along the side and rear property boundaries

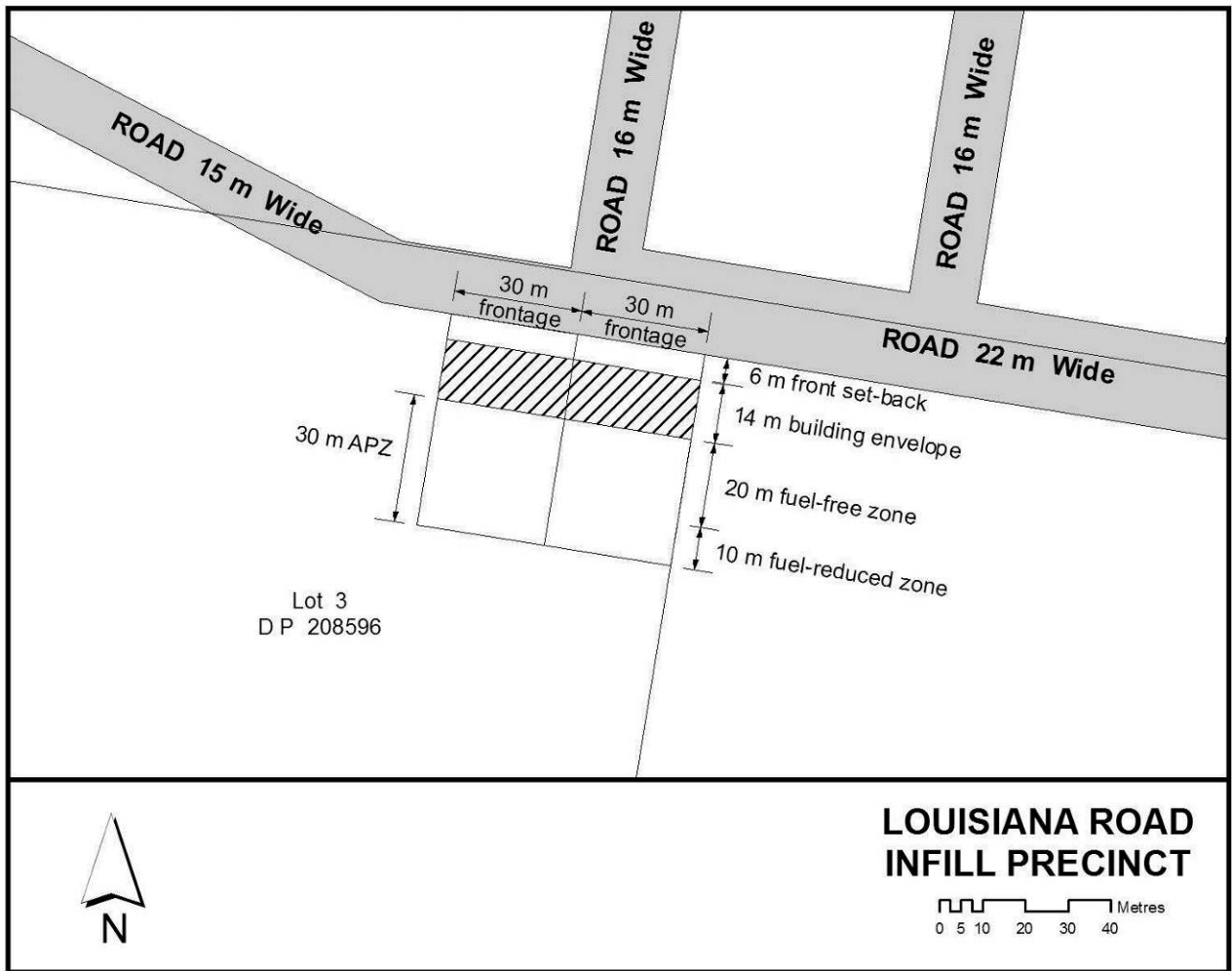
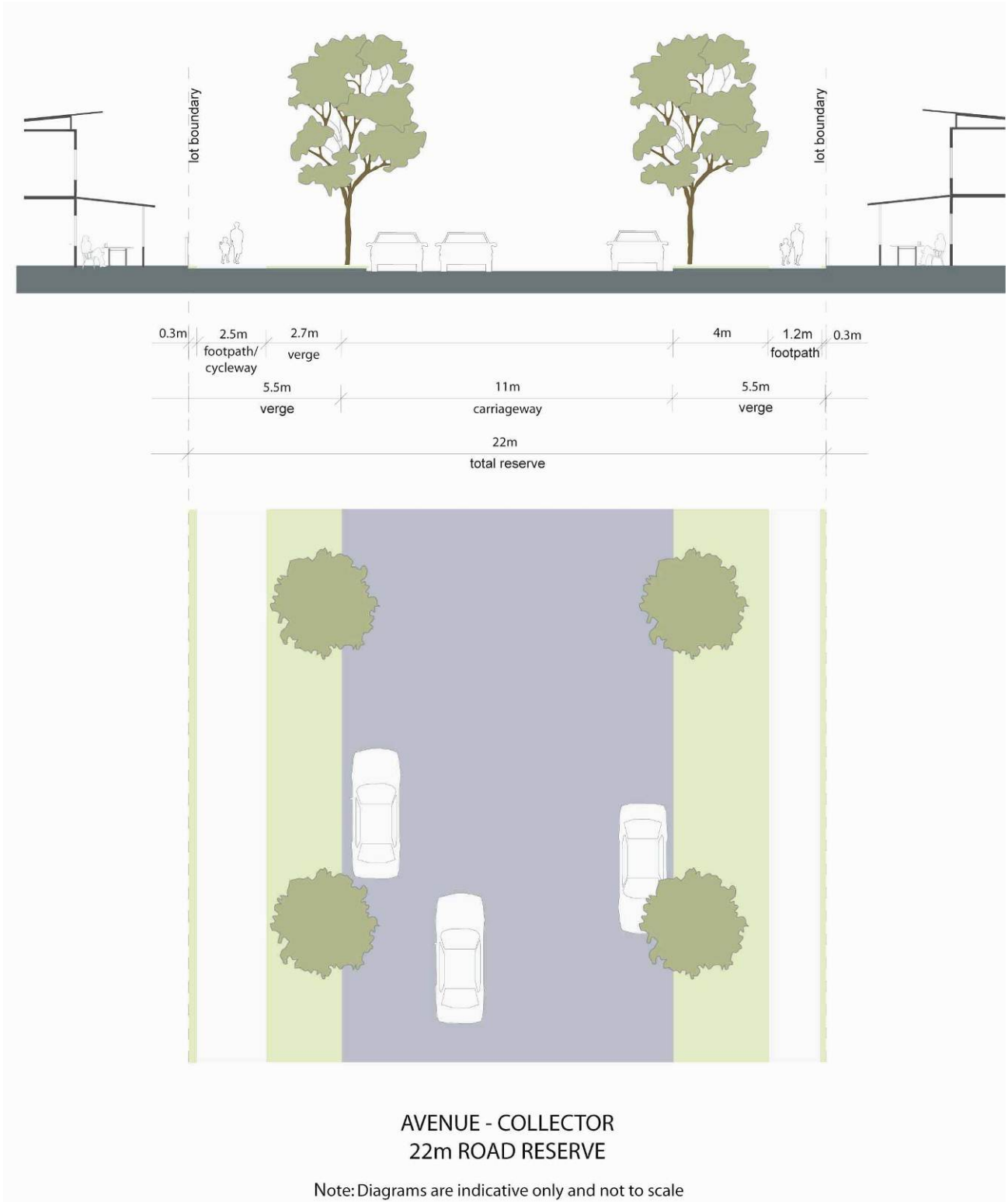
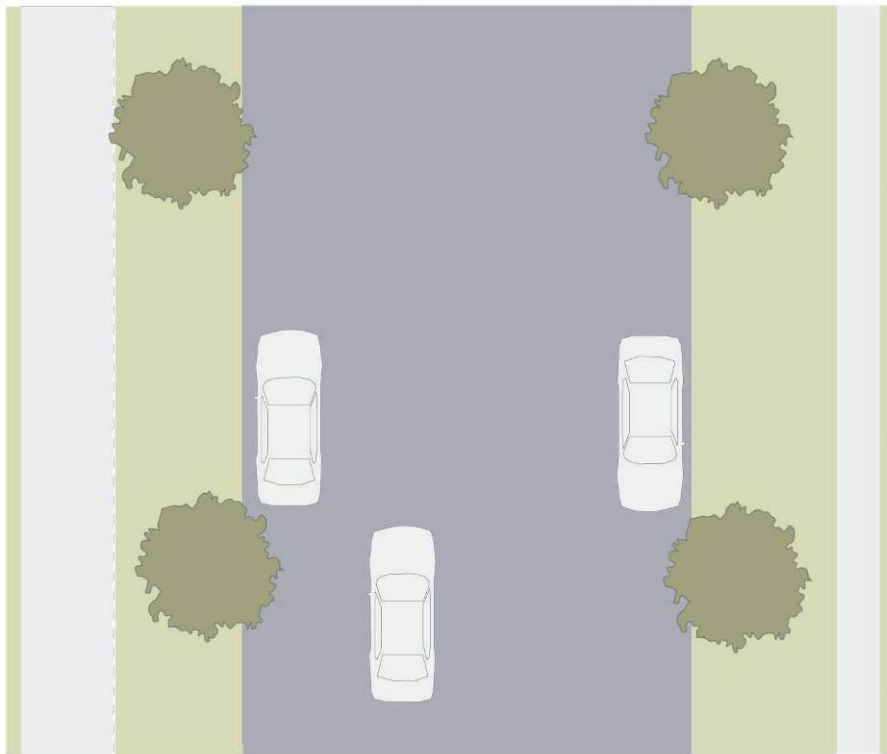
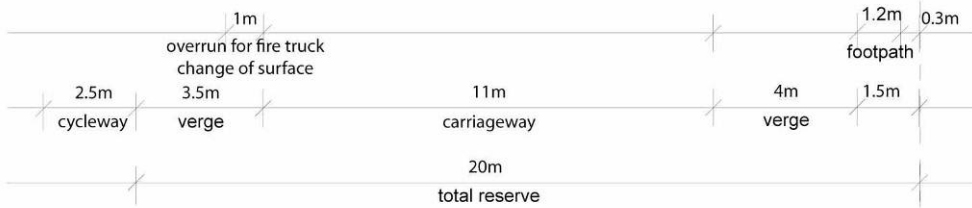


Figure 9 Requirements for Lot 3 DP 208596

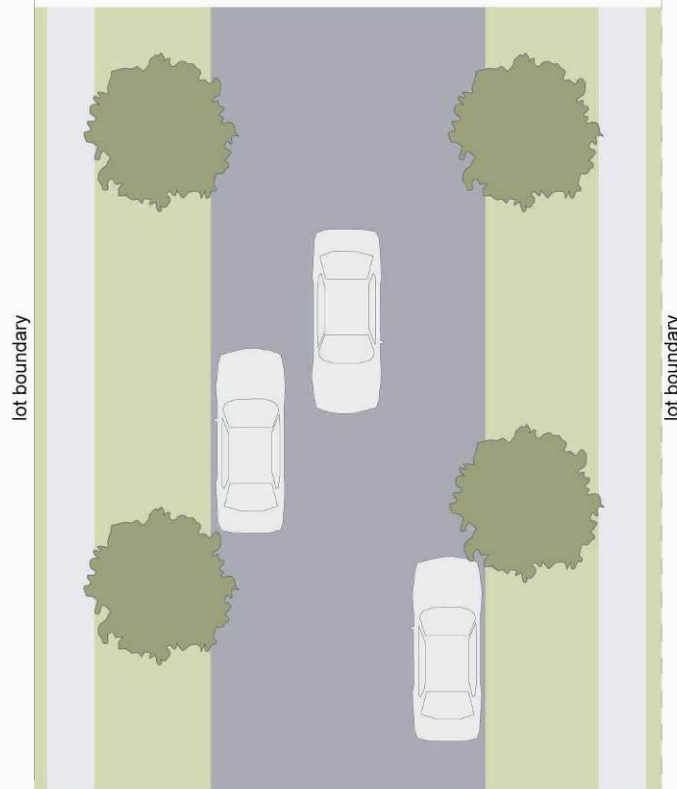
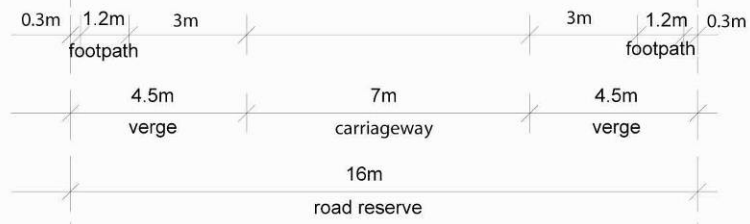
APPENDIX A ROAD LAYOUT





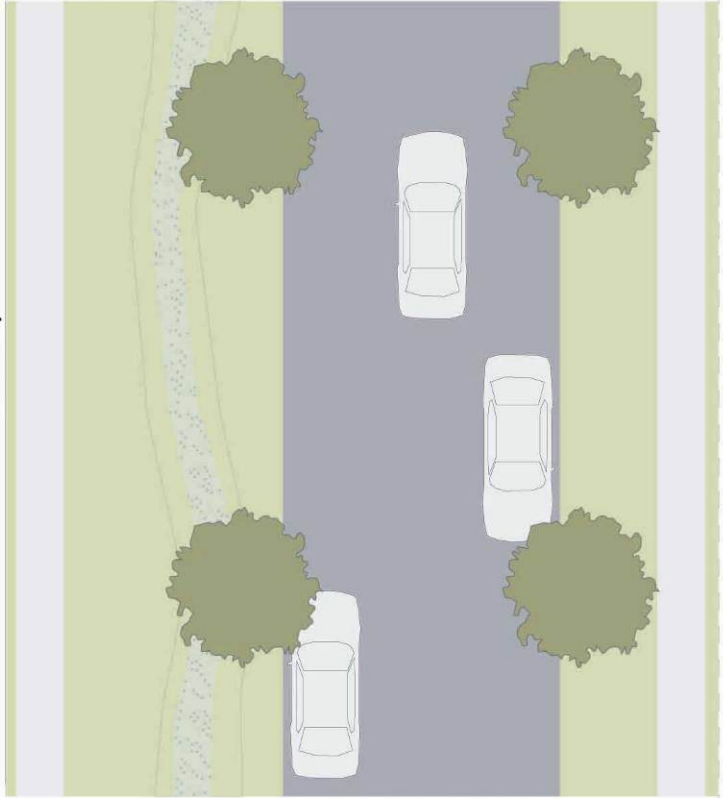
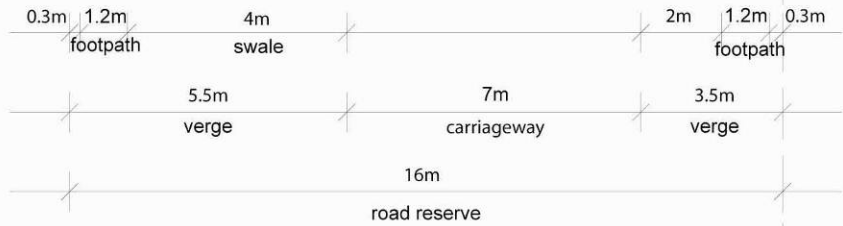
AVENUE - COLLECTOR - BUSH EDGE
20m ROAD RESERVE

Note: Diagrams are indicative only and not to scale



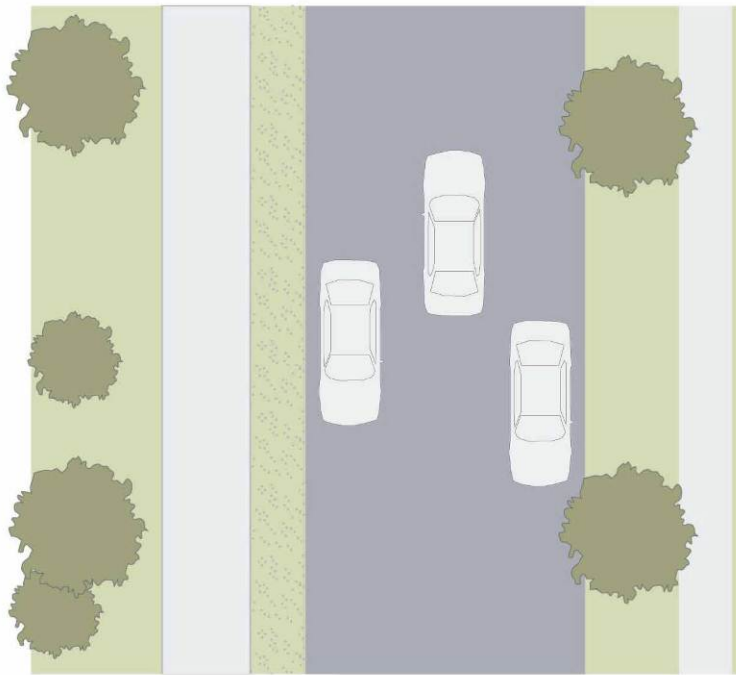
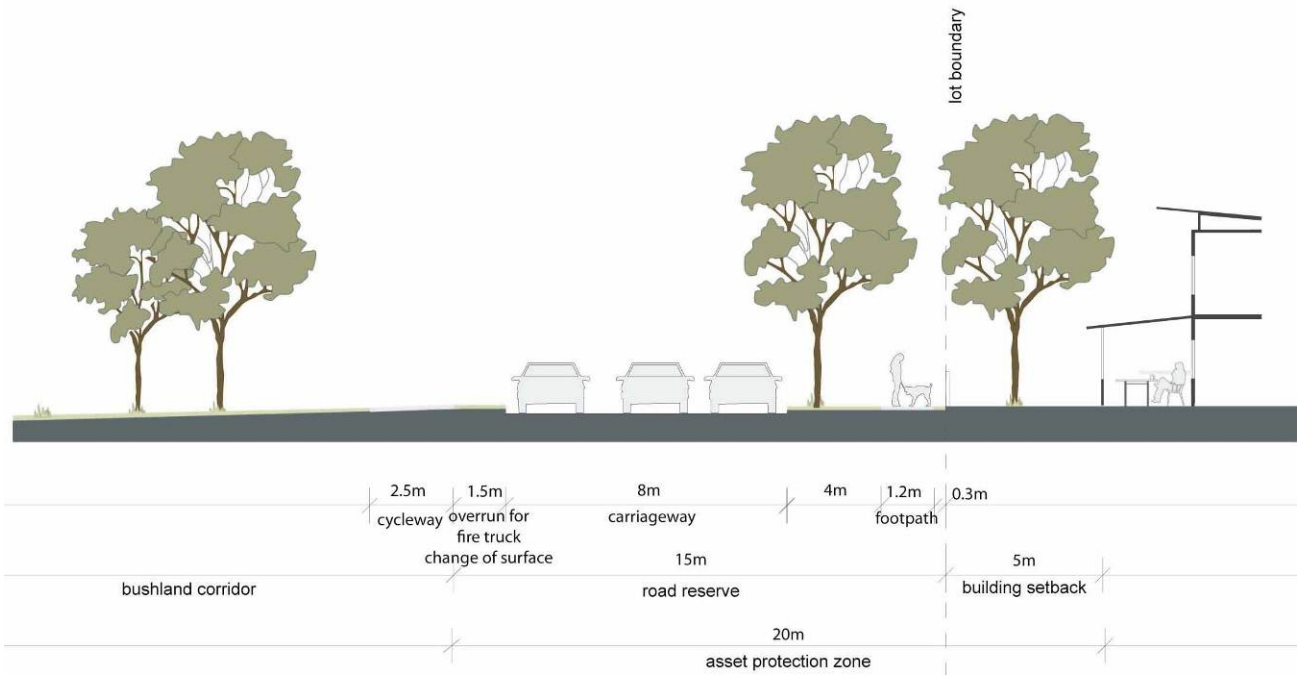
**MINOR LOCAL STREETS
16m RESERVE**

Note: Diagrams are indicative only and not to scale



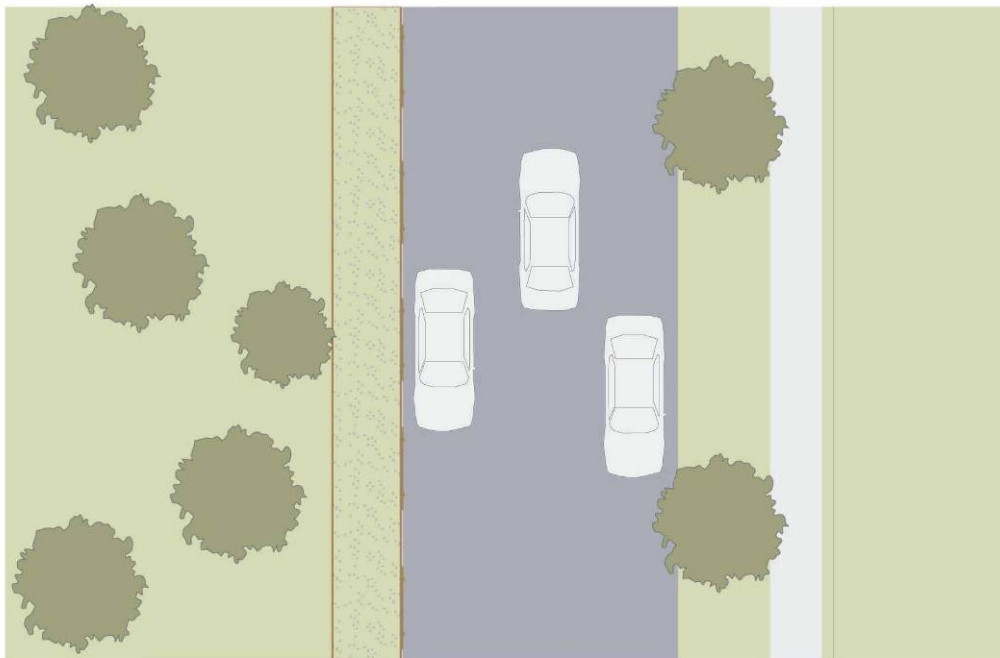
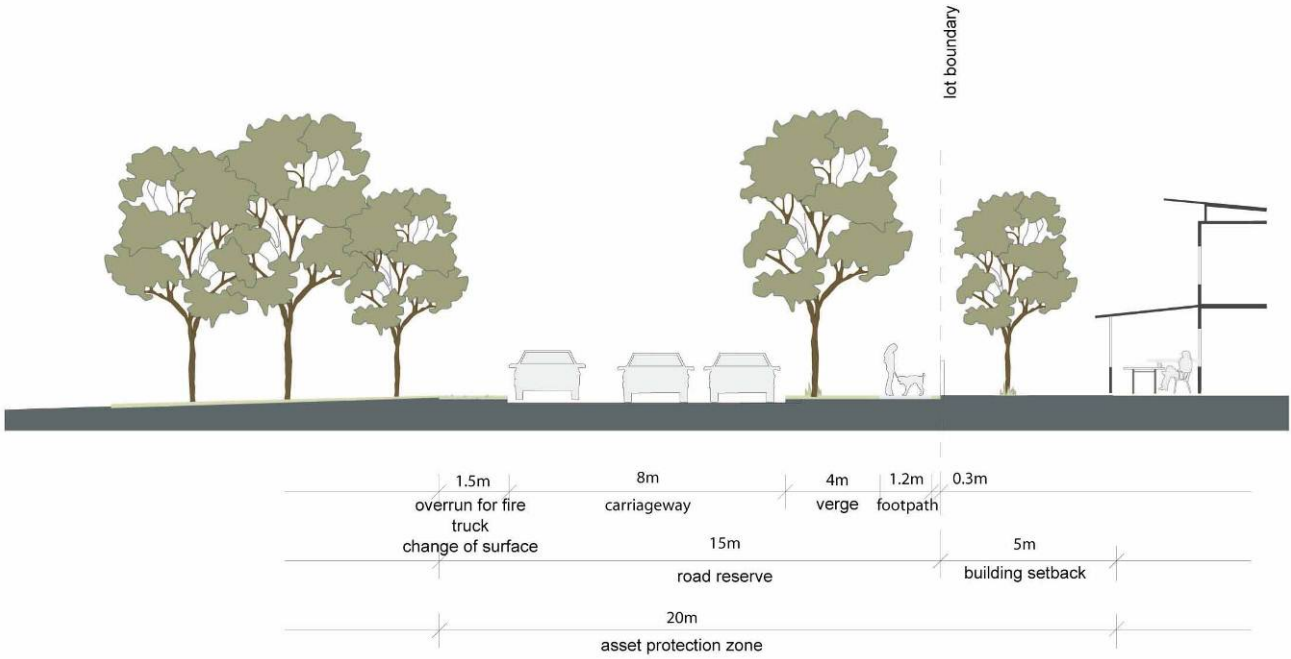
16m LOCAL STREET WITH BIO-SWALES

Note: Diagrams are indicative only and not to scale



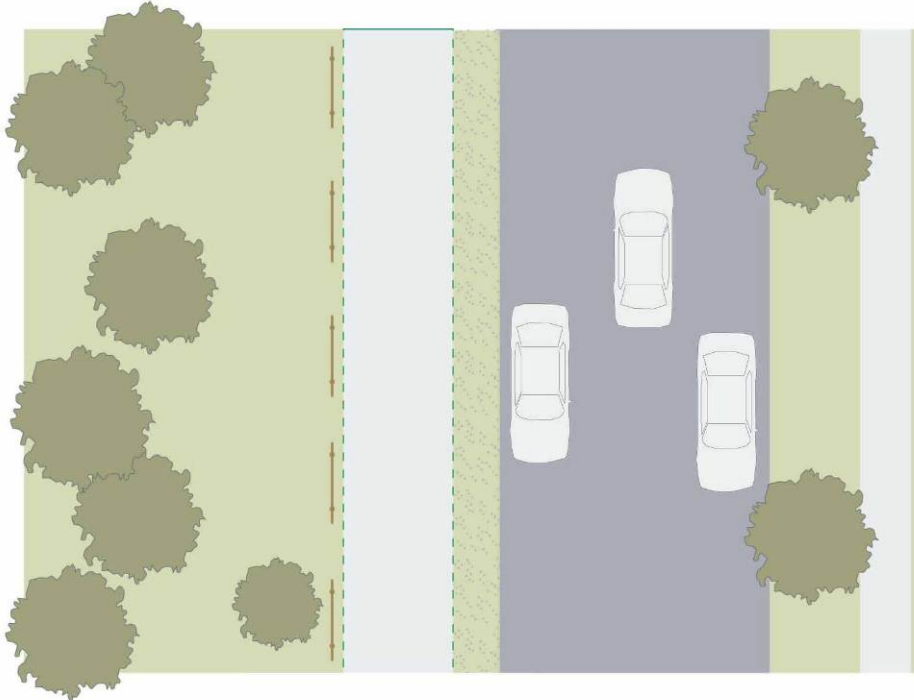
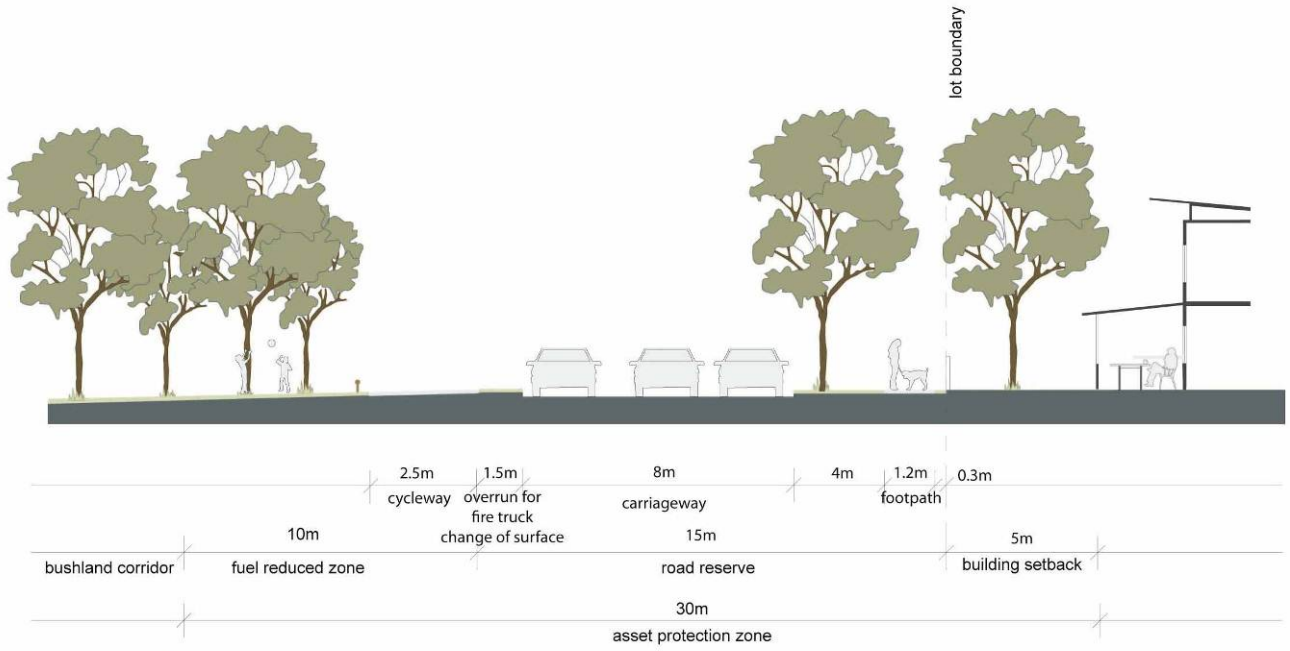
BUSH EDGE ROAD WITH CYCLEWAY (20m APZ)
15m ROAD RESERVE

Note: Diagrams are indicative only and not to scale



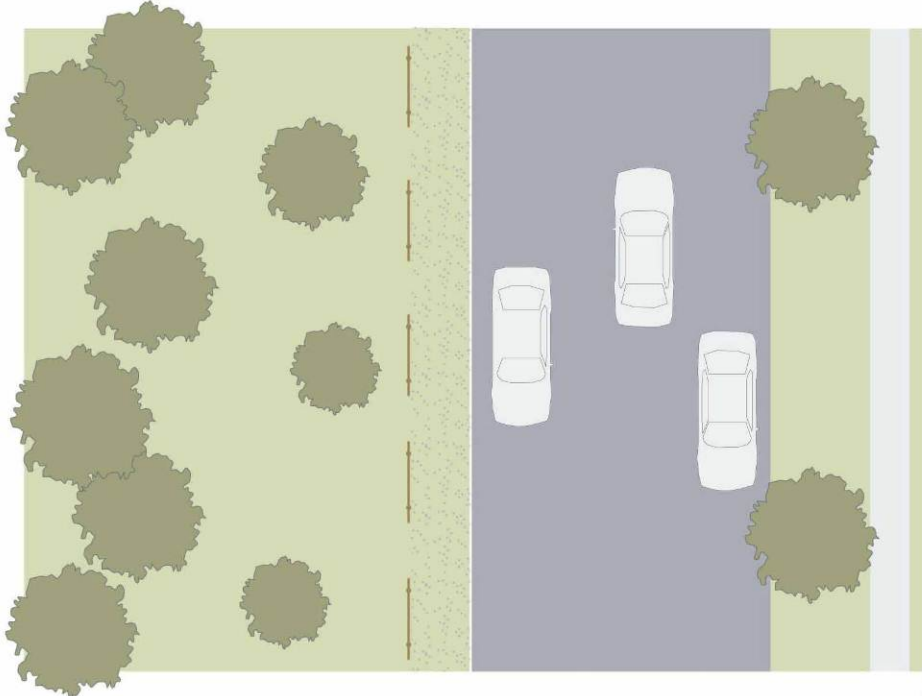
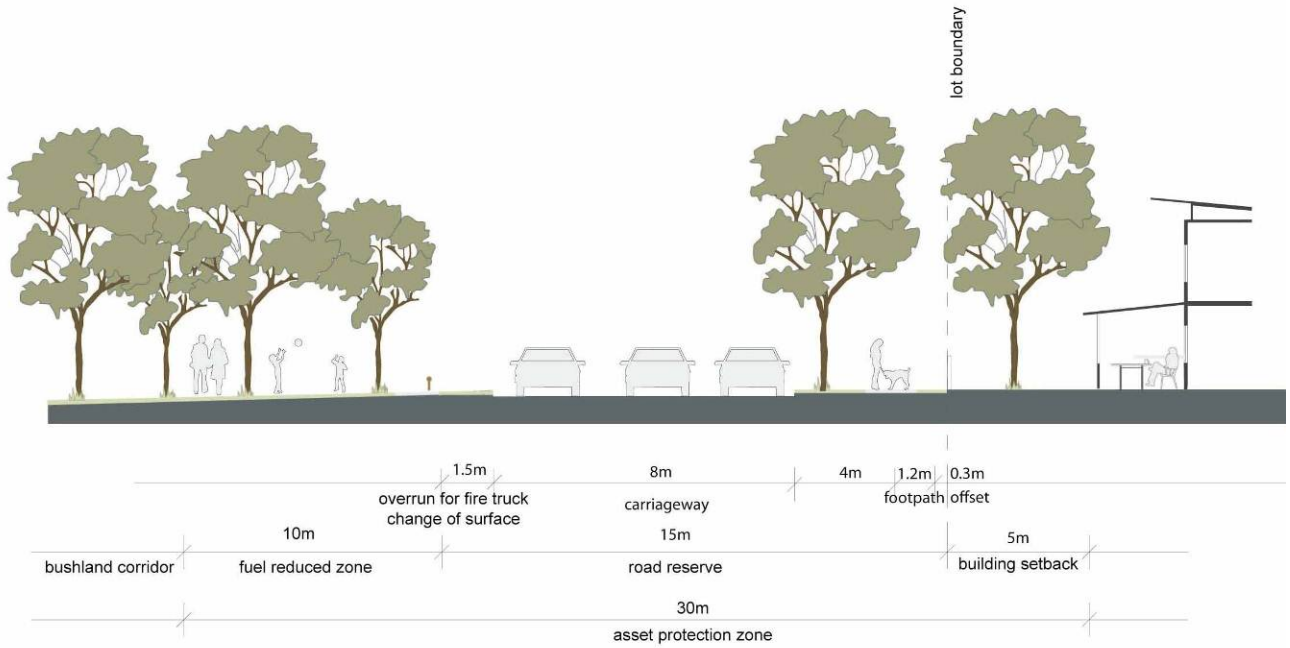
BUSH EDGE ROAD - NO CYCLEWAY (20m APZ)
15m ROAD RESERVE

Note: Diagrams are indicative only and not to scale



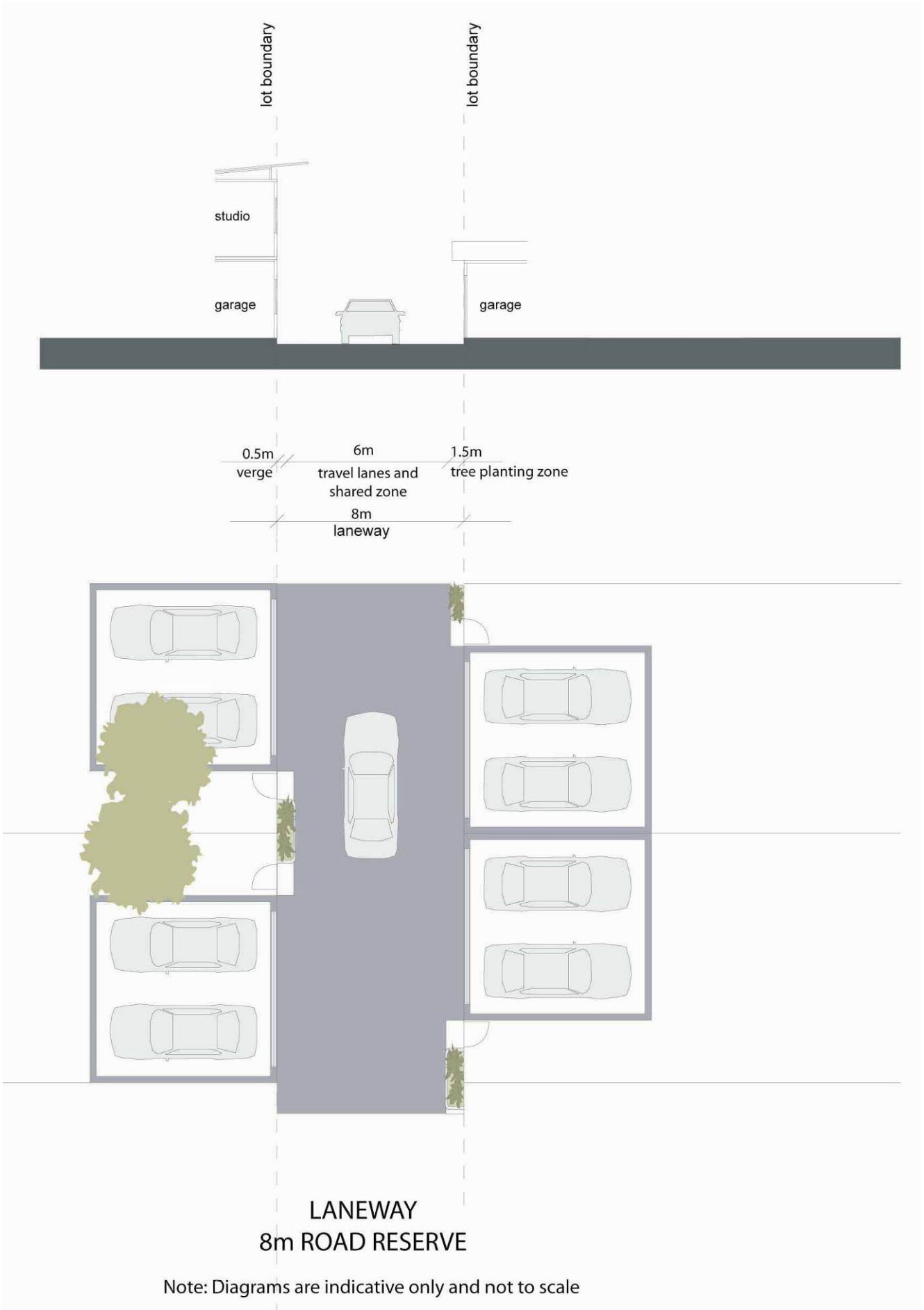
BUSH EDGE ROAD WITH CYCLEWAY (30m APZ)
15m ROAD RESERVE

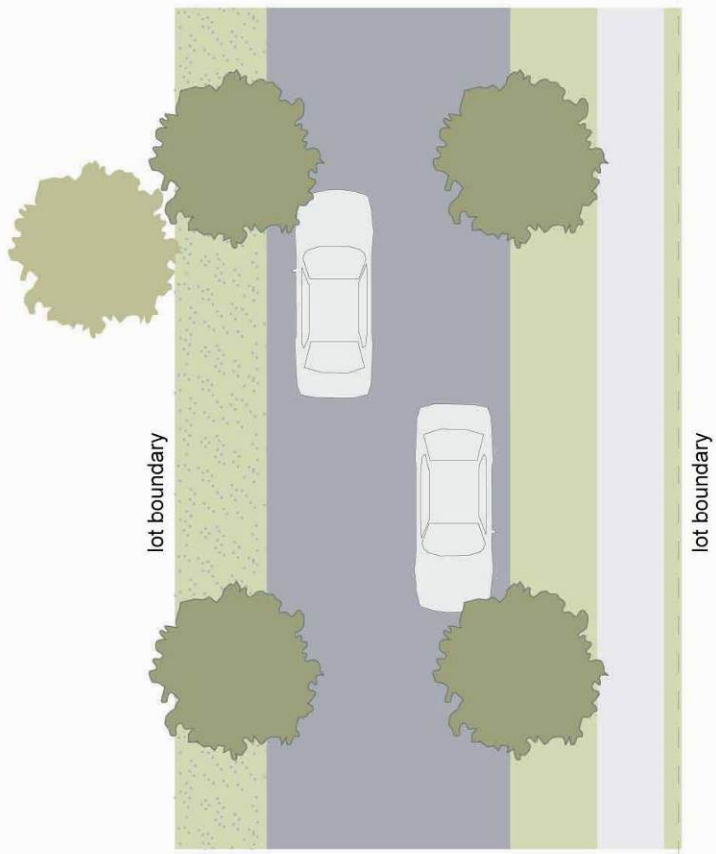
Note: Diagrams are indicative only and not to scale



**BUSH EDGE ROAD - NO CYCLEWAY (30m APZ)
15m ROAD RESERVE**

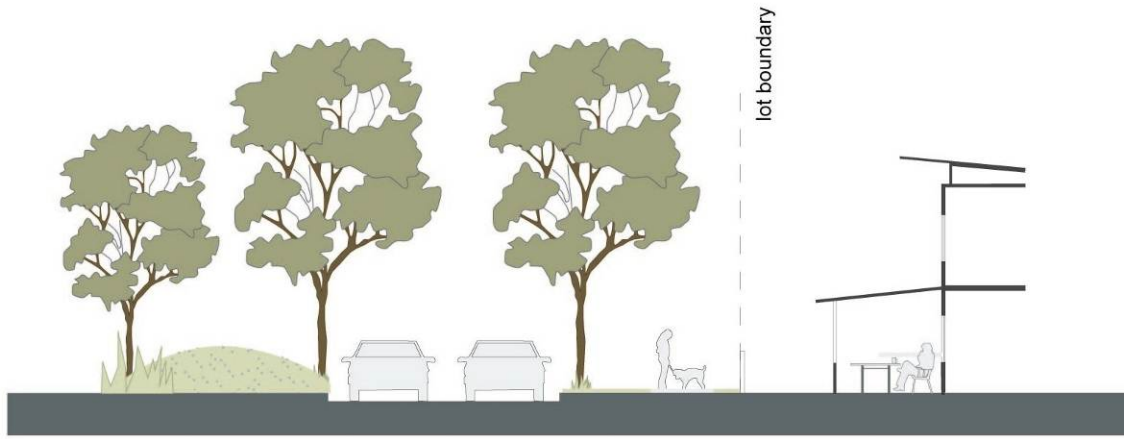
Note: Diagrams are indicative only and not to scale.





SHAREWAY
11m ROAD RESERVE

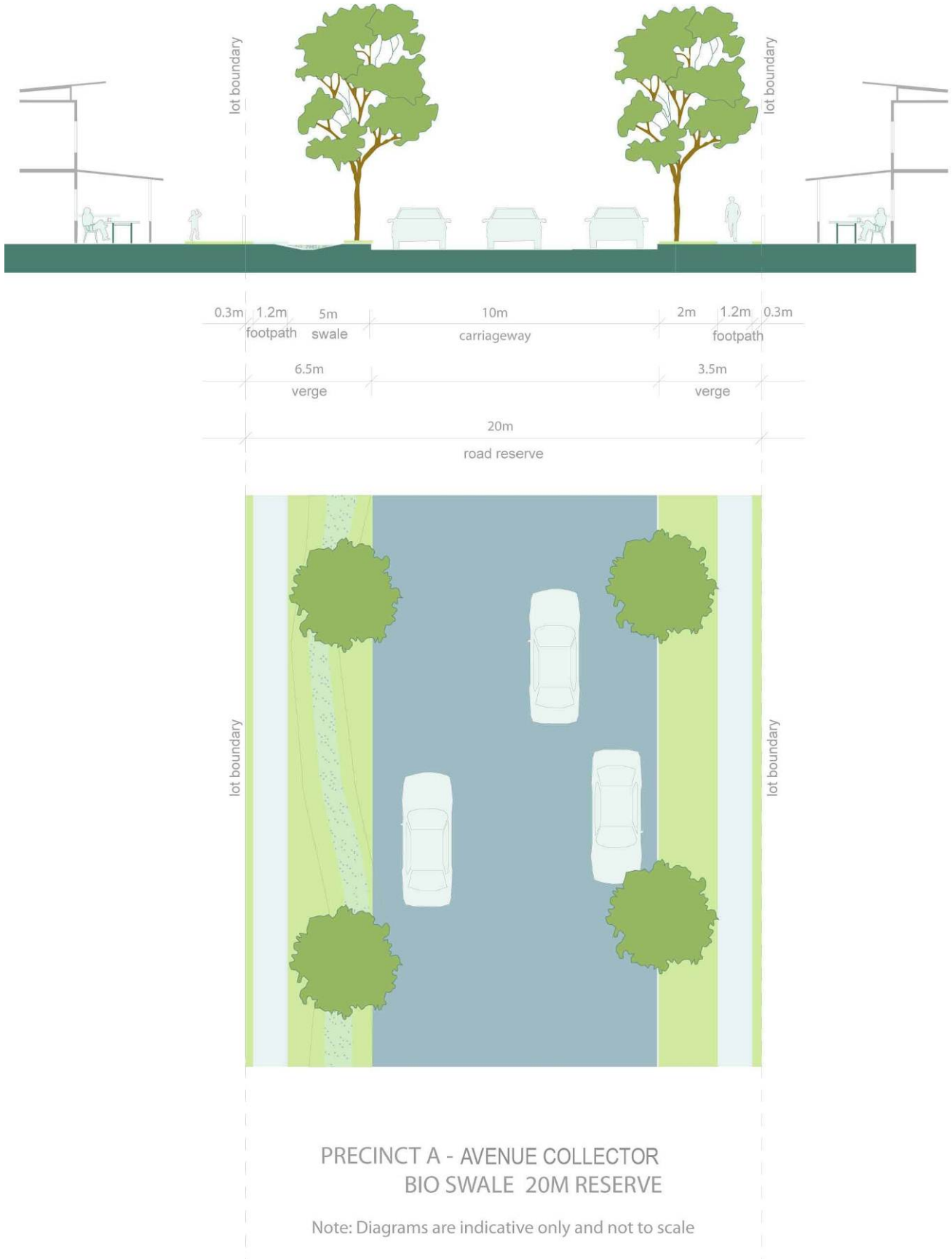
Note: Diagrams are indicative only and not to scale



landscaping to be of a nature to discourage access

**HIGHWAY EDGE ROAD
15m ROAD RESERVE**

Note: Diagrams are indicative only and not to scale





Planning & Environment

Office of the Secretary

Mr Michael Whittaker
General Manager
Wyong Shire Council
PO Box 20
Wyong NSW 2259

15/08292

Attention: Tanya O'Brien, Manager Development and Rezoning

Dear Mr Whittaker

I am writing to advise you that I have signed an Instrument of Delegation, delegating my powers as the Relevant Planning Authority for the *Gwandalan Development Control Plan 2011* (the DCP) to Wyong Shire Council. A copy of the Instrument of Delegation is enclosed for your information.

The planning controls for the South Wallarah Peninsula site, incorporating Gwandalan, were transferred from the *State Environmental Planning Policy (Major Development) 2005* to the *Wyong Shire Local Environmental Plan 2013* in December 2013. As future applications for development in Gwandalan are the responsibility of Council, delegating the authority for the DCP ensures that Council can more effectively undertake this role.

The delegation gives Council the power to amend the DCP in accordance with the provisions of Part 3, Division 6 of the *Environmental Planning and Assessment Act 1979* and Part 3 of the *Environmental Planning and Regulation 2000*.

The Minister retains the power to direct the Council to make, amend or revoke a DCP under Clause 74F of the *Environmental Planning and Assessment Act 1979*.

If you have any questions about this matter I have arranged for Mr Garry Hopkins, Team Leader, Hunter and Central Coast Region to assist you with your enquiries. Mr Hopkins can be contacted on (02) 4348 5000.

Yours sincerely

Carolyn McNally
Secretary

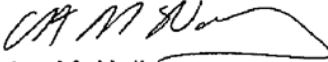
Encl: Instrument of Delegation

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Instrument of Delegation

I, the Secretary of the Department of Planning and Environment, under section 23 of the *Environmental Planning and Assessment Act 1979* (the Act), delegate my powers and functions listed in Schedule 1 of this instrument in relation to the *Gwandalan Development Control Plan 2011* (and all other functions under the Act and any other Act as are incidental or related to the exercise of those functions) to Wyong Shire Council.

Dated: 10-8-15


Carolyn McNally
Secretary

Schedule 1

Delegation to Wyong Shire Council

Item	Function
Functions under the Environmental Planning and Assessment Act 1979	
1.	My functions under Part 3, Division 6 of the Act.
Functions under the Environmental Planning and Assessment Regulation 2000	
2.	My functions under Part 3 of the <i>Environmental Planning and Assessment Regulation 2000</i> .

**Planning &
Infrastructure****Office of the Director General**

Mr Michael Whittaker
General Manager
Wyong Shire Council
PO Box 20
WYONG NSW 2259

12/07952

Dear Mr Whittaker,

Warnervale Town Centre Development Control Plan 2012

I am writing to advise you that I have signed an Instrument of Delegation, delegating my powers as the Relevant Planning Authority for the Warnervale Town Centre Development Control Plan 2012 to Wyong Shire Council. A copy of the Instrument of Delegation is attached for your information.

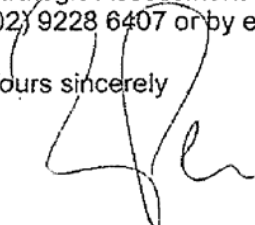
The delegation gives the Council the powers to make, amend or revoke the DCP in accordance with the provisions of Part 3, Division 6 of the *Environmental Planning and Assessment Act 1979*, and *Part 3 of the Environmental Planning and Assessment Regulation 2000*.

The Minister retains the power to direct the Council to make, amend or revoke a DCP under Clause 74F of the *Environmental Planning and Assessment Act 1979*.

The delegation has been made on the basis that Council is now the most appropriate planning authority for the DCP. I have formed this view given the transfer of planning controls for the site into the *Wyong Local Environmental Plan 1991*, and that as the assessment of future applications submitted for land in the Warnervale Town Centre are generally expected to be carried out by the Council.

If you have any questions about the DCP, I have arranged for Michael File, Director, Strategic Assessment to assist you with your enquiries. Mr File can be contacted on (02) 9228 6407 or by email michael.file@planning.nsw.gov.au.

Yours sincerely



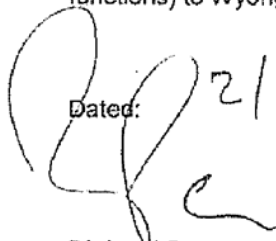
Richard Pearson
A/Director General

2/12/13

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Instrument of Delegation

I, the Acting Director General of the Department of Planning and Infrastructure, under section 23 of the *Environmental Planning and Assessment Act 1979 (the Act)*, delegate my powers and functions listed in Schedule 1 to this instrument in relation to the Warnervale Town Centre Development Control Plan 2012 (and all other functions under the Act and any other Act as are incidental or related to the exercise of those functions) to Wyong Shire Council.

Dated:  2/12/13

Richard Pearson
Acting Director General of the Department of Planning and Infrastructure

Schedule 1

Delegation to Wyong Shire Council

Item	Function
Functions under the Environmental Planning and Assessment Act 1979	
1.	My functions under Part 3, Division 6 of the Act.
Functions under the Environmental Planning and Assessment Regulation 2000	
2.	My functions under Part 3 of the <i>Environmental Planning and Assessment Regulation 2000</i> .

3.1 Classification of Land, Lot C DP 360458 at 7 Anzac Avenue, Wyong

TRIM REFERENCE: F2011/01493 - D12253447

MANAGER: Mary-Ellen Wallace, Legal Counsel, Property Econ Dev

AUTHOR: Julie Tattersall; Property Officer

SUMMARY

Authority is sought to classify Lot C DP 360458 at 7 Anzac Avenue, Wyong (the Land) as Operational Land.

RECOMMENDATION

- 1 That Council receive and note the public submission received in response to the proposal to classify Lot C DP 360458 at 7 Anzac Avenue, Wyong as Operational Land.**
- 2 That Council adopt the classification of Lot C DP 360458 at 7 Anzac Avenue, Wyong as Operational Land.**
- 3 That Council note that:**
 - a Nothing in the above resolution authorises the sale of the subject land (section 377(1)(h) of the Local Government Act 1993 provides that any sale of land can only be by resolution of Council).**
 - b Section 31 (3) of the Local Government Act 1993 provides that Council must not resolve that land be classified as operational land if the resolution is inconsistent with the terms of any trust applying to the land.**

BACKGROUND

A Council resolution on 9 March 2011 authorised the purchase of 7 Anzac Ave Wyong. Following negotiations with the owner of the Land the purchase was completed on 22 January 2016.

The Land is zoned RE1 Public Recreation and has an area of approximately 809.4 square metres. The property is improved by a three bedroom dwelling. The Land will be managed as part of Council's property reserve until such time as the future expansion of Frank Ballance Park is implemented.

Under section 31 of the Local Government Act 1993 Council may, before it acquires land or within 3 months after it acquires land, resolve that the land be classified as Community Land or Operational Land. Any land acquired by Council that is not classified within the 3 month period is taken to have been classified as Community Land.

3.1 Classification of Land, Lot C DP 360458 at 7 Anzac Avenue, Wyong (contd)

Under Section 34 of the Local Government Act 1993, Council is required to give public notice of the proposal to classify land for a period of 28 days before confirming classification. If no adverse submission is received Council may resolve to adopt the classification.

Public Notice was given on 20 January 2016 of the proposal to classify the land as Operational Land and one submission was received.

The acquisition of the Land is not subject to any private or public trust applying to the Land.

OBJECTIONS AND RESPONSES

As part of the public exhibition process, one submission was received by way of objection to the classification of the Land. Details of the submission are listed in the table below.

The submissions requested details of the development of the Land and Frank Ballance Park and the cost for rezoning the Land. None of the submissions related to the classification of the land.

Council has responded to the submission and advised that the public notice relates to classification of the Land, not development or rezoning.

Objection No.	Summary of Issues Raised	Response by Council
1	Request for details of the cost for the development of 7 Anzac Avenue, Wyong (the Land) and request for public notice to be given of any development proposal for the Land, including costs.	Not relevant to the classification of the Land. Plans for the expansion of Frank Ballance Park will be considered further in conjunction with the development of Wyong Town Centre, the Operational Management of the Art House (including public toilets) and public use and demand for current and extended park amenities.
	Request for details of the costs for rezoning the Land	Not relevant to the classification of the Land. Rezoning in 2011 to RE1 Public Recreation following public consultation and Ministerial approval resulted in Council acquiring the Land.
	No toilet facilities in Frank Ballance Park. Request for details regarding provision of toilet facilities.	Not relevant to the classification of the Land. Provision of public toilets will be considered in plans for the expansion of Frank Ballance Park.
	No lighting in Frank Ballance Park. Request for details regarding provision of lighting.	Not relevant to the classification of the Land. See above.

THE PROPOSAL

It is proposed to classify 7 Anzac Avenue, Wyong as Operational Land.

The Policy for Property Transactions – Sales and Acquisitions adopted 14 May 2014, provides that all future land purchases by Council should generally be designated as operational land irrespective of the intended or existing use. This is to maximise flexibility in the management and use of Council’s property portfolio and improve community and service delivery outcomes.

Council is required to confirm that it has addressed the objections received after public notice has been given and is satisfied that the submissions are either not relevant to the classification of the Land or have been satisfactorily resolved and that it consents to the classification.

As outlined above, the issues raised in the submission have been addressed. This Report seeks adoption of the “Operational” classification for the Land.

The Land should be classified as Operational Land in accordance with Council’s Policy for Property Transactions - Sales and Acquisitions.

OPTIONS

Council may resolve to classify the Land as either Operational Land or Community Land. If Council does not resolve to classify 7 Anzac Avenue, Wyong within three months of its acquisition then the Land will automatically be taken to have been classified as Community Land.

Budget Impact

There is no cost to Council to classify the land.

GOVERNANCE AND POLICY IMPLICATIONS

Under Section 31 of the Local Government Act 1993, land acquired by Council is taken to be classified as Community Land unless Council resolves that the particular land concerned be classified as Operational Land.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled “*Council Decision Making during Merger Proposal Periods*” pursuant to s.23A(1) of the *Local Government Act 1993* (“LG Act”). The Council must consider those guidelines when making decisions during the “merger proposal period”, which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

**CONCLUSION**

Authority is sought to classify Lot C DP 360458 at 7 Anzac Avenue, Wyong as Operational Land in accordance with Council's Policy for Property Transactions - Sales and Acquisitions and to receive and note the submission received.

ATTACHMENTS

Nil.

4.1 Council Submission to Draft Central Coast Regional Plan 2015

TRIM REFERENCE: F2013/01423 - D12193000

MANAGER: Mike Dowling, Director

AUTHOR: Breanne Bryant; Strategic Planner2

SUMMARY

The Draft Central Coast Regional Plan has been released for comment by the Department of Planning and Environment (DP&E). This report recommends that a submission be made outlining the matters that require additional consideration by DP&E in developing the final Central Coast Regional Plan and subsequent Implementation Plan.

RECOMMENDATION

- 1 That Council consider the draft submission prepared in response to the 'Draft Central Coast Regional Plan'.**
- 2 That Council request the Acting CEO to forward the submission to the NSW Department of Planning and Environment (DP&E).**

BACKGROUND

In 2014 the DP&E released the 'Your future Central Coast' discussion paper for public comment. At this time Council considered the discussion paper and prepared a comprehensive response outlining matters that required further consideration. This and other public submissions helped to inform the preparation of the now Draft Central Coast Regional Plan which has now been released for public comment. DP&E are seeking comment from Council on the Draft Plan for consideration in the preparation of the final Central Coast Regional Plan (CCRP). Once adopted, the CCRP will replace the existing Central Coast Regional Strategy (CCRS, 2006).

THE CENTRAL COAST REGIONAL PLAN

The Draft Central Coast Regional Plan is the DP&E's blueprint for the region for the next 20 years to 2036. The Draft Plan is broken up into four Goals each with a number of Directions and subsequent actions. The four goals are:

- GOAL 1 – Enhance community lifestyle and accelerate housing supply
- GOAL 2 – Grow and diversify the regional economy
- GOAL 3 – Sustain productive landscapes
- GOAL 4 – Protect and manage the natural and cultural environment

The Draft Plan projects that the population of the Central Coast will increase by 70,000 to 409,450 people by 2036 with the population over 65 years increasing from 20% to 28% of the overall population in this time. The Draft Plan does not have specific projections for Wyong and Gosford Local Government Areas separately; it focusses on the Central Coast as one region. The plan notes the Wyong Employment Zone (WEZ) will provide for up to 6,000 jobs, however does not provide an overall projection for jobs growth rather it aims to encourage and support jobs growth through the various Directions and actions. The following table shows the projections for the Central Coast Region under the current CCRS, the 2014 Discussion Paper and the Draft CCRP. The table show a 30% reduction in population and 29% reduction in dwellings from that projected in the current CCRS without accounting for the additional 5 years that the CCRP covers.

Projections	Regional Strategy (2008)	Discussion Paper to 2031 (2014)	Draft Central Coast Regional Plan to 2036 (2016)	Reduction CCRS to Draft CCRP (%)
Additional Population	100,000	65,504	70,000	30%
Additional Dwellings	56,000	36,800	39,600	29%
Additional Jobs	45,000	30,083	No overall projection	-

COUNCIL'S SUBMISSION

A submission has been prepared on behalf of Council in response to the exhibition of the Draft CCRP. The submission identifies opportunities to improve on the planning for the Central Coast and build upon work already completed. The key messages outlined throughout the submission are to:

1. Ensure that the support and assistance of the State Government is reflected in an Implementation Plan with strong commitment to actions
2. Identify the need for essential infrastructure to enable employment and housing growth and commit to the provision of this key infrastructure
3. Provide support and commitment for infrastructure for key catalyst projects, including the Central Coast Regional Airport and the Wyong Education and Business Park
4. Recognise the importance of the availability of industrial land in employment growth and identify key industrial precincts
5. Recognise the key role the Central Coast will play in the provision of affordable housing
6. Identify Wyong-Tuggerah as a significant growth Regional Centre
7. Recognise the establishment and commit to the completion of the Regional Sporting Complex at Tuggerah
8. Recognise the regional significance of the Central Coast Regional Airport, which will provide better business and leisure connection options for the regions 331,000 people (ABS,2014) (projected 409,450 people in 2036)
9. Create greater connectivity in the region through the completion of the Link Road, to connect the proposed Warnervale Town Centre with Wyong, and open up the proposed Tuggerah to Warnervale Economic Corridor.
10. Commit to the completion of the Warnervale Town Centre, train station and supporting development
11. Support the establishment of the Central Coast University within Wyong Shire
12. Recognise and support the SMART City vision

13. Commit to the retention of the existing Warnervale Village Railway Station
14. Commit to and detail the implementation of the high speed train network between Sydney, the Central Coast and Newcastle.
15. Support the investigation into and development of Light Rail on the Central Coast
16. Reduce the State Infrastructure Contribution (SIC) for both residential and industrial land. Provide greater transparency for how the SIC monies will be used, with improvements to the cumbersome method of collecting the SIC via Voluntary Planning Agreements.
17. Recognise the importance of the regions agricultural lands and managing land use conflict west of the M1
18. Recognise the importance of heritage values in the region
19. Provide clear measurables to enable monitoring and accountability for the implementation of the plan
20. Include in the CCRP the potential for the Central Coast Regional boundary to extend North to include the area of Wyee
21. Recognise the role of Activity Centres in creating a network of attractive employment opportunities, community and tourist facilities and services throughout the Central Coast.

The draft submission is attached to this report.

CONSULTATION

Internal consultation has been undertaken on the Draft CCRP. Comments provided have been considered and incorporated into the attached submission. Discussions have also been held with Gosford City Council in relation to region wide considerations.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

CONCLUSION

Council's submission identifies opportunities to enhance growth and employment on the Central Coast through the provision of key infrastructure and major developments. It outlines the need for government support and commitment and reinforces the importance of a robust planning framework.

ATTACHMENTS

- 1 Draft WSC Submission to the Draft Central Coast Regional Plan D12271808



**WYONG SHIRE COUNCIL
SUBMISSION IN RESPONSE TO THE CENTRAL COAST
REGIONAL PLAN**

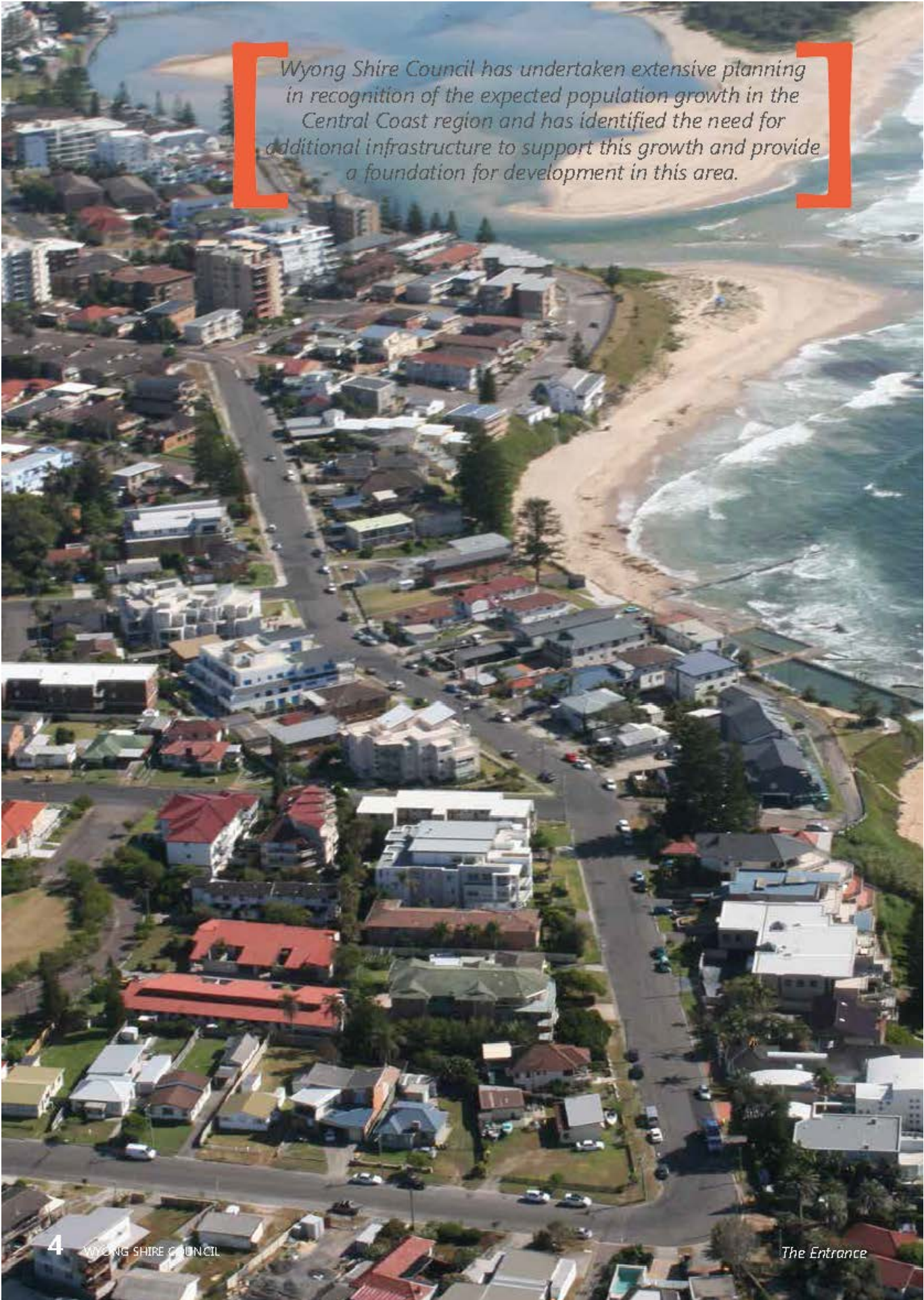


Wyong Shire Council Submission to the Draft Central Coast
Regional Plan
Date: March 2016
Version 0.1 Draft
Date of Approval:
© Wyong Shire Council
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Opening Hours 8.30am - 5.00pm



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An aerial photograph of a coastal town, likely Wyong, Australia. The town is densely packed with residential buildings, including houses and multi-story apartment complexes. A prominent road runs through the center of the town. To the right, a wide sandy beach meets the ocean, with waves breaking onto the shore. In the background, a large body of water, possibly a bay or lagoon, is visible. The overall scene depicts a well-developed coastal community.

Wyong Shire Council has undertaken extensive planning in recognition of the expected population growth in the Central Coast region and has identified the need for additional infrastructure to support this growth and provide a foundation for development in this area.

EXECUTIVE SUMMARY

This document is Wyong Shire Council's (WSC) comprehensive response to the 'Draft Central Coast Regional Plan' (Draft CCRP). WSC supports the preparation of the Central Coast Regional Plan (CCRP) and its vision for the future of the region. Council endorses the objectives to grow the regional economy, accelerate housing supply and protect and enhance the natural environment.

WSC has undertaken extensive planning in recognition of the expected population growth in the Central Coast region and has identified the need for additional infrastructure to support this growth and provide a foundation for development in this area.

This detailed planning provides a valuable baseline that should be recognised and supported in the CCRP. Priority actions and objectives of Council's Settlement Strategy, Positive Ageing Strategy, Wyong Local Environmental Plan 2013, Economic Development Strategy as well as the planning for major projects should be reflected in the CCRP.

The nature of the Central Coast is changing as demand from the Sydney market increases. The increased property prices in Sydney have created additional demand for residential housing on the Central Coast. People are realising that the lifestyle, the affordability and the proximity to Sydney make the Central Coast a viable and attractive housing choice. Recent strong residential property prices are key indicators of the increased demand and growth in the region.

There has been significant growth in the number of development applications (DAs) lodged and approved in recent years with 958 DA's determined in 2014/15 with growth in residential development in the Shire. To cater and plan for the projected population growth the CCRP must provide targets for greenfield and infill housing to enable this growth to be measured.

In addition to the increased investment in housing there is also increased interest in the region with major projects drawing attention to the area and providing investment opportunities and opportunities for employment growth. Such projects include the Central Coast Regional Airport, the Wyong Education and Business Precinct including the Central Coast University, and the Wyong Employment Zone including the Warner Business Park. There has also been DA's lodged for major attractions including the Chinese Theme Park at Warnervale and the CASAR Park Motorsport and Training Facility at Bushells Ridge.

WSC has in place a Key (Iconic Development) Sites Strategy which aims to facilitate the development of key sites throughout the Shire. The sites have been chosen on their ability to provide a significant economic benefit to the community, stimulate further development and provide a significant public domain benefit. This strategy should be supported in the CCRP as it provides opportunity to encourage economic growth and provide development confidence within Wyong Shire.



The Draft CCRP fails to adequately address the significant projects already underway and the importance they will play in the regional economy. The Central Coast Regional Airport is one of the most significant projects in the region and will be a major stimulus to the regional economy through the generation of skilled and professional employment, support for the tourism industry and attraction of general aviation businesses from the Sydney Region.

WSC has identified the upgrade of Warnervale Airport as a key component of the Regional Strategic Development Plan to stimulate regional economic growth, jobs generation and regional investment. The upgrade of the airport offers synergies with other planned developments in Warnervale, including a regional university, which will stimulate employment in the higher skilled and technology-based industry sectors.

The CCRP must promote and support growth by providing a clear implementation plan with identified commitment, funding, resourcing and timeframes. In 2014 WSC provided a comprehensive response to the discussion paper '2031 Your Future Central Coast'. Council reiterates this response and notes the issues raised within that submission are also relevant to the current Draft CCRP. The following submission is in response to the current Draft CCRP and takes the opportunity to raise matters relevant to the growth of the region. The CCRP will provide the overarching strategic direction for the region that will ultimately inform planning at the grassroots level. As such the CCRP must be a robust planning framework.

This submission identifies opportunities to improve on the planning for the Central Coast and build upon work already completed. The key messages outlined throughout the submission are to:

1. Ensure that the support and assistance of the State Government is reflected in an Implementation Plan with strong commitment to actions
2. Identify the need for essential infrastructure to enable employment and housing growth and commit to the provision of this key infrastructure
3. Provide support and commitment for infrastructure for key catalyst projects, including the Central Coast Regional Airport and the Wyong Education and Business Park
4. Recognise the importance of the availability of industrial land in employment growth and identify key industrial precincts
5. Recognise the key role the Central Coast will play in the provision of affordable housing
6. Identify Wyong-Tuggerah as a significant growth Regional Centre
7. Recognise the establishment and commit to the completion of the Regional Sporting Complex at Tuggerah
8. Recognise the regional significance of the Central Coast Regional Airport, which will provide better business and leisure connection options for the regions 331,000 people (ABS,2014) (projected 409,450 people in 2036)
9. Create greater connectivity in the region through the completion of the Link Road, to connect the proposed Warnervale Town Centre with Wyong, and open up the proposed Tuggerah to Warnervale Economic Corridor.

The CCRP must promote and support growth by providing a clear implementation plan with identified commitment, funding, resourcing and timeframes.



10. Commit to the completion of the Warnervale Town Centre, train station and supporting development
11. Support the establishment of the Central Coast University within Wyong Shire
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16. Reduce the State Infrastructure Contribution (SIC) for both residential and industrial land. Provide greater transparency for how the SIC monies will be used, with improvements to the cumbersome method of collecting the SIC via Voluntary Planning Agreements.
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18. Recognise the importance of heritage values in the region
19. Include in the CCRP the potential for the Central Coast Regional boundary to extend North to include the area of Wyee
20. Recognise the role of Activity Centres in creating a network of attractive employment opportunities, community and tourist facilities and services throughout the Central Coast.
21. Provide clear measurables to enable monitoring and accountability for the implementation of the plan



Wyong Shire Council - Settlement Strategy



MAJOR PROJECTS

Wyong Shire Council is undertaking a number of major projects of regional significance. These projects will grow the regional economy and accelerate housing growth.

Education and Business Precinct

WSC has identified the need to establish a University and Business Park as one of the key component of the Economic Development Strategy to drive economic growth, and deliver further education and employment opportunities on the Central Coast. The Wyong Education and Business Park will provide a world class university campus for 7,000 domestic and international students with accommodation for up to 1,500 students and a business technology park for 5,000 workers. Courses would have close links to local business, industrial groups and aviation businesses locating their operation to the Central Coast Regional Airport. The new university is envisaged to integrate into the community, provide tertiary education opportunities and be a catalyst for life-long learning.

The university site will include a SMARTS Hub as the landmark community facility of the Precinct and the greater Wyong area. This will be a work centre space, targeted to serve tele-workers and professionals, in a location close to their residences.

It will provide a local workspace alternative to minimise the number of commutes, while enabling a flexible, innovative and creative yet formal work space, functioning with a community atmosphere. Council believes there are synergies with the SMARTS Hub and community requirements to meet and access information. The university has the potential to deliver enormous community benefits in supporting this information sharing facility.



Dick Smith, Australian entrepreneur and former Chair of Australia's Civil Aviation Safety Authority (CASA) quoted in the Central Coast Advocate October 2015

"This is the ideal location for an expanded airport. Further expansion would make it a very viable operation capable of attracting associated industry."



Central Coast Regional Airport

The Central Coast is recognised as the ninth largest region in Australia yet remains the only major population centre without a regional airport. NSW State Government forecasts indicate that the regional population will continue to grow substantially over the next 20 years increasing to over 400,000 by 2036. Without access to local aviation services the capacity for local trade and tourism to grow and compete with other major regional centres is constrained.

WSC is committed to the development of the Central Coast Regional Airport as a landmark project. The Central Coast and particularly Wyong Shire, is recognised as a major growth corridor and it is imperative that residents and businesses be serviced by adequate infrastructure and transport links, including aviation. The airport will contribute directly to economic growth and will be an employment centre in its own right. The airport will facilitate access to regional air services which will enhance the ability of local companies to do business efficiently and remove a major disincentive for companies to relocate to the Central Coast. The airport will enable local residents to access air services for tourism and visiting friends and relatives. Access to cost effective and efficient air services is a basic social and community responsibility for State Government.

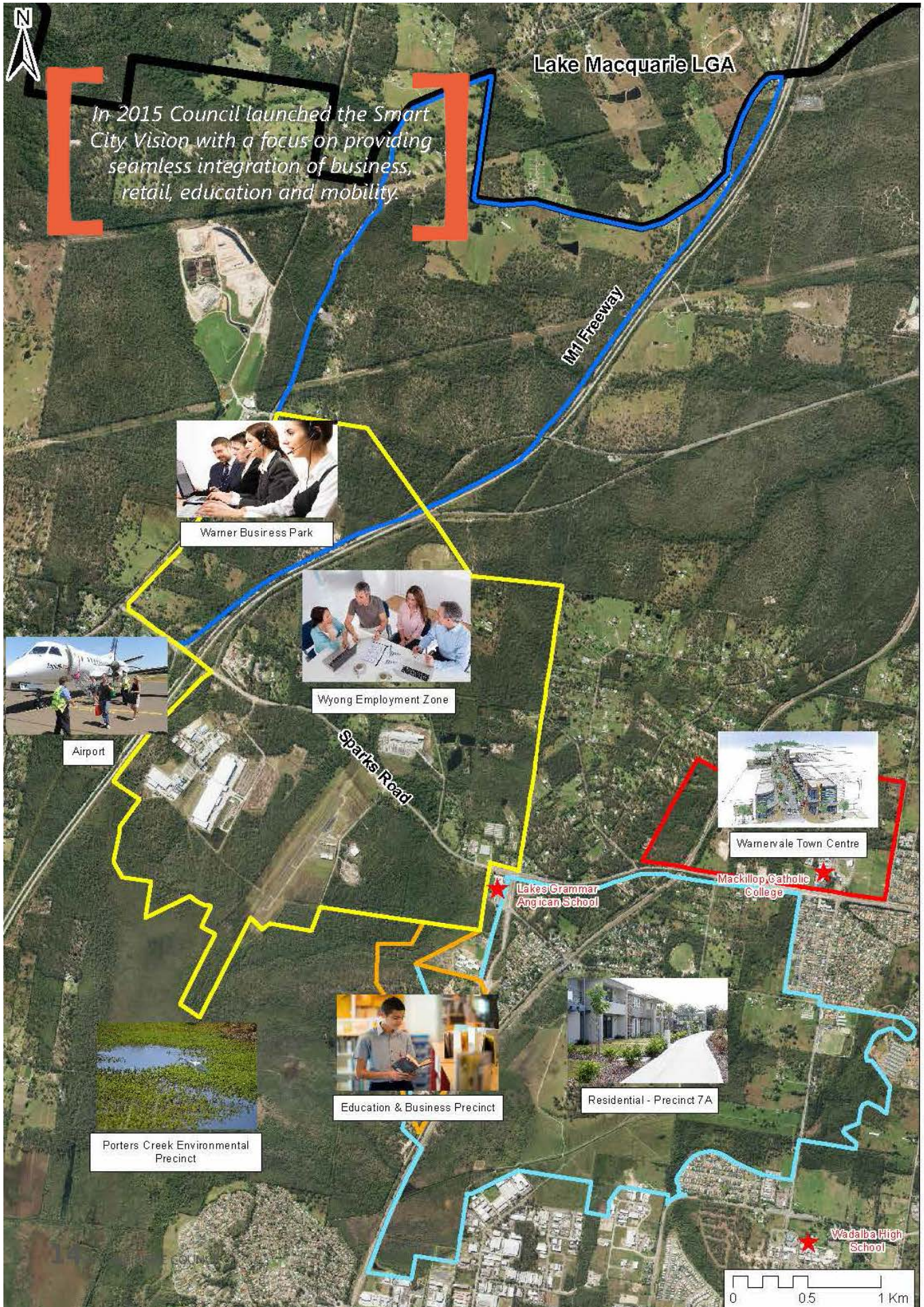
The Central Coast Regional Airport will, for the first time, allow easy access to the region for inbound tourism, enhancing the regional economy, generating jobs and stimulating tourism investment in the region. The airport will attract new investment to the region while supporting the retention and expansion of existing businesses, spurring economic and employment growth and improving the economic competitiveness of the Central Coast.

In recent years the Central Coast has shown continuing falls in all categories of tourist visitation, whilst adjacent regions register double digit growth. A regional airport will enhance the appeal of the region and offer opportunities to stimulate the tourism industry by providing pathways to new markets.

Although the airfield does not currently have the capability to support regional airline operations, future upgrades will provide facilities which will allow intra-state regional airline operations, and ultimately inter-state regional services. The 2014 Centre for Asia Pacific Aviation (CAPA) – “Central Coast Regional Airport Passenger Demand Study” forecasts a Central Coast regional passenger demand of 500,000 passengers per annum by 2025 and up to 900,000 passengers per annum by 2030. Whilst the proposed airport development does not have the capacity to support this level of airline operations, a sustainable annual passenger demand of around 300-400,000 per annum is envisaged between 2025 and 2030. This level of activity is equivalent to the current operations at Ballina and Coffs Harbour Airports.

Warnervale Employment Zone (WEZ)

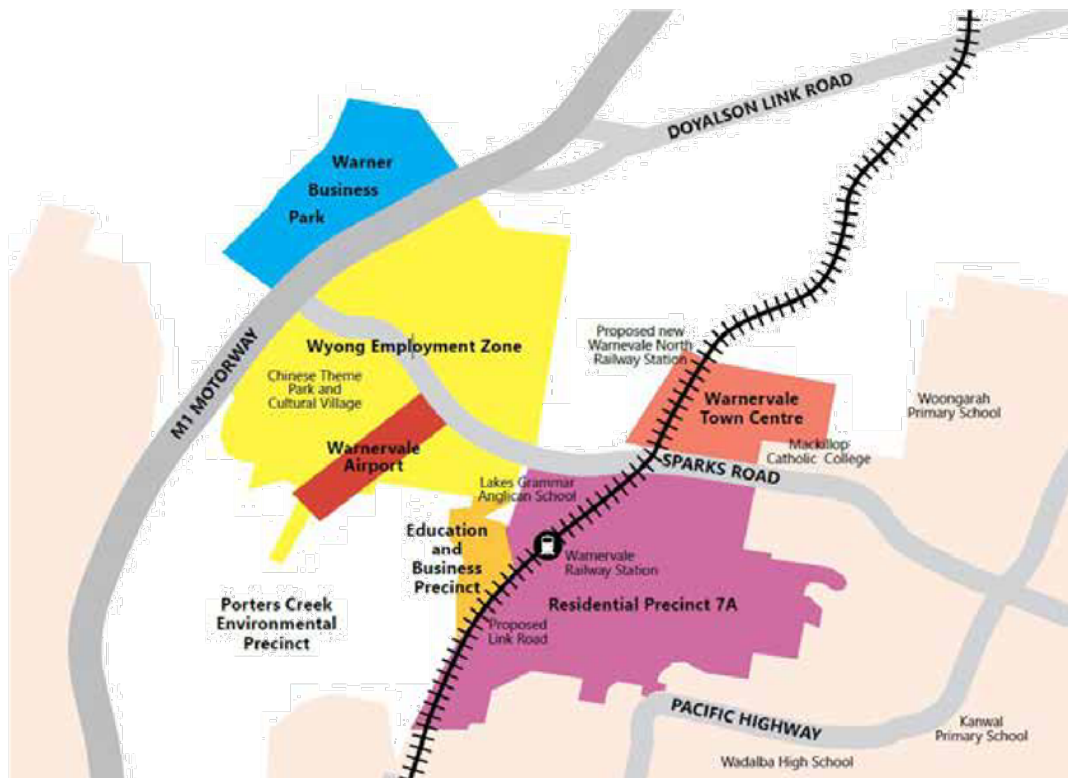
The WEZ is one of the few large parcels of undeveloped land on the Central Coast designated for industry. The area is approximately 744ha, with 340ha zoned for general industrial purposes. The development of this site, including the Warnervale Business Park, Warner Industrial Park, and Wyong Education and Business Precinct, will create employment opportunities essential to keep pace with projected population growth.



VISION

While Council endorses the vision presented in the Draft CCRP, Council also has its Smart City Vision which should be echoed within the vision for the CCRP. In 2015 Council launched the Smart City Vision with a focus on providing seamless integration of business, retail, education and mobility. The Foundation projects within this vision include the Wyong Education and Business Precinct, The Warnervale Town Centre, Wyong Employment Zone including the Warner Business Park, Precinct 7A residential release area, Central Coast Regional Airport and the Porters Creek Environmental Precinct.

All are located within the northern portion of the proposed CCRP Tuggerah to Warnervale Economic Corridor. These projects are significant developments in this key NSW growth area and the culmination of the projects will create a regionally significant, masterplanned and integrated education, industry and business Smart City on the Central Coast.



A robust implementation plan is required to provide certainty and clearly outline responsibility, timing and funding of actions and projects.



DELIVERING THE PLAN

Implementation plan

It is understood that an implementation plan is to be prepared and delivered by the Coordinating and Monitoring Committee. A robust implementation plan is required to provide certainty and clearly outline responsibility, timing and funding of actions and projects. This certainty is required to attract investment and new industries to the region. This Implementation Plan must form part of the final CCRP and be released at the same time.

The implementation plan is particularly important for infrastructure delivery to identify time and cost for projects, especially those required to “unlock” greenfield sites. This is reflected in Action 1.4.1 with the co-ordination of infrastructure delivery to support the timely and efficient delivery of housing. There also needs to be commitment on timing for major infrastructure works to hold infrastructure agencies to account and assist in informing their service planning. It is understood that new opportunities may arise during the 20 year period and as such there needs to be flexibility in the plan to respond to these opportunities.

It is unclear whether there will be further action plans coming out of the implementation plan over the 20 year CCRP period. This must consider Council’s integrated planning and reporting cycle, which sees Council create four year delivery programs (i.e. 2017/18 to 2020/21).

The Implementation Plan must enable Council to effectively incorporate State

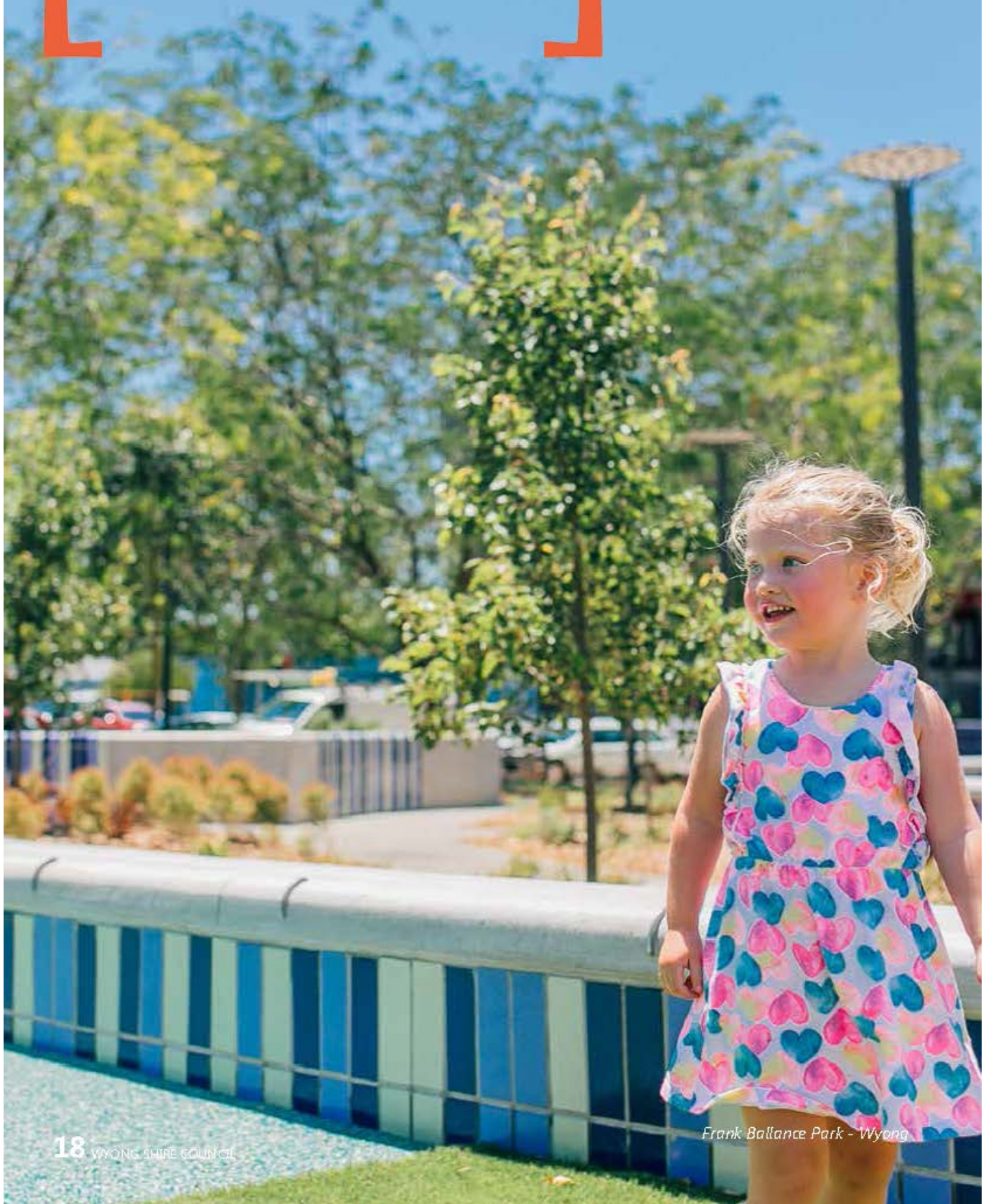
Government deliverables within Council’s four yearly delivery plan and report to the community. As such this would need to be prepared and provided as a mid-term action plan to allow Council’s to incorporate the actions into its planning. This would enable Council to align the Community Strategic Plan with specific areas of State Government focus which would also assist in maximising Council’s potential to gain financial support and government funding for projects that deliver to the community and align with the bigger picture under the CCRP.

The Coordinating and Monitoring Committee

The representation on this Committee by Council representatives needs to be further defined. Detail on the number of representatives from each of the Departments/agencies is required, particularly given that the Councils are in the merger proposal period. This needs to be considered in the context of how the merger will impact on the CCRP and the committee makeup. There needs to be more than one representative from the new Council involved should the merger occur prior to the committee being established.

The terms of reference for the Committee require further clarification (i.e. will the Committee be required to approve relevant projects which will be undertaken by the Council or will they be restricted to state projects only). The concern is that there would be a multiplication of approvals for project sign off and commencement which currently do not exist. This would also need to feed into the budgetary process for State agencies.

The State Government should provide a timeframe on when the final Central Coast Regional Plan is expected to be delivered.



Additional detail is required on the Annual Monitoring Report and whether it will establish KPIs for Council and whether this will be produced annually by the committee or by the Department of Planning and Environment (DP&E). This would also then raise the question of how long the committee is required to stand for and the level of commitment required by members of the committee.

The Coordinating and Monitoring Committee is proposed to review and recommend plans, projects and actions to advance the delivery of the final Plan. Will there be a role for each committee member to disseminate "priority" projects / works to their agency for funding/budget consideration?

The Annual Monitoring report is required to assist Council reporting back to the community on what has been achieved in the four year period. Therefore it would be beneficial if the data provided within this report is in a format that can be easily transferred into Council's community report.

Timing

The State Government should provide a timeframe on when the final CCRP is expected to be delivered. Currently there is no timeframe for review of subsequent plans such as the North Wyong Shire Structure Plan. While the Draft CCRP does mention that the government is committed to the review of planning documents it does not commit to the timing of this. Indicative timing for the review of this document will assist Council but also the development industry who relies on the strategic direction outlined in documents such as this.



GOAL 1 – ENHANCE COMMUNITY LIFESTYLES AND ACCELERATE HOUSING SUPPLY

Council endorses the creation of vibrant liveable local centres and further housing choices through integration of medium density housing on smaller lots in urban growth housing areas.

Direction 1.1 Create Great Places to Live

It is noted that the Draft CCRP acknowledges Wyong's extensive open space and recreation areas with an aim to protect the scenic values, amenity and character of these local areas (Action 1.1.1-1.1.3 & 1.6.2). This is interpreted as support, at a State level, for the development of a strategy or similar for the Wyong LGA, which would be comparable to the Gosford Coastal Open Space System (COSS). This could be supported by an amendment to Wyong LEP 2013 Clause 4.1A 'Exceptions to minimum lot size' (former Clause 14 Wyong LEP 1991). This would assist by providing greater development potential while protecting areas of high ecological value. State Government support is required to enable Council to provide planning mechanisms to better manage and embellish areas of scenic amenity and local character.

Action 1.1.2 plans for integrated and well connected open space sporting and

recreation opportunities; however, there is no mention of the Tuggerah Regional Sporting and Recreation Complex which has commenced on land adjacent to Lake Road Tuggerah. This is a major sporting development supported by the Federal Government with Stage 1 of the complex consisting of nine playing fields, including a premier field and cricket pitches, public amenities as well as car and bus parking. Stage 2 will include an indoor facility with a 3000 seat grandstand, sports hall, amenities and offices, and shared pathway. This project will add significant capacity to enable the hosting of mass participation multi field events in the region, and as such, should be recognised within the CCRP. It will be ideally located to integrate recreation and public transport facilities within a medium/high density residential precinct under a Transport Oriented Design for commuters surrounding the Tuggerah Railway Station.

Direction 1.2 Grow and Enhance Liveable Local Centres

Direction 1.2 recommends the preparation of local and neighbourhood design and development guidelines. It is unclear who will prepare and implement these guidelines and what legislative

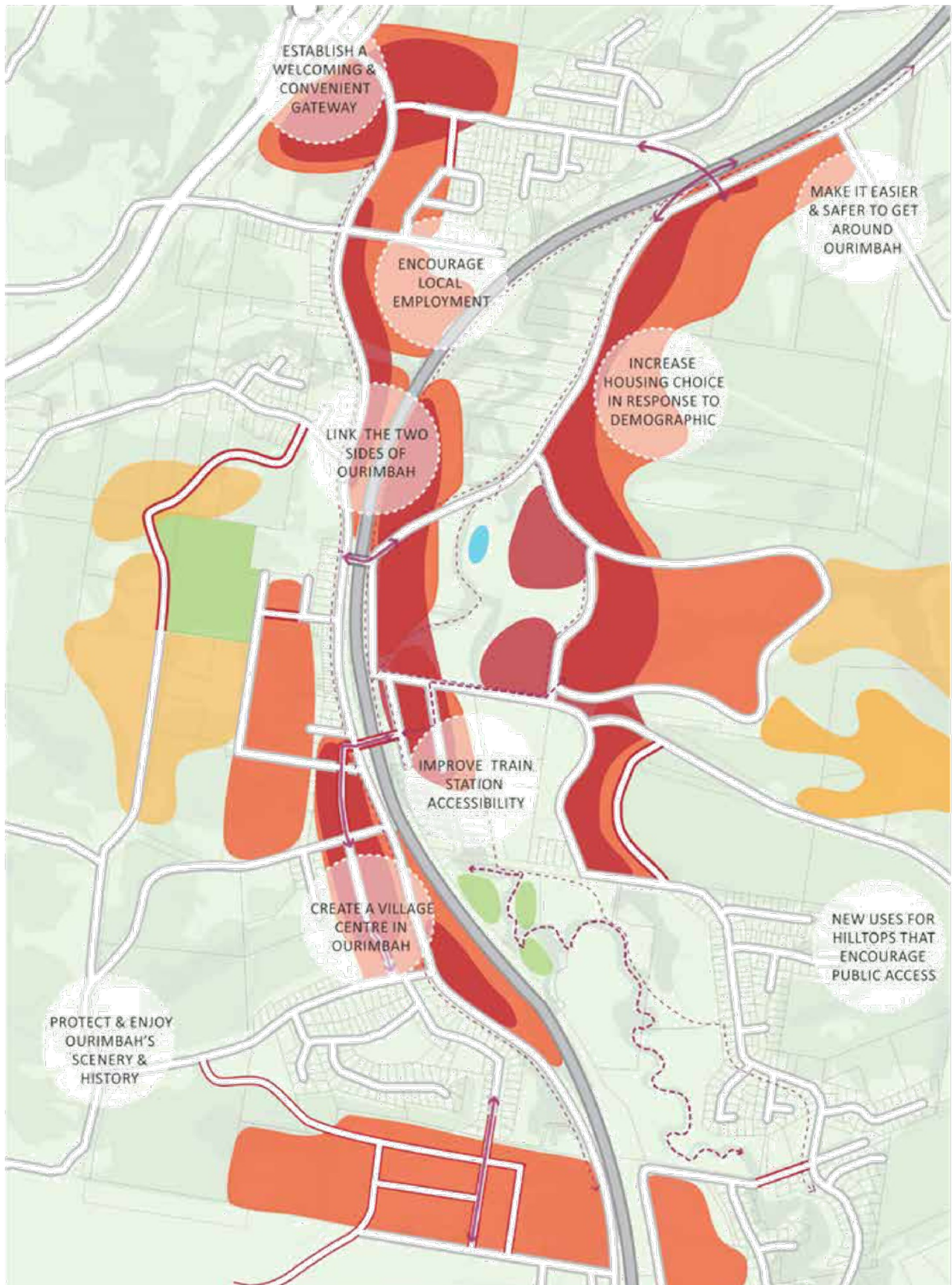


context or framework they will operate in and further clarification is required in the final CCRP. Council is in agreement with the State Government that activity centres are vital as regional destinations for employment, tourism and access to community services and facilities. The Central Coast has a number of activity centres including Wyong/Tuggerah, The Entrance, Long Jetty, Toukley, Gosford, Woy Woy and Erina. Currently the lack of amenity in centres, accommodation options, the level of service and unfriendly pedestrian spaces do not support a high level of use. The infrastructure, facilities, services and amenities of these activity centres need to be improved to match expectations of the visitors to the Central Coast. Some of these improvements relate to improved legibility and movement along the Central Coast Highway, upgrade of major intersections, provision of pedestrian friendly space, tourist facilities and the like. Further work is required to determine the role and function of activity centres and how they relate to employment, tourism, accommodation, people, places and spaces to maximise the potential of each area and the region as a whole.

The Draft CCRP notes local adopted strategies that area being implemented for centres identified with future growth potential, but fails to recognise the planning currently being undertaken in growth areas such as Lake Munmorah and Ourimbah. It also fails to identify potential growth areas where future investigations should be undertaken. Council is currently preparing the Ourimbah Land Use Strategy and Masterplan to capitalise on the significant existing infrastructure including the M1 Motorway Interchange, Railway Station, University of Newcastle Campus, TAFE and Regional sporting fields,. The strategy develops a vision that will guide investment and sustainable development of Ourimbah over the next 20 years.

To meet the demands of the growing population, Ourimbah will need growth in new homes and new jobs by 2036. The NSW Government and WSC have important roles to play in creating these jobs and a high quality living environment through the services and infrastructure they provide. All levels of government need to work collaboratively to achieve this vision.





Draft Ourimbah Land Use Strategy Image (Draft)

- KEY**
- High Intensity Opportunity Area
 - Medium Intensity Opportunity Area
 - Low Intensity Opportunity Area
 - Possible New Roads (Dashed)



Artists Impression of Ourimbah from M1 Interchange (Draft)

The CCRP should recognise the strategic importance of Ourimbah as a gateway into both Wyong and Gosford LGAs. Importantly, to achieve this vision, investment in infrastructure will be needed through financial support from both the State and Federal levels of government. The provision of infrastructure in the Shire's northern areas should also be a priority in order to address future predicted growth targets identified in the North Wyong Shire Structure Plan (NWSSP). Council has commenced a strategic land use review of Lake Munmorah (Precinct 16 of the NWSSP), as a result of an identified need to accommodate growth in the northern half of Wyong Shire. This strategic review will give consideration to land uses and development timeframes proposed within the NWSSP, in light of the relaxation of the surface development guidelines within Lake Munmorah, the recent Woolworths development comprising a supermarket, specialty shops and medical centre, as well as the need to provide certainty to land owners and the community with regard to appropriate land uses following the identification of this area as a development precinct under the NWSSP. The review will also give consideration to the land use framework adopted under the standard instrument 'conversion LEP' for Wyong in 2013. There is a clear need to identify such a review in the Central Coast Regional Plan.

Direction 1.3 Create Connected and Accessible Communities and Centres

Centres must be accessible and connected to their surrounding networks. It is important that strategic plans and policies continue to support the provision of commercial and employment zones within smaller centres outside of the regional economic corridor to ensure the long term viability of those centres. For these smaller centres and communities which are often poorly serviced the plan is silent on how public transport infrastructure will be improved to improve connectivity e.g. coastal centres and isolated localities.

The Draft Plan recognises that the Central Coast's proximity to Sydney has driven residential and employment growth and will continue to be a major influence. The plan notes that by 2031-36 85% of new residents will come from outside the region. While this is expected to result in economic growth, it needs to be acknowledged that there will still be a percentage of the population who continue to commute to Sydney or elsewhere for employment. Employment self-containment will be achieved through the development of technology, engineering and financial sectors on the Central Coast to absorb and stimulate higher percentages of employment in the skilled and professional services sectors. Without new employment opportunities there will continue to be a high proportion of residents commuting out of the Central Coast for work, taking disposable income out of the area and impacting on the quality of life for residents. The CCRP must acknowledge this and look at options to improve employment opportunities in all sectors particularly in skilled and professional service sectors.



The plan needs to be realistic about the nature of the Central Coast's labour force, both now and into the future.

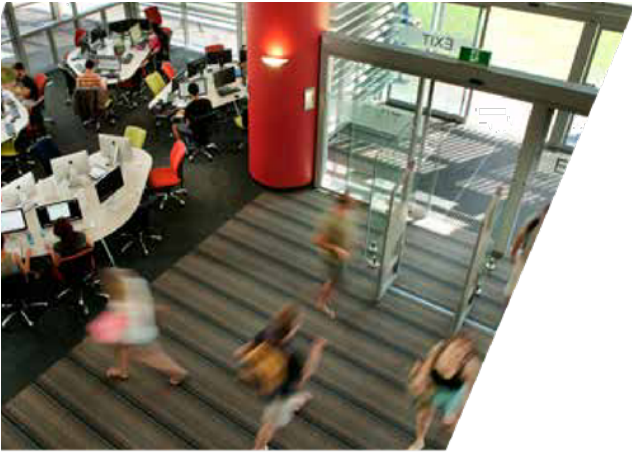
Improving access to employment and local services, connecting the Central Coast with surrounding regions and improving connections between the centres will improve the quality of life for local residents and tourists. The Central Coast Regional Airport will provide a gateway to the region which will assist in connecting the Central Coast with other regions for tourism and stimulate economic growth, jobs generation and regional investment. Support for and commitment to the upgrade of the Warnervale Airport is required and recognition of the significance of the Central Coast Regional Airport in the region's growth is essential.

The CCRP needs to support the improvement of public transport throughout the region. Council recommends the investigation and support for light rail that will run from The Entrance along the coastline to Gosford. This should be supported by an express bus service to link the light rail with other centres, the regional airport and the existing rail corridor. A light rail system would improve public transport options, assist in reducing traffic congestion and improve

connections between centres. These connections will also assist in linking the Central Coast Regional Airport with the regions centres and tourism destinations including The Entrance and Terrigal. State Government Support along with infrastructure planning and investment is required to provide a more connected Central Coast.

Consideration also needs to be given to the potential for a high speed rail development through the Central Coast and the opportunities this could hold for the region. While this development may be some time off, it is realistic to address this in the CCRP given the extensive timeframe the plan covers. The High Speed Rail must be a key consideration of future settlement and development strategies for the region. The possible location of stations, both in the north and south of Wyong Shire, and the opportunities this brings will have a major impact on the future planning for residential and employment lands with associated infrastructure.

This long term transport network will create a more connected Central Coast.



Direction 1.4 Accelerate Housing Supply

Target densities for dwelling and population targets (39,600 dwellings and 70,000 people) have not been identified in the Draft CCRP. Target densities should be recommended within each of the urban localities (infill, existing centres, new release areas etc.) to provide guidance for Council and the development industry as to government expectations, particularly if planning controls will require amendment to meet the expected demands. Significant residential infill development is anticipated to occur in locations like Wyong, Ourimbah and The Entrance with new release areas to the north of Wyong.

The Draft Plan focuses on the provision of housing around Gosford; however, this should be qualified by the limited availability of land in this area with housing likely to be provided in an urban unit type development. The clear growth area for housing is in 'greenfield' Wyong where house and land packages are affordable and land is available.

The plan proposes specific actions to improve the infrastructure contributions framework, the coordination of infrastructure and land release staging and the approach to offsetting the biodiversity impacts of new development to improve housing delivery in the Warnervale-Wadalba land release area. This needs to be backed up in the implementation plan and actioned by the State Government to ensure the success of developing these areas and see the stated works come to fruition. As outlined above the success of the Warnervale Town Centre relies

heavily on the commitment of the State Government to the required infrastructure works including the new railway station. This commitment and timing is not reflected in the Draft Plan.

This infrastructure is also necessary for the delivery of industrial development which is a high government priority and could be considered over and above the provision of infrastructure for housing. The opportunity for more employment in the area will be reflected in the demand and delivery of housing.

The proposed changes to the developer contribution system are unclear regarding whether these changes would be applicable to local and/or state schemes. It is important that any consequential impacts on local infrastructure contributions do not restrict the ability of Council to fund functional and effective services for the local community. It also needs to ensure that high contributions do not make development in the area unviable. Developers cite the high cost of developer contributions and the NSW State Infrastructure Contribution (SIC) (also referring to the Special Infrastructure Contribution that applies to the Warnervale Town Centre and Wyong Employment Zone) in the Warnervale-Wadalba land release areas as a barrier to development and growth in the area. The Residential rate applicable under the SIC in Precinct 7A and other urban release areas in Wyong is higher at \$92,225 per ha of net developable area (NDA) in comparison to other comparable areas like the Lower Hunter at \$79,926/ha NDA and Illawarra at \$55,017/ha NDA. The higher rates will impact on investment and development in the region.



Direction 1.5 Improve Housing Choice (infill)

To improve housing choice consideration needs to be given to all forms of housing. WSC supports a diversity of housing types ranging from small lot housing and unit development to larger detached dwellings on traditional allotments. The CCRP should recognise the large commuter based workforce and embrace affordable Transport Orientated Housing together with car parking infrastructure. It should advocate flexible means of providing affordable housing and its integration into the urban fabric. Given the ageing population consideration needs to be given to the ability to age in place and reduce stress on health care providers for the aged. The provision of a range of housing types assists in affordability and meeting the needs of the population.

While the Draft CCRP states that the State government will work with Councils to generate infill development it does not detail "how" this will be achieved. The plan must include specific strategies, tools and mechanism to facilitate infill growth.


Direction 1.6 Concentrate new development at Warnervale and elsewhere in North Wyong

The Draft CCRP aims to concentrate new development in the Warnervale –Wadalba land release area and northern Wyong and also supports the establishment of the Warnervale Town Centre. This centre has been in planning for a number of years and has been delayed due to the lack of infrastructure and commitment amongst other reasons. It is imperative that the CCRP provides

the support and commitment for the Warnervale Town Centre to develop. The implementation plan needs to clearly outline the responsibility for and timing of infrastructure delivery in this area to allow the Town Centre to establish.

The Warnervale Wadalba Land Release Area is the only urban release area identified for the Central Coast, over the 20 year period the plan covers, and the plan proposes to accelerate housing in this area ([Action 1.6.1](#)). As such there needs to be focus on infrastructure investment in the area. The Link road is a critical piece of infrastructure and will be a catalyst for increased development both private and public in this area. The Link road will connect the land release area with the Wyong-Tuggerah Major Centre and proposed Wyong Tuggerah Economic Corridor which will increase service opportunity. This further supports the recent planning for the Pacific Highway upgrade through the Wyong Town Centre. The document needs to demonstrate strong on-going government commitment with funding guarantees which are linked to State Government budgets for this critical infrastructure and clarity around when this will be undertaken.

It is noted that the Draft CCRP Vision states that priority will be given to infrastructure planning and delivery to attract further business and investment and to support housing growth. However it needs to outline how this will be done, when it will be done, by who and that there is strong Government Commitment to doing this.



The plan must include specific strategies, tools and mechanism to facilitate infill growth.



There needs to be more detail in the CCRP in relation to the NSW Government's coordination of the development of a Biodiversity Offset Strategy in northern Wyong (Action 1.6.2). The content and timing for this strategy is critical and needs to be set under the CCRP. Where biodiversity offsetting is considered appropriate this needs to be clearly documented and the commitment and support of applicable agencies provided. As noted, the North Wyong Shire Structure Plan which was based on the Central Coast Regional Strategy (CCRS) indicates a number of green corridors and habitat networks in this area which are poorly defined and delaying the provision of additional employment and housing land within the area. This needs to be provided in greater detail to provide clarity to Council's and developers when planning in these areas.

It should be noted that Council has commenced the preparation of a Masterplan for Lake Munmorah. Any changes to the North Wyong Shire Structure Plan and existing staging of land release will affect this study/outcomes. As such timing for the Biodiversity Offset Strategy and review of the North Wyong Shire Structure Plan as a result of the CCRP are crucial to this and other planning documents and development proposals in this area.



GOAL 2 – GROW AND DIVERSIFY THE REGIONAL ECONOMY

Wyong Shire Council is committed to the redevelopment of the existing Warnervale Airport as a regional airport catering for general aviation businesses and regional airlines. Council would like to see State Government support and commitment to this critical catalyst infrastructure project.

The Draft CCRP appears to be relatively silent on this key strategic economic development project. The development of the Central Coast Regional Airport has been endorsed over the past 3 years by Wyong Shire Council, NSW Department of Planning and Environment, Regional Development Australia and Central Coast Tourism's strategies and has been identified in the following documents:

- Wyong Economic Development Strategy – 2014/15 – Wyong Shire Council
- Draft Strategic Economic Development Strategy 2013 – 2017 – Wyong Shire Council
- Transforming the Central Coast – Wyong Shire Council
- 10,000 Jobs by 2030 – Wyong Shire Council (2014)
- SMART City – 2015 – Wyong Shire Council
- 2031 Your Future / Central Coast – Discussion Paper – NSW Department of Planning and Environment
- Central Coast Regional Airport Position

Statement – Regional Development Australia – December 2013

- Central Coast NSW – Warnervale Growth Area 2014 Central Coast Regional Airport – Regional Development Australia
- Central Coast Destination Management Plan for the Visitor Economy – 2013 to 2017 – Central Coast Tourism

The 2015 "Central Coast Regional Airport - Regional Economic Benefit Study" prepared by Synergies Economic Consulting estimated the potential impact of the airport on regional employment, gross regional economic activity, regional investment, and the potential stimulation effects on tourism and business development to be over \$100 million. A regional airport on the Central Coast will:

- Open business and leisure opportunities for residents
- Provide business, logistics, manufacturing and tourism operators improved access to national and international markets through other Australian airports
- Create vital employment generating opportunities in industry and tourism
- Provide an aviation / technology business development precinct close to a national motorway and rail links
- Compliment opportunities flowing from the development of the adjacent Warnervale University Precinct



Over the past 18 months, Council has received numerous enquiries from potential general aviation businesses keen to relocate from the high-cost privatised Sydney Basin airports. A viable airport on the Central Coast will provide opportunities for emergency services to establish regional disaster response facilities for fire-fighting, aero-medical retrieval and law enforcement agencies to service the region.

Council's ability to accommodate and encourage general aviation business investment is currently limited by the high cost of infrastructure, the current level of State Infrastructure Contributions, and by the limitations imposed by the Warnervale Airport Restrictions Act (WAR Act) 1996. The WAR Act 1996 is inconsistent with existing state and federal legislation relating to the development and operation of airports. Existing state statutory planning and development controls are adequate to assess the impacts of any airport development. The WAR Act is an unnecessary imposition on the Central Coast region's economy.

Employment Generation:

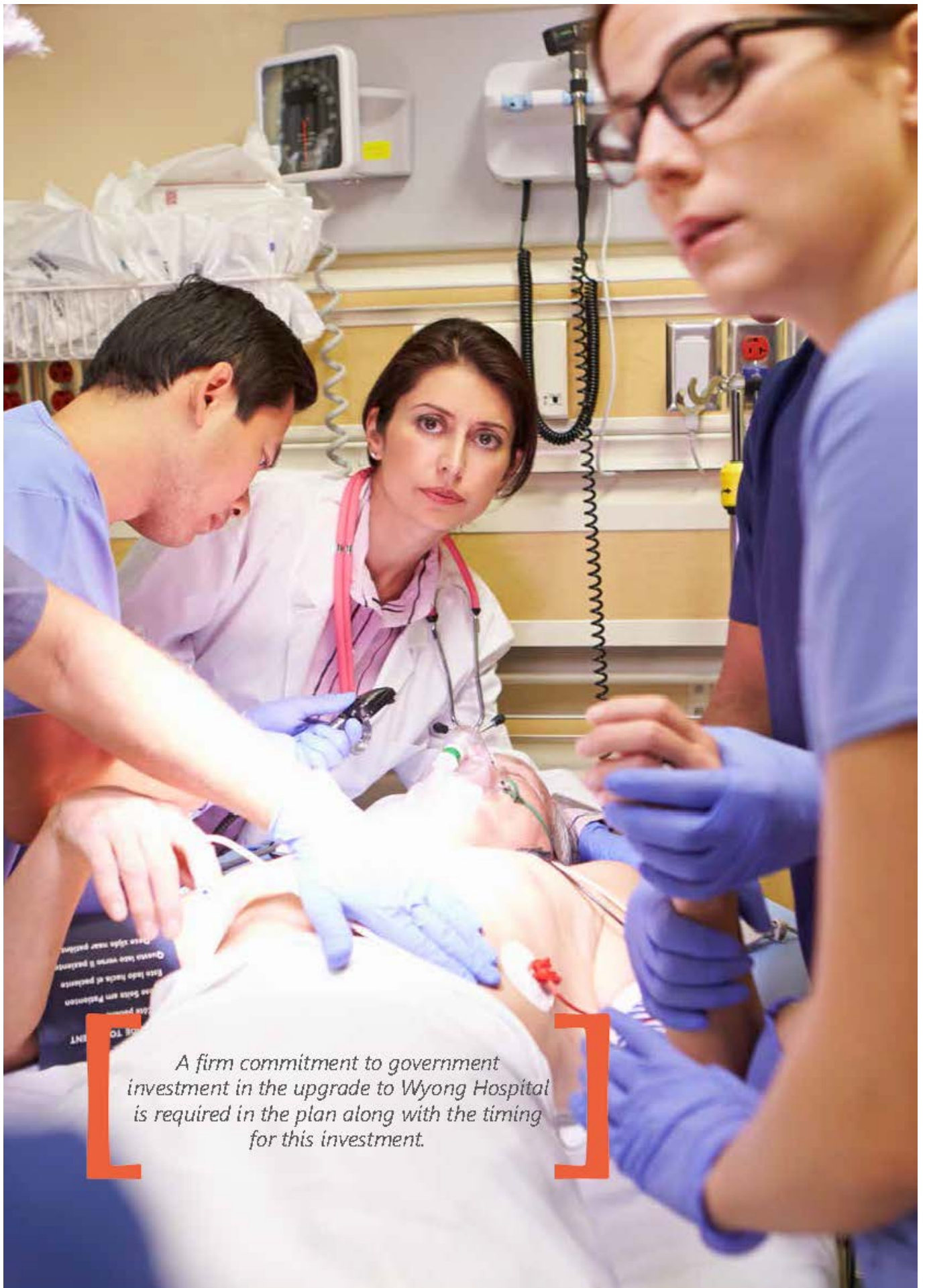
The Central Coast Regional Airport will be a major employment generator. The Wyong Economic Development Strategy 2015 cites the Central Coast Regional Airport as a one of the key Short Term Priority Actions (Section 3.2). This is reinforced by the Wyong Shire Community Strategic Plan 2030 which has a key goal of providing employment particularly in the skilled and professional sectors (Goal 1g). The Plan also aims to develop a co-ordinated approach to business generation, employment and development for the region (Goal 7a), through identifying and leveraging the competitive advantages of Wyong Shire.

Regional and national connectivity is an important driver for our Region's economic competitiveness and ability to attract business investment.

Aviation sector employment growth will create strong synergies with the Wyong Education and Business Park precinct in aerospace and aviation engineering, management and training, and will generate a new industry sector for the Central Coast. Council has rezoned approximately 250 hectares of land adjacent to the airport to Industrial IN1 to provide opportunities for aviation support, logistics, and educational facilities to co-locate in an integrated aviation, education and technology precinct around the Airport.

WSC has approved the phased upgrade of the Central Coast Regional Airport (formerly Warnervale Aerodrome) to become the regional base for commercial General Aviation. Current constraints on the availability and cost of suitable General Aviation leasehold sites in the Sydney and Hunter Regions is driving significant interest in the development of Warnervale as a General Aviation "reliever" airport and General Aviation industry hub.

Council has executed a "Heads of Agreement" with a significant aircraft manufacturer for the lease of 5 hectares of airport land to establish a full-scale aircraft manufacturing and assembly facility. The facility will produce 24 aircraft per annum for the global market in the search and rescue, surveillance and tourism sectors. This facility will become the most significant aircraft manufacturing operation in Australia since World War II and is of national significance for the Australian aerospace industry. The proponents will invest over \$100 million in the facility which will generate over 200 skilled and



A firm commitment to government investment in the upgrade to Wyong Hospital is required in the plan along with the timing for this investment.

professional jobs in the aerospace and aviation sector and attract other subsidiary general aviation businesses to support the operation.

With a current high proportion of residents travelling out of the region for work and the higher than average unemployment rate Council strongly supports the growth and diversification of the regional economy and encourages the State Government in enabling economic development and employment opportunities. The proposed university and the Central Coast Regional Airport will stimulate employment growth particularly in the skilled and professional sectors.

With Health Care and social assistance being the largest employers in the region a firm commitment to government investment in the upgrade to Wyong Hospital is required, along with the timing for this investment.

In addition to those industries mentioned in the Draft CCRP the food industry should be identified as an industry for growth. Wyong Shire is already home to a number of highly productive food suppliers/manufacturers including Tip Top, Life Health and Sanitarium.

The Central Coast also has the ability to capitalise on the genetic and bio-research industries with international agri-business companies located at Ourimbah and Mangrove Mountain carrying out major research and development projects. Suitable development incentives would encourage the development of a world-class bio-technology and research precinct close to the Sydney and Hunter regions and within close proximity to Wyong's proposed university campus.

Direction 2.1 Support the 21st Century Needs of Business

The Draft CCRP states that the Government will work with Council's and stakeholders to identify opportunities to support local employment and centres growth across the region.

However there are major economic drivers which would support this employment and growth that are given little consideration. These include the Smart City Vision, the proposed Wyong Education and Business Precinct and Central Coast Regional Airport and the Key (Iconic Development) Sites incentives. There is no mention of the positive impact the National Broadband Network (NBN) will have on the region. Wyong is one of the first areas to have access to the NBN which will provide an advantage for and support the needs of local businesses.

Wyong Education and Business Precinct is a key economic driver that receives little discussion within the Draft Plan. The integrated education and business precinct of over 65ha will provide a world-class university campus, with student accommodation for up to 1,500 students and business research and technology park for 5,000 workers. Given the Wyong Shire's high unemployment rate of 8% (September Quarter 2015, Department of Employment) and lower levels of educational attainment and formal qualifications (Tertiary education, in Wyong Shire 14.7% compared to the state average of 28.2%, (ABS Census, 2011)) this type of proposal should be embraced and encouraged.

WSC through its Key (Iconic Development) Sites incentives within the Local Environmental Plan 2013 and subsequent Development Control Plan and Policies is facilitating the development of a number of Iconic Development Sites throughout the Shire. Council identified 28 sites with the ability to generate significant economic return and play a major role in revitalising its Town Centres. Sites at The Entrance, Wyong, Long Jetty, Toukley, Kanwal Lake Haven and Warnervale have been identified as having potential to be catalysts for economic growth and development confidence. As a result of these incentives developers have submitted proposals for high density developments that will increase housing choice, employment opportunities and essential services.

The plan also notes the importance of tourism to the region however; it fails to identify strategies to grow this economy.



The provision of public transport links to connect tourist destinations, support events and enhance visitor experiences is required along with the improvement of east-west connections providing easier access between the M1 and the coast. The Central Coast has exceptional tourism attributes which include the expansive coastline and Lakes system, National Parks and Rural areas, and existing and proposed visitor attractions. The regions coastal communities provide attractive tourist destinations and growth in the tourism area will provide greater employment opportunities. A coordinated approach to the development of tourism infrastructure and people places and spaces is required. The anticipated operation of the Warnervale Airport will create a gateway to the Central Coast and coastal destinations such as the Entrance. The Entrance will evolve as an attractive destination with more accommodation, retail, commercial, cultural, entertainment and recreation facilities. Public domain improvement works have been commenced at The Entrance with Council investing \$3.5million in 2015-16 to revitalise the Entrance Waterfront area.

The Draft CCRP supports the clustering of retail in existing centres and does not appear to identify the need for any additional retail land within the region. This should not be utilised to limit the growth of retail providers. The Draft CCRP should also support the development of out of centre retail for Bulky Goods and large scale retail where appropriate. Planning proposals are often submitted to Council for out of centre retail development particularly within release areas.

Some, in the past have been supported by the DP&E. Clarification is sought through the Plan, regarding how Council should consider proposals for stand-alone retail providers and what locational distance from an existing centre would exclude it from consideration (Action 2.1.5). The draft NSW Centres Strategy could be employed to ensure that a consistent approach is taken for all areas and to maintain the regions competitive position and capacity to grow.

In addition to retail being focused in centres the Draft CCRP advocates that employment growth will be in centres. This is supported by the infrastructure that generally is at the core of existing centres. The growth in jobs however is not necessarily linked to the centres and is likely to be provided in the industrial areas. The vast expanse of industrial land should be recognised as a source of employment growth, which is generally located on the outskirts of these centres. It could be considered that the primary consideration of the Plan should be jobs growth. Providing the infrastructure for industrial land at affordable rates is critical to being cost competitive with other areas. The state government should consider the provision of grants and funding and the reduction in State Infrastructure Contributions to mobilise industrial land infrastructure which will be the catalyst for jobs growth in the region.

Specific State Government assistance is required if regional employment goals are to be achieved. Currently the major impediment to regional business and economic development is the lack of "shovel ready" industrial land.



While there is ample land zoned for industrial development, investment will not occur until basic utility service and road transportation infrastructure upgrades are in place and land becomes more viable to develop.

Council's development strategies require the realisation of some large but very basic transport and utilities infrastructure to land in the Wyong Employment Zone, University Precinct and Central Coast Regional Airport. The development of all of these precincts will be dependent upon serviced land releases which will take several years to realise due the planning processes and funding constraints. The current State Infrastructure Contributions (SIC) that are applied to the Wyong Employment Zone and surrounds are counter-productive and deter private investment in business and industrial development in the region. Council continues to have concerns about the high level of SIC for industrial land, particularly as it applies to the Wyong Employment Zone. The development costs within this area are significantly higher than for other industrial areas having regard to bio-certification requirements, stormwater management and intersection upgrades and on top of this is the SIC at more than two times the rate of the Lower Hunter (\$70,945 compared to \$31,660) and more than three times higher than in Illawarra (\$70,945 compared to \$21,926). It should be noted that no development of this large industrial area has occurred since it was rezoned in 2005 under State Environmental Planning Policy (Major Projects) 2005 (Amendment 21).

Improvements are required in order to facilitate development. In addition to this there is no transparency over the use of the SIC monies. It is considered that there needs to be a commitment to the expenditure of these funds on local infrastructure that will assist in meeting the demands generated from those developments for which the SIC payments are being made.

At present "State infrastructure contributions" can only be applied in respect of the urban release areas in the Wyong Shire through the preparation of a "planning agreement" between the State Government and each developer. Council is prevented from granting consent for development in these nominated urban release areas under Clause 6.1 of the Wyong LEP, until it receives advice from the Department that "satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure". There are a significant number of both large and small landholdings within Precinct 7A. The administrative burden for the Department will be significant and will likely result in substantial delays to development. There will also likely be significant compliance and opportunity costs for developers. It is also likely that the VPA process will result in costly legal and administration fees for developers.

Council considers that the most efficient and cost effective approach to the collection of "state infrastructure contributions" is for them to be imposed by Council as a condition of consent.

This is only possible where the Minister declares an area to be a "special contributions area" under S94EG of the Environmental Planning & Assessment Act 1979 and directs Council to impose the adopted "special infrastructure contributions" as a condition of consent under S94EF. This is the approach that currently applies to Warnervale Town Centre and the Wyong Employment Zone, which have been declared a "special contributions areas" and for which there is a "special infrastructure contributions plan" that Council has been directed to administer. Council has imposed "special infrastructure contributions" in a number of consents to date that have been processed for the Warnervale Town Centre.

Council recognises that the Draft CCRP advocates that the NSW Government will work with councils and industry to prepare industry specific planning strategies that support growth. This needs to be supported by real funding for the delivery of infrastructure to enable industrial development to occur and expand.

The draft Plan has moved away from setting prescriptive targets for population and employment. It is more generic and defines identified actions to help accelerate housing supply. It is however light on in regards to employment targets and more importantly "how" we are going to attract major employment generators. More information is required that identifies specific actions to attract employment providers.

Direction 2.5 Focus Growth within the Tuggerah to Warnervale Corridor

Local studies, including the Wyong Employment Lands Study and Industrial Land Audit (SGS 2013), recommend that 'Wyong-Tuggerah should be developed as a single centre with a complex of spaces'. The two are listed as separate major centres in the Draft CCRP and there is no emphasis on planning for these areas as one centre. As noted in the draft CCRP both NSW Government and WSC have undertaken strategic planning for the Tuggerah area. Council is currently undertaking a revision of the

Wyong Tuggerah Planning Strategy and preparing a new strategy which aims to develop Wyong-Tuggerah as the dominant commercial centre, outside of Gosford, on the Central Coast.

Gosford's role as the predominant commercial centre for the region should be considered in terms of the limitations that Gosford has, Wyong/Tuggerah in contrast has enormous potential to expand as the major business/commercial centre for the region.

The Vision statement for Tuggerah (pg. 37) also needs to be reviewed and expanded from solely retail to reflect the potential for increased residential and mixed use development in Tuggerah around the railway station and Tuggerah Regional Sports Centre. This location has great potential to support a Transport Oriented Development. This should be supported by the State Government and the Draft CCRP should embrace and promote the development of Transport orientated developments in locations such as this. Recognition should also be given to the role that the Tuggerah Regional Sports Complex will play in attracting ancillary development and supporting the growth of this area.

The Draft Plan advocates the delivery of a vibrant new centre at Warnervale. This centre has been in planning for a number of years; however, has not proceeded for a number of reasons. The Draft CCRP needs to provide more clarity around what the 'proposed' Warnervale Town Centre will consist of, when it will come to fruition and the State Governments commitment to providing the rail infrastructure necessary for this to become a 'Town Centre'.

The Plan notes that the NSW Government will assist Council and other stakeholders to facilitate development on the Warnervale Town Centre Site (**Action 2.5.3**). Further detail is required regarding what this assistance would involve. The entry road into the proposed Town Centre was recently constructed. This was undertaken in collaboration between Urban Growth NSW, Woolworths and Wyong Shire Council at a considerable cost to each party.

The completion of this road and the other necessary infrastructure needs to be provided in order for the centre to establish. The Plan also notes the NSW Government will assist the planning of the transport interchange at Warnervale. Clarification is required indicating what this involves e.g. a bus and train interchange.

The proposed railway station still requires a final determination and is key in Warnervale's development as a Town Centre. Should the railway station not proceed the impact on the centre will be significant. If this was to occur the position on this proposed centre would need to be reconsidered in the context of it not being a 'Town Centre'. The new development would then likely be of diminished importance and likely be profiled as a neighbourhood Convenience Centre/other centre. For the Warnervale Town Centre to proceed as planned there needs to be greater commitment to infrastructure works and a programme to provide certainty for Councils and developers and hold various agencies to deliver the essential infrastructure. This is significant for Council as considerable planning has occurred including Section 94 planning.

While the Plan recognises that the growth should be focused within the Tuggerah to Warnervale Corridor it there is little focus on major proposals occurring in this area which will have a major economic impact for the region. As discussed above there is little mention of the proposed education precinct and the Central Coast Regional Airport. In addition the plan is silent on the plans for a the Warner Industrial Park in the Bushels Ridge area which is 56 Ha of IN1 zoned land, and on the proposed location for the major rail maintenance facility infrastructure, all which will assist in growth within the corridor.

The Draft CCRP is also silent on proactive measures to support the development of new industries in the region. As outlined above the Central Coast Regional Airport and work being done around this space is likely to bring new technology industries to the area with a focus on aerospace. This needs to be considered in the

context of the Regional Plan and how it can be best encouraged and supported.

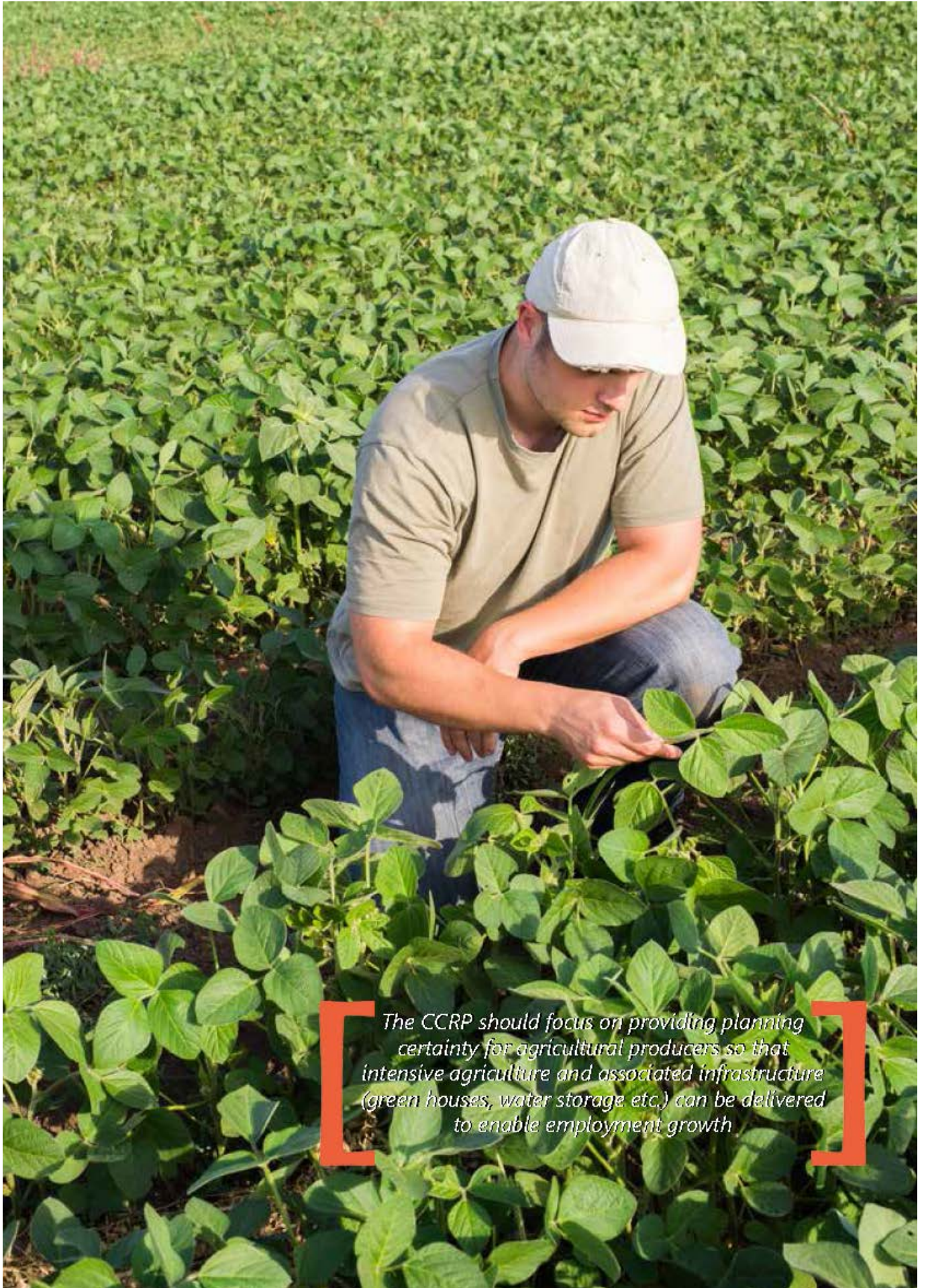
Direction 2.6 Enhance the Warnervale Employment Lands

While the plan outlines that NSW Government will work with Council to resolve conservation issues in the Warnervale area particularly around the Warnervale Employment Zone it does not identify exactly what needs to be resolved nor does it state in detail how this will be done. The State government should provide assistance to fund offsets through existing State Infrastructure Contributions. Council has few legally robust options available to fund the offsets (Section 94 is inadequate) which are required to achieve biodiversity certification of urban land release areas. The existence of Section 94 caps often means that environmental offsets cannot be funded over other critical infrastructure which is required to service new urban land releases.

Furthermore, *Action 2.6.2 Resolve conservation issues* simply makes another motherhood statement saying that "Water Quality and Integrated Water Cycle Management are important issues during planning for release areas." The action title: Resolve conservation issues implies that something does need to be resolved, but fails to identify exactly what needs to be resolved.

Direction 2.7 Strengthen the economic self-determination of Aboriginal Communities

The strengthening of economic self-determination of Aboriginal Communities is supported. In addition to analysing constraints, the strategic assessment should also consider local strategic plans such as masterplans, structure plans or precinct plans and the objectives of these in relation to the release of Local Aboriginal Land for commercial, residential and other land uses. WSC enjoys a close relationship with the Darkinjung Local Aboriginal Land Council. The two parties have signed a 'Principles of Co-operation' agreement ensuring there is good communication, dialogue and a mutual understanding between the two organisations.



The CCRP should focus on providing planning certainty for agricultural producers so that intensive agriculture and associated infrastructure (green houses, water storage etc.) can be delivered to enable employment growth

GOAL 3 – SUSTAIN PRODUCTIVE LANDSCAPES

Direction 3.1 Promote investment in rural and resource lands & Direction 3.2 Manage rural lifestyles sustainably

Council is supportive of the actions identified to support existing agricultural lands within the shire. In principle, the need to ensure protection from Biosecurity risks restricts the ability of Councils to amend existing minimum lot sizes substantially within rural zones/areas as such actions would enable the expansion of residential development into rural areas (Action 3.1.2). However, it is noted that the draft CCRP does not restrict future rural residential development west of the M1 Pacific Motorway as does the current CCRS. It further notes that expansion and clustering of further rural residential development will be supported provided compliance with the principles as drafted in the draft CCRP. Council is currently preparing a Rural Land Use Strategy which will seek to identify areas for rural residential development which are able to meet these principles (Actions 3.2.1, 3.2.2). The Rural Land Use Strategy will consider existing agricultural land uses and other possible alternative, constraint compatible, land uses.

Council supports the importance of agricultural land uses and their expansion on the plateaus. It is noted that the Draft CCRP does not seek to remove this

purpose; however it does show that there are potential resources in this area. The CCRP needs to acknowledge the high value of this land for agricultural purposes.

The CCRP should focus on providing planning certainty for agricultural producers so that intensive agriculture and associated infrastructure (green houses, water storage etc.) can be delivered to enable employment growth in these areas and the Central Coast develops as a powerful food producer where these uses are considered appropriate. There is also the potential for Government support for the development of agricultural research and development in association with local universities, education providers and producers given the close proximity of agricultural land to the proposed university site at Warnervale and other education providers on the Central Coast.

It is known that there are valuable extractive minerals and energy resources within the region, however, there needs to be greater collaboration between resource extraction operators, the Office of Resources and Energy and the Mine Subsidence Board in relation to the intent, planning and timing for resource extraction. It should be noted that Council has previously resolved to oppose coal mining in our water catchment areas and remains in opposition to this.



GOAL 4 – PROTECT AND MANAGE THE NATURAL AND CULTURAL ENVIRONMENT

Direction 4.1 Protect and manage the region's environmental and heritage values

Protection and management of the natural and cultural environment is vital on the Central Coast given the lifestyle, tourism and economic opportunities it creates.

In principle, the Draft CCRP provides support for local council's to ensure that land proposed for rezoning will achieve an improve or maintain outcome at the rezoning stage. However, further legislative support will need to ensure that this requirement can be implemented by Councils.

The importance of heritage values is not reflected in the Draft CCRP due to the limited focus. The State Government need to play a larger role in ensuring State and Local heritage is protected and conserved. In addition to supporting the preparation of heritage studies, the NSW Government should:

- Ensure that where there is a proposed change in zoning through a draft local strategic plan (such as a masterplan, structure plan or precinct plan) the relevant planning authority has considered the impacts of the proposed change in zoning to any heritage listed items and heritage

conservation areas, including the potential for and suitability of adaptive reuse within the new zone.

- Require the relevant planning authority to refer any draft local strategic plan to the Office of Environment & Heritage demonstrating that impacts of the proposed change in zoning to any heritage listed items and heritage conservation areas, including the potential for and suitability of adaptive reuse within the new zone have been considered and addressed in the draft local strategic plan.

There is currently no mandate under the Legislation to consider heritage impacts where zoning changes are proposed/ recommended through a local strategic plan such as a masterplan, structure plan or precinct plan. Heritage impacts are considered at the Planning Proposal stage and at Development Application stage, however, a local strategic plan which sets out a land use framework that has not given consideration to proposed zoning changes and their impacts to heritage listed items and heritage conservation areas has the potential to place those items under threat, as greater strategic justification is afforded to proponents of Planning Proposals and Development Applications who propose an intensification of the land use in accordance with an adopted local plan. While the s117 Directions and Local Environmental Plan contain requirements



in relation to heritage conservation and impacts, the intent of the above action is to provide a non-statutory trigger at the early stages of planning to consider whether a change in zoning would place the heritage item and its significance at risk. The addition of the above action to section 4.1.2 of the Draft CCRP would achieve the following:

- Ameliorate land use conflicts that arise at the Development Application stage between zone objectives, permissibility and conservation of heritage items.
- Provide greater weight to heritage considerations at the earliest stage of planning, by identifying it as a strategic requirement in the CCRP (i.e. not at the discretion of individual Councils).
- Avoid heritage impacts being addressed in an ad-hoc manner through individual planning proposals by requiring early consideration of heritage issues at the strategic planning stage.

Green corridors within the CCRS and subsequently the North Wyong Shire Structure Plan have been used to consider the potential for rezoning and development of land within the region. There has been issue in the past about the definitive lines of these corridors and the lack of clarity for both Council's and developers.

The Draft CCRP again outlines these green corridors. The corridors shown in Figure 10 are shown in a broad brush which means that no fine grain certainty is achieved. Priority greenbelts should be identified, and secured through NSW State funding as has been the approach through the Sydney Growth Centres. This approach secures acceptable environmental outcomes and provides development and investment certainty.

Direction 4.2 Sustain water quality and security

Council will be seeking to utilise the Neutral or Beneficial Effect (NorBE) criteria within a new chapter of Development Control Plan 2013 to guide development within the water catchment area. The draft CCRP approach is supportive of this direction ([Action 4.2.2](#)).



GENERAL COMMENTS

In relation to the overall document the following general comments are provided:

Central Coast Regional Boundary Extension

The Central Coast has strong links to the Wyee community north of the Wyong Local Government Area (LGA) boundary. As outlined in the response to the 2014 Discussion Paper titled '2031 Your Future Central Coast' Council recommends extension of the regional boundary north to include the area of Wyee. Council has previously been approached by people that own un-sewered land in and around Wyee. These people have expressed frustration at the inability to connect their lands to a reticulated sewer system, thereby impeding their ability to develop their lands, e.g., for residential development. Council has assessed its ability to provide sewer services to the above mentioned un-sewered lands, and has established that it is capable of providing sewer services to those lands by way of extending its existing infrastructure to connect those lands to Council's treatment plant at Charmhaven.

This extended boundary for the Central Coast connects communities of common interest and similar demographic profiles and which from a strategy perspective should be considered similarly. Any future strategies and actions should reflect the employment, social and infrastructure needs of these populations in a holistic manner.

Projections

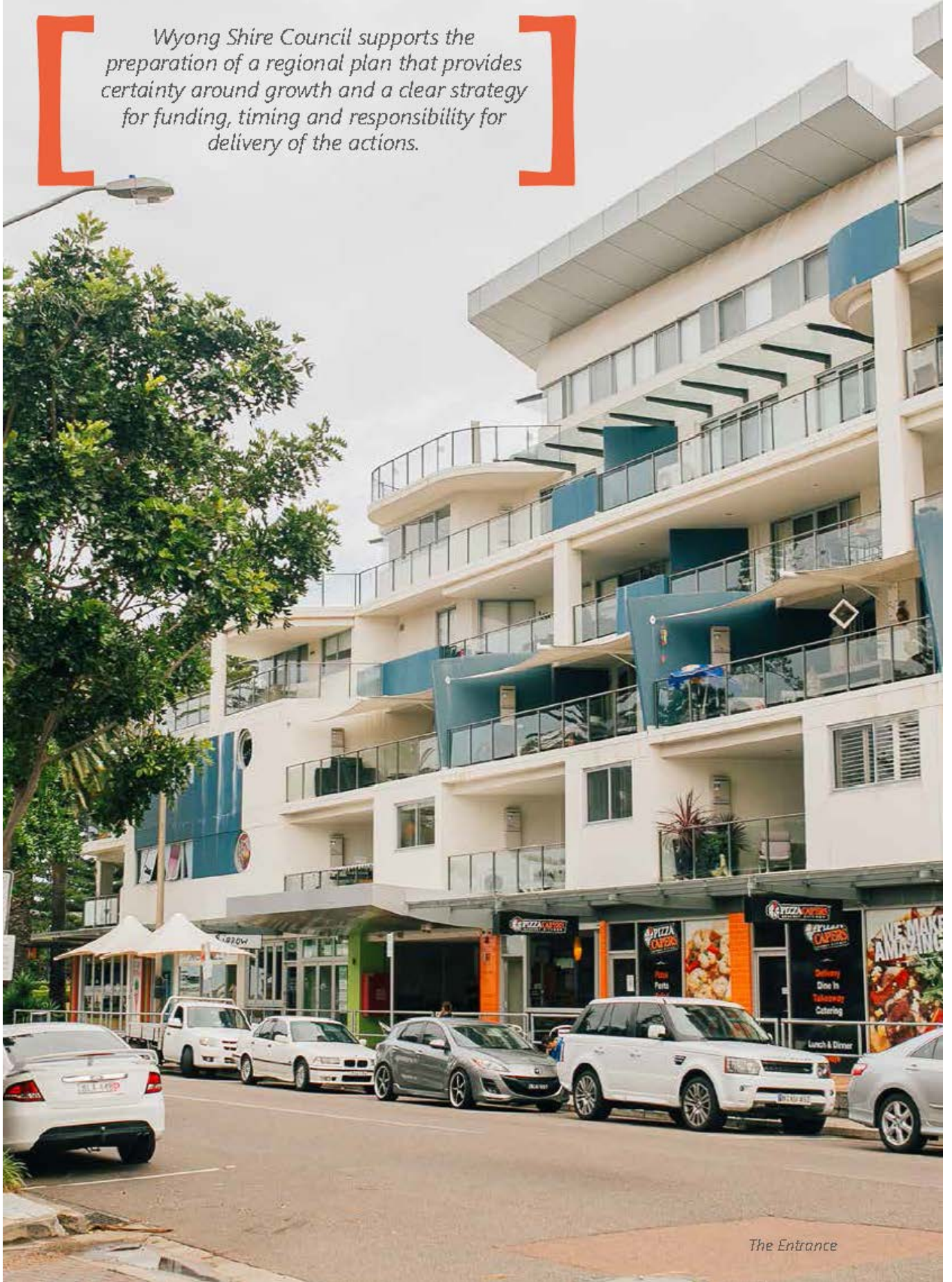
The Draft Plan projects an additional 70,000 people and an additional 39,600 dwellings by 2036. This is a reduction in both population and dwelling projections from that projected in the current CCRS. A comparison of the population, dwelling and employment projections is shown in Table 1 below. Council considers that these projections could be low and that higher growth scenarios should be considered and planned for within the CCRP.

Table 1. Population, Dwelling and Employment Comparison

Projections	Regional Strategy (2008)	Discussion Paper to 2031 (2014)	Draft Central Coast Regional Plan to 2036 (2016)	Change CCRS to Draft CCRP (%)
Additional Population	100,000	65,504	70,000	-30%*
Additional Dwellings	56,000	36,800	39,600	- 29%*
Additional Jobs	45,000	30,083	No overall projection	-

*This does not factor in the additional 5 years that the CCRP covers

Wyong Shire Council supports the preparation of a regional plan that provides certainty around growth and a clear strategy for funding, timing and responsibility for delivery of the actions.



The Entrance

Definitions of Hierarchy

There are no definitions of what constitutes a Regional City, Major Centre, Town or other Centre. This needs to be defined and detail on whether they are to stay as categorised or there is to be future growth into another Category needs to be outlined.

Mapping Anomalies

There appear to be a number of errors or omissions in the mapping presented in the Draft document. It is noted that some amendments have also been made during the exhibition period to fix these anomalies.

The centres mapping in the document seems to lack consistency between Town and Other Centre's categories, see Figure 1 Map 10. Example, Ourimbah not recognised as a Town in the regional hierarchy. Lake Munmorah centre is in wrong location and the future Gwandalan centre is not shown.

WSC is currently preparing the Ourimbah Land Use Strategy and Masterplan which aims to maximise the use of existing infrastructure including the railway Station, University and Pacific Highway upgrade. Support and reinforcement is required from the State Government to encourage the increase in density and for Ourimbah to reach its potential. As such Ourimbah should be shown as a future 'Town' within the hierarchy and mapping.

On Page 36 'Figure 6: Tuggerah to Warnervale Regional Economic Corridor' the proposed Wyong Education & Business Precinct is labelled incorrectly, it should be shown as a Business zone rather than an industrial release area. Items in the legend are also shown incorrectly with the symbols for waste facility and hospital mixed up.

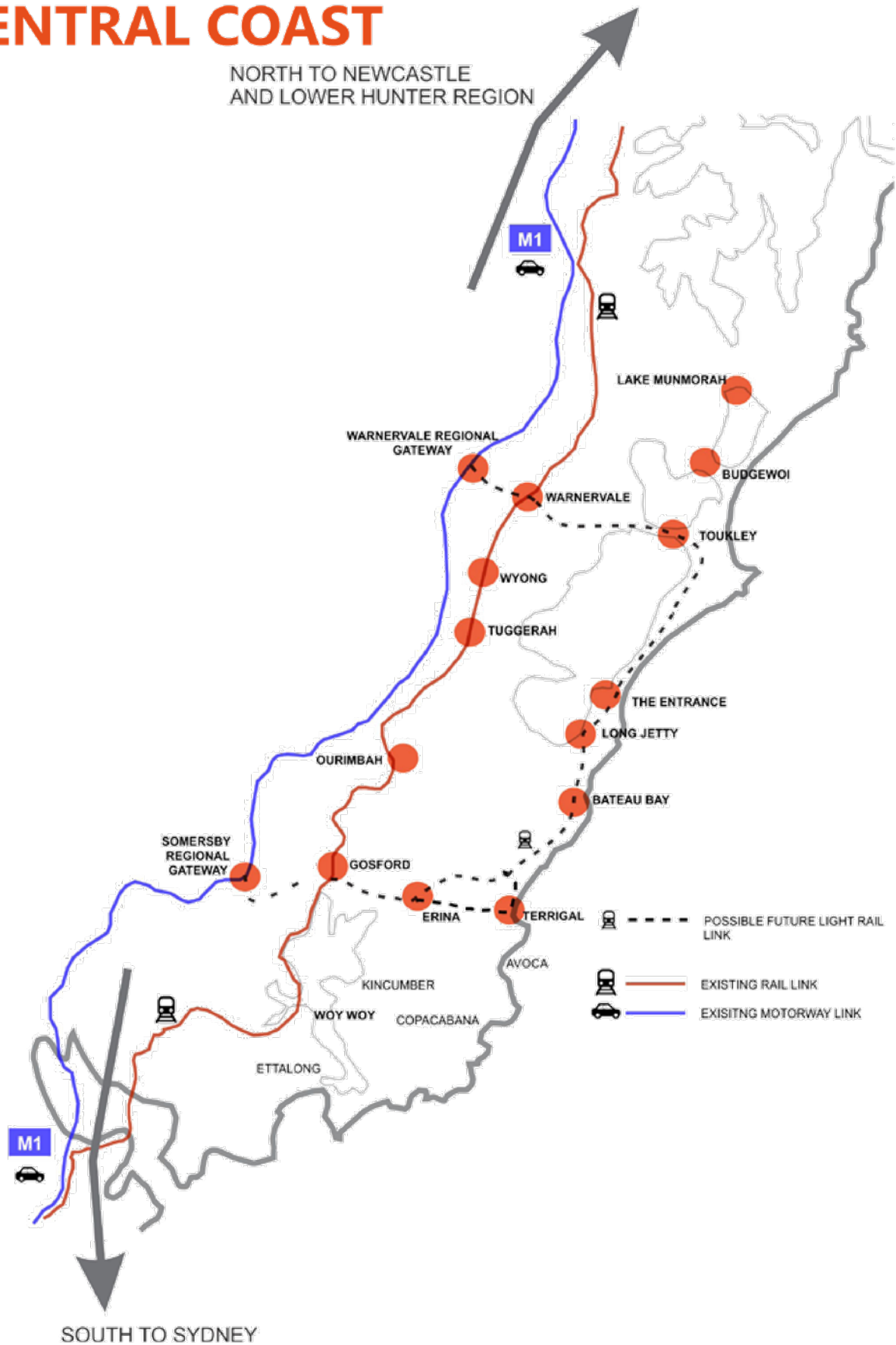
CONCLUSION

Wyong Shire Council supports the preparation of a regional plan that provides certainty around growth and a clear strategy for funding, timing and responsibility for delivery of the actions. In order to be an attractive region and support the community there needs to be commitment to providing all levels of education, provision of key infrastructure, investment opportunities, improved public transport and promotion and protection of areas of natural value. Council is committed to a providing a vibrant, well connected and attractive Central Coast.



Key Site at The Entrance

A CONNECTED CENTRAL COAST





Wyong Shire Council Submission to the Central
Coast Regional Plan
MARCH 2016

Wyong Shire Council
2 Hely Street Wyong
PO Box 20 Wyong NSW 2259
P 02 4350 5555 F 02 4351 2098
E wsc@wyong.nsw.gov.au
W www.wyong.nsw.gov.au
Opening Hours 8.30am - 5.00pm

4.2 Contract Variations and Finalisation Report for the period covering September to December 2015

TRIM REFERENCE: F2007/01410 - D12229589

MANAGER: Greg McDonald, Director

AUTHOR: John McCarthy; Team Leader Procurement and Stores

SUMMARY

This paper reports on variations, proposed variations, contract budget adjustments and finalisations to contracts which have exceeded their contract value and are over \$150,000 in value.

The report covers contract variations processed from September to December 2015.

RECOMMENDATION

- 1 *That Council receive the Contract Variations report for the period covering September to December 2015.*
- 2 *That Council note the additional expenditure above resolved estimates for the following contracts that have been approved under relevant delegated authorities of staff:*

Contract Title	Contract No	Adjusted Contract Value (Excl GST)	Additional Budget Approval (Excl GST)
Manufacture of Sewer Pump Station Aluminium Hatch Covers	CPA/252268	\$442,000.00	\$91,000.00
Temporary Labour Hire Engagement - Business Analyst	CPA/257092	\$151,582.20	\$71,332.80
Temporary Labour Hire Engagement - Business Analyst	CPA/263364	\$214,656.60	\$99,069.60
Construction of Gross Pollutant Traps Canton Beach and Berkeley Vale	CPA/257092	\$378,025.92	\$62,589.92

- 3 *That Council approve the additional expenditures requested and increase the resolved contract values accordingly.*

BACKGROUND

Contracts entered into by Council are awarded either by Council resolution or under delegated authority. Section 55 of the Local Government Act 1993 requires that Council must invite tenders before entering into a contract with an estimated value greater than \$150,000.00 (excl GST) and section 377 of the Act requires the acceptance of tenders which are required to be invited by Council under the Act to be by Council resolution.

Contracts of an estimated value less than \$150,000.00 (excl GST) are awarded under delegations made by Council to the General Manager or his/her delegate.

Contracts routinely require variations during the course of the contract due to unforeseeable circumstances, changes in design or changes in service demand on the finished product.

All contracts commonly include a contingency sum to cover unforeseen changes. It is generally expressed as a percentage of the contract value, being typically 10% of the contract value, but may vary between 5% and 30% or more, depending upon the nature of the contract and the risks, or may be expressed as a specific dollar value.

Council develops contract estimates and risk based contingency sums as accurately as possible to allow the number of works undertaken in an annual program budget to be maximised, but some risk remains that programs may have to be materially curtailed if unforeseen costs exceed these estimates.

In accordance with contract reporting changes approved by Council at the meeting of 14 February 2012, only contract variations that exceed an approved contract value require Council disclosure. The purpose of this report is to make Council aware of and to explain the reasons for the variations where an increase in the approved contract value has resulted.

THE PROPOSAL

The report for the period covering September to December 2015 advises on the following contracts that have exceeded their contract ceilings.

- CPA/252268 - Manufacture of Sewer Pump Station Aluminium Hatch Covers
- CPA/257092 - Temporary Labour Hire Engagement - Business Analyst
- CPA/263364 - Temporary Labour Hire Engagement - Business Analyst
- CPA/257092 - Construction of Gross Pollutant Traps Canton Beach and Berkeley Vale

Summary of variations for all active contracts processed between September and December 2015

Total number of variations processed for the reporting period	67
Total number of Contracts impacted	28
Contracts requiring increase to the contract estimate	4
Contracts where current funds are sufficient to complete	22
Significant contracts finalised in the reporting period	6

4.2 Contract Variations and Finalisation Report for the period covering September to December 2015 (contd)

Attachment 1 provides detailed information on the reasons for the variations.

Attachment 2 provides detailed information of all significant contracts finalised for the reported period.

OPTIONS

The variations reported in Attachment 1 were required to ensure the reported contract could be progressed in a timely and effective manner to deliver best value for Council and ensure compliance with the contract conditions. In each case, the expenditure involved was authorised by staff with relevant delegated authority.

STRATEGIC LINKS

Strategic links for the various contracts were identified in the initial assessment and approval reports for each contract.

FINANCIAL IMPLICATIONS

Increased expenditure is identified in the Recommendation with the source of funds detailed in Attachment 1.

PRINCIPLES OF SUSTAINABILITY

This proposal applies good governance improving Council processes by being consistent and demonstrating a sound basis for the variation of contract estimates to ensure better outcomes for the community via appropriate allocation of resources.

CONSULTATION

Consultation has occurred with all Contract Officers responsible for the management of contracts reported in both Attachments.

GOVERNANCE

These contract variations are reported to Council to ensure compliance with Section 55 of the Local Government Act and Part 7 - Tendering of the Local Government (General) Regulation 2005.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled “*Council Decision Making during Merger Proposal Periods*” pursuant to s.23A(1) of the *Local Government Act 1993* (“LG Act”). The Council must consider those guidelines when making decisions during the “merger proposal period”, which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

CORPORATE RISKS

This report contributes to the mitigation of the following risks identified in Council’s Risk Register:

Identified Risk	Rating	Actions to Mitigate
Budget Control Inadequate budget control that creates significant funding shortfalls leading to an inability to provide priority services. (shorter-term consequence)	Moderate	Reporting of variations that exceed their approved contract estimates.
Legislative Requirements Council non-compliance with legislative requirements leading to penalties, civil claims and/or contractual disputes.	Low	- Reporting of variations that exceed their approved contract estimates. - Local Government Act requirements in relation to Tenders.

CONCLUSION

In accordance with contract reporting changes approved by Council at the meeting of 14 February 2012, only contract variations that exceed an approved contract value require Council disclosure.

The variations reported in Attachment 1 were required to ensure the reported contracts could be progressed in a timely and effective manner to deliver best value for Council.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Confidential - Contract Variations for the period covering September to December 2015 - | D12231176 |
| 2 | Confidential - Contracts Finalised for the period covering September to December 2015 - | D12231193 |

4.3 Central Coast Business Enterprise Centre

TRIM REFERENCE: F2014/00920 - D12248503
MANAGER: Sue Ledingham, Manager
AUTHORS: Myra Lowe; Tourism and Marketing Officer

SUMMARY

Report on the operations and future funding of the Central Coast Business Enterprise Centre and the investigation undertaken with Gosford City Council into a joint competitive tender for small business mentoring and coaching services on the Central Coast for the 2016-17 financial year and future years.

RECOMMENDATION

- 1 ***That Council note that Gosford City Council does not wish to issue a joint competitive tender for these services at this time, and wishes to continue under the current arrangements***
- 2 ***That Council agree to renew the funding for Central Coast Business Enterprise Centre for \$30,000 per annum for an additional 12 months to 30 June 2017 with agreed deliverables in a signed funding agreement and with Wyong Shire Council funding to be contingent on continued funding from Gosford City Council and the NSW State Government***

BACKGROUND

On 26 August 2015 Council resolved to renew funding to the Central Coast Business Enterprise Centre (CCBEC) for \$30,000 in 2015-16 and:

'849/15 That Council delegate to the General Manager to investigate with Gosford City Council a joint competitive tender for small business mentoring and coaching services on the Central Coast for the 2016-17 financial year and future years, with a report back to Council by March 2016.'

CCBEC also received renewed funding of \$30,000 in 2015-16 from Gosford City Council (GCC) and from the NSW State Government Small Business Connect Program for \$322,875 following an audit of their operations which found that CCBEC had complied with their contractual obligations and deliverables.

CCBEC is a non-profit organisation providing a range of free and fee based services to assist and accelerate growth of start-ups, small and micro businesses on the Central Coast. It employs Business Mentors who are qualified, experienced and enthusiastic professionals to act as 'sounding boards' to Central Coast business owners looking to expand their business or who are experiencing difficulties.

There are many Business Enterprise Centres (BECs) across Australia. BECs are designed to facilitate the creation, retention and development of sustainable business enterprises and foster local economic development.

CURRENT STATUS

WSC's current funding agreement with CCBEC will expire on 30 June 2016.

CCBEC officially requested in 2014-15 the renewal of their agreement be made for the 2015-16 year and the three subsequent years. CCBEC was awarded funding from WSC until 30 June 2016 only. Future years funding was to be determined after an investigation between WSC and GCC into a joint competitive tender being undertaken for small business mentoring and coaching services on the Central Coast.

An investigation has now been undertaken by WSC staff with GCC staff into a joint competitive tender for small business mentoring and coaching services on the Central Coast in 2016-17. Gosford City Council staff have advised that GCC does not wish to enter into a joint competitive tender for these services for 2016-17. They have advised that CCBEC has delivered on its contractual obligations with GCC and they are happy with CCBEC's performance. GCC has advised that they have budgeted for continued support to CCBEC in 2016-17 of \$30,000.

Central Coast Business Enterprise Centre has advised that funding from local councils is highly regarded by the State Government in awarding over \$300,000 worth of State Government funding for small business mentoring on the Central Coast.

CCBEC is up-to-date in providing all business plans, audits and quarterly acquittal reports required under its agreement with Wyong Shire Council for 2015-16 and has been assessed by Council officers to have adequately performed its deliverables under the agreement.

THE PROPOSAL

After joint discussions with Gosford City Council it is proposed that both councils renew their current separate funding agreements for \$30,000 per annum for 12 months. Gosford City Council advised they did not want to issue a joint competitive tender at this time. This allows sufficient flexibility to ensure continuation of this vital mentoring service for small business whilst allowing a newly amalgamated Council the time needed to review the operations, identify the future business model and issue a competitive tender if required should support of small business mentoring and coaching services be a priority of a new Council in future.

OPTIONS

Option A - Renew the current Wyong Shire Council funding agreement with Central Coast Business Enterprise Centre for \$30,000 per annum for 12 months to 30 June 2017. Make the agreement contingent on continued funding from Gosford City Council and the NSW State Government.

When a newly amalgamated Council is formed, investigate the best business model for funding small business mentoring services on the Central Coast. Should support for small business mentoring and coaching service to help deliver on economic development strategy outcomes be a priority of a new Council in the future, undertake a competitive tendering process. **This is the recommended option** as it is based on trying to get the most appropriate return for Council while also providing the best small business mentoring and coaching services to the Central Coast business community for the next 12 months and in the future.

Option B - Council could choose not to renew the funding agreement with CCBEC and allow this service to the Central Coast business community to go unfulfilled for an unknown timeframe while a competitive tender for small business mentoring and coaching services on the Central Coast for 2016-17 and onwards is undertaken by WSC staff. **This option is not recommended.**

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

<i>Strategic Plan Ref No</i>	<i>Action/Target</i>	<i>Impact on Action / Target</i>
7-005-14	Implement Council's Property Strategy and Economic Development Strategy	Support economic development through mentoring and coaching small business and start ups
7-013-14	New Business start-ups and relocations	

Community Strategic Plan

<i>Priority Objective</i>	<i>How the proposal contributes or links to the Priority Objectives in Shire Strategic Vision and Annual Plan</i>
Our Economy - Create a strong business sector that withstands financial downturn, ensures local businesses achieve sustained growth and local jobs are available for the community	Funding to CCBEC makes affordable coaching and mentoring services available to start-ups and small business in Wyong Shire and supports the success and growth of local business.

Budget Impact

Budget is currently allocated in operational budget as its own line item.

CONSULTATION

CCBEC has provided feedback on their funding needs and the parameters of their State Government contract.

Gosford City Council was consulted in relation to the possibility of a joint tender being undertaken.

GOVERNANCE AND POLICY IMPLICATIONS

The funding agreement must meet the requirements for donations and sponsorships outlined under Wyong Shire Council's Sponsorship Policy 2014 and abide by ICAC principles. The proposal is to be supported by a formal legal agreement that defines the precise nature and terms of the agreement.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A (3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

MATERIAL RISKS AND ISSUES

The principal concern is that Council does not take on risk accruing from the activities of the organisation it has funded. Council must protect the community from non-performance or lack of accountability by the organisation supported. This will be done via a formal legal Funding Agreement signed by both parties.

CONCLUSION

The Central Coast Small Business Enterprise Centre (CCBEC) assists start-ups and small businesses and supports the economic development goals of Wyong Shire as outlined in the Wyong Shire Economic Development Strategy 2014-2039. CCBEC has adequately delivered on its 2015-16 WSC funding agreement to date and this funding agreement will expire on 30 June 2016. Gosford City Council has advised that they are happy with CCBEC's performance and wish to continue under the current funding arrangements for the next 12 months rather than issuing a joint competitive tender.

It is therefore recommended to renew the existing funding agreement with CCBEC for \$30,000 for the 2016-17, subject to continued funding from Gosford City Council and NSW State Government for the same period, in return for delivery of business mentoring and coaching services to start-ups, small and micro businesses in Wyong Shire and the Central Coast to support Council's economic development initiatives. A legal funding agreement will be prepared and signed with CCBEC detailing the required deliverables to ensure return on investment for the Wyong Shire community.

ATTACHMENTS

Nil.

4.4 Proposed Transfer of Land at Kangy Angy to Transport for NSW

TRIM REFERENCE: F2015/01376 - D12187771

MANAGER: Mike Dowling, Director

AUTHOR: Tania Halbert; Strategic Planner

SUMMARY

Approval is sought to transfer Council Land, Lot 34 DP 2877, Lot 35 DP 2877, Lot 36 DP 2877, Lot 37 DP 2877, Lot 38 DP 2877, Lot 39 DP 2877, Lot 40 DP 2877, known as 55 Orchard Road, Kangy Angy to Transport for NSW

RECOMMENDATION

- 1 That Council authorise the transfer of Lot 34 DP 2877, Lot 35 DP 2877, Lot 36 DP 2877, Lot 37 DP 2877, Lot 38 DP 2877, Lot 39 DP 2877, Lot 40 DP 2877, known as 55 Orchard Road Kangy Angy to Transport for NSW for an amount not less than market value as determined by a licensed valuer.**
- 2 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the formal documents for the transfer of the land.**
- 3 That Council authorise the Mayor and the Acting Chief Executive Officer to execute all documents.**

BACKGROUND

On 27 August 2014, Council received correspondence from Transport for New South Wales (TfNSW) regarding the potential location of a new stabling and maintenance facility for the intercity fleet. One of the sites being investigated by TfNSW was the Wyong Shire Council (WSC) landholdings at the site of the future Link Road and adjacent to the University Precinct.

If the proposal were to proceed at this location, it could present a major risk to the overall planning for Warnervale and would potentially be a 'showstopper' for the Link Road. Accordingly, a report in relation to the proposed location of the Marshalling Yards for TfNSW was presented to Council's Ordinary Meeting held on 22 October 2014 and resolved as follows:

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

1210/14 That Council receive and note the report on Marshalling Yards for Transport for New South Wales (TfNSW).

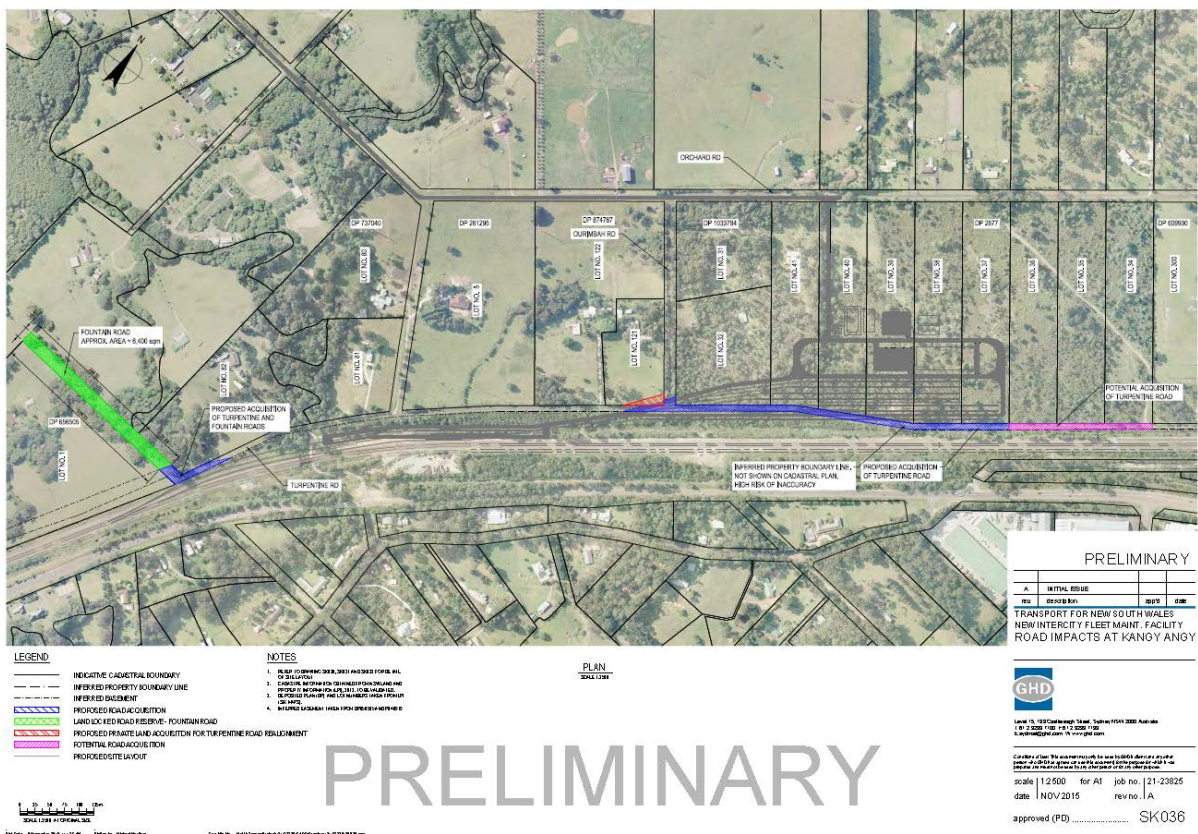
1211/14 That Council write to relevant State Ministers advising of Council's opposition to the proposal and to recognise the strategic impact on the Shire and to work with Council staff to find an alternate site.

- 1212/14 That Council delegate to the General Manager to continue to liaise with Transport for New South Wales regarding potential alternatives.
- 1213/14 That Council seek to send a delegation of the General Manager and Mayor to the Premier and Minister to personally highlight Council's and the community's strident opposition to the proposed university site location.
- 1214/14 That Council request clarification the location of the freight relief lines from Tuggerah through to Wyong due to the possible impact on a proposed upgrade of the Pacific Highway.”

Since that meeting and Council resolution, negotiations between WSC and TfNSW have progressed as follows:

- A meeting was held on 10 November 2014, with the WSC General Manager, Mayor Eaton, an advisor from the office of the Minister for Transport, and representatives from TfNSW, to discuss Council's concerns with the proposed location of the fleet maintenance facility at Warnervale.
- A letter was received by WSC on 1 December 2014, from the Minister for Transport, Gladys Berejiklian MP, to confirm TfNSW will consider Council's alternative suggestions for possible appropriate site locations for the fleet maintenance facility.
- A meeting was held on 10 February 2015, between representatives from TfNSW, WSC, and the Department of Premier and Cabinet, to discuss alternative sites for the fleet maintenance facility. WSC authorised access to TfNSW to Council-owned land at Kangy Angy to undertake feasibility and environmental studies.
- In September 2015, TfNSW delivered a notice to selected Kangy Angy residents and businesses advising them that TfNSW was considering Kangy Angy as the preferred site for a new intercity fleet maintenance facility. The notice provided an indicative site plan, timeframes, and contact details. A copy of the site plan and the notice is shown on the following pages.
- Following release of the notice by TfNSW, Councillors and the Mayor received written objections from local residents about the impact of the proposed Fleet Maintenance Facility on their properties and the local area. Also of concern was the manner in which they had been notified by TfNSW.
- On 15 October 2015, the Mayor met with local residents of Kangy Angy to hear their concerns about the potential impact of the proposed Fleet Maintenance Facility on the local area. Following that meeting, the Mayor wrote to the Minister for Transport and the Parliamentary Secretary for the Central Coast and Hunter, to ask that representatives meet with the residents as a matter of urgency to hear their concerns.
- Council received clarification on the location of the freight relief lines from Tuggerah through to Wyong as part of the proposed upgrade of the Pacific Highway by the RMS. The revised railway corridor boundary was shown on plans of the proposed upgrade through the Wyong Town Centre that were exhibited to the public in October 2015. The RMS are currently moving into the detailed design phase and Council staff will be involved throughout the design process.

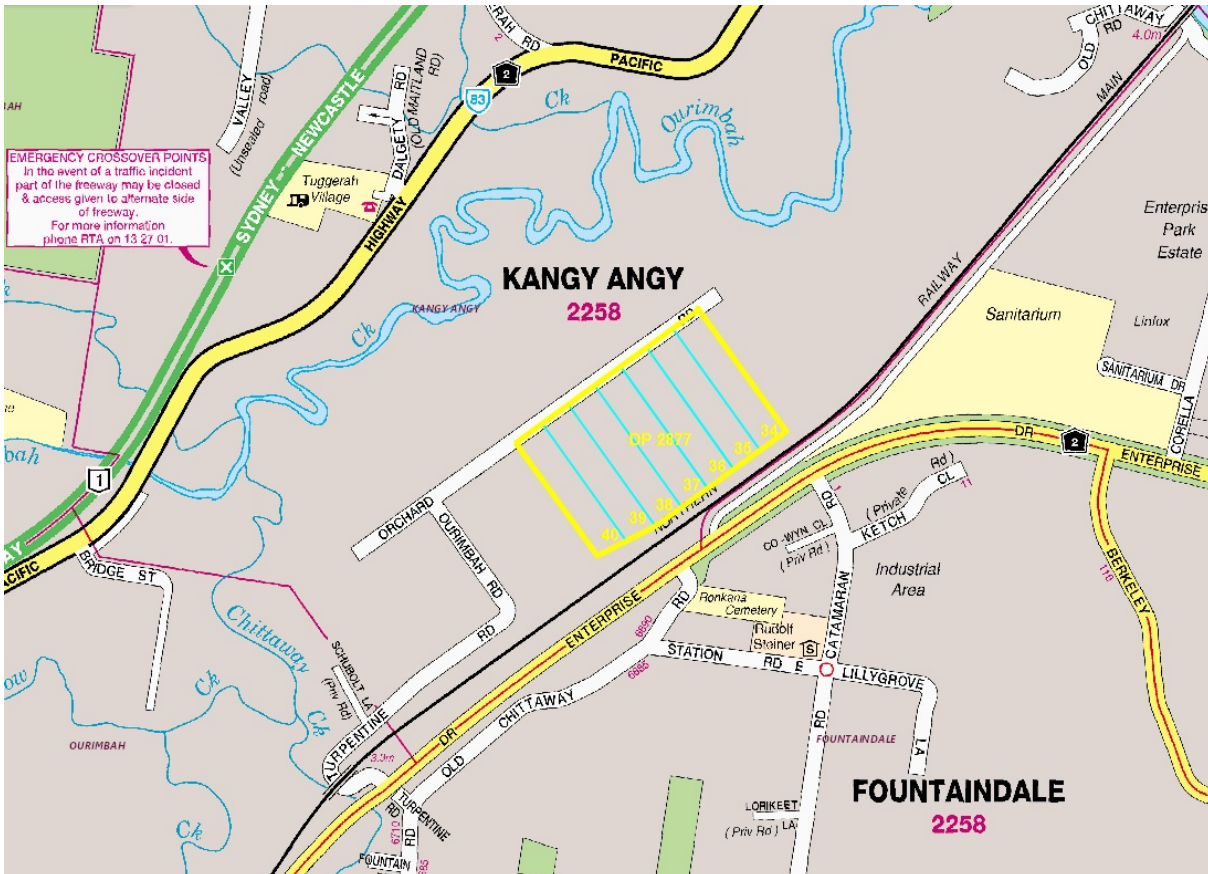
- The site at Kangy Angy for the Fleet Maintenance Facility has been selected by TfNSW as their preferred site and Council is not the consent authority. TfNSW will be negotiating directly with residents affected by the proposal. Residents have been advised of appropriate contacts within TfNSW regarding the project.
- TfNSW will be undertaking a detailed assessment as part of a Review of Environmental Factors (REF) which is expected to be placed on public exhibition so that the community have the opportunity to review the REF and provide any further comments which is expected to occur in mid 2016.
- A meeting was held on 10 February 2016, between representatives from TfNSW and Council to discuss an alternative flood free access bridge to the Intercity Fleet Maintenance facility and for the benefit of local residence. Previously TfNSW had proposed a bridge connection to the south via Bridge Street to Pacific Highway. However, this route would require a long bridge to gain access over Chittaway Creek and floodway and the bridge would make access very difficult for local residents. TfNSW advised in the meeting that they were investigating an alternative bridge access to the north from Orchard Road over the railway to Enterprise Drive. This is considered to be a much better solution for residents and for the maintenance facility.



CURRENT STATUS

On 25 February 2016, TfNSW made an offer for Council's Lots 34-40 DP 2877 known as 55 Orchard Road Kangy Angy following Council and TfNSW engaging independent valuations and negotiations between those Valuers and Council officers.

This Council-owned land is currently accessible from Orchard Road which is linked to Enterprise Drive via a railway underpass. The location of these lots in relation to the road network can be seen on the plan below.



UBD 2012 plan showing lots to be acquired outlined in yellow

The land is required by TfNSW to establish a new Fleet Maintenance Facility for a new fleet of trains that will carry long distance customers from Sydney to the Central Coast, Newcastle, the Blue Mountains and the Illawarra.

The Central Coast was identified by TfNSW as the ideal location with the new trains regularly operating on the Main Northern Line. Land adjacent to the Main Northern railway line at Kangy Angy was identified by TfNSW as a preferred site due to its proximity to the railway line and alignment with the train operational requirements.

TfNSW is also planning a new access road into the proposed site from the Enterprise Drive, which will provide better access to local roads during wet weather.

4.4 Proposed Transfer of Land at Kangy Angy to Transport for NSW (contd)

The Council-owned land is partially zoned E3 – Environmental Management, and the remainder is zoned E2 – Environmental Conservation. Lots 34, 35, and 36 are zoned E2. Lots 37, 38, 39, and 40 are partially zoned E3, and the remainder is zoned E2 as shown on the plan below. There are some small areas of Endangered Ecological Community (EEC) and patches of threatened tree species *Melaleuca biconvexa* but the environmental impact is considered to be relatively low and can be appropriately addressed by TfNSW.

The facility proposed by TfNSW would be defined under Wyong Local Environmental Plan (LEP) 2013 potentially as a transport depot. Transport depots are not permissible under the current zoning. Therefore, a rezoning of the locality would be required to enable the intended use or TfNSW may lodge a Major Project Application with the Department of Planning and Environment to obtain the approval.



Plan showing zoning of the land proposed to be acquired

The Council-owned land is all classified as Operational Land. A table of approximate areas is provided below.

Parcel Description	Approximate Area
Lot 34 DP 2877	29,670 square metres
Lot 35 DP 2877	30,200 square metres
Lot 36 DP 2877	30,185 square metres
Lot 37 DP 2877	30,065 square metres
Lot 38 DP 2877	29,895 square metres
Lot 39 DP 2877	29,705 square metres
Lot 40 DP 2877	28,635 square metres
TOTAL	208,355 square metres

Registered lease on land

A title search has shown that there is a registered lease on the land. The lease was for a term of 21 years commencing 27 October 1966. The lease expired 29 years ago in 1987.

Electricity easement

There is an electricity easement running through the site which is visible as cleared land on the aerial photo below. The easement is approximately 70 meters wide and runs along the front portion of lots 37-40 then cuts diagonally through lots 34-36.



Aerial Photo of the Council-owned land at Kangy Angy

OPTIONS

1. Council may resolve to transfer the Council-owned land to TfNSW to enable the establishment of a fleet maintenance facility on the Central Coast to proceed.
2. Council can refuse to approve the transfer of the Council-owned land, in which case TfNSW may elect to compulsorily acquire the land under the terms of the Land Acquisition (Just Terms Compensation) Act 1991.

Valuation of the land in both options will be undertaken in the same manner so there is no financial advantage to Council under either process, however Option 1 is a more expeditious process.

Budget Impact

Proceeds from the sale will be held in Council's Land Development Reserve for future property investments.

STRATEGIC LINKS

Link to Community Strategic Plan (2030)

The proposal is linked to the Community Strategic Plan (2030) principal theme of the Economy which reflects Council's 'quadruple bottom line' approach. The key vision in the Strategic Plan that relates to the project is number 7 – *There will be a strong sustainable business sector and increased local employment built on the Central Coast's business strengths*. The proposal has the opportunity for Council to turn an under-utilised asset into a financial gain, while also allowing TfNSW to provide a new employment generating facility.

CONSULTATION

The proposal has been initiated by TfNSW and consultation has been undertaken by them with WSC, the local community, and affected land owners. Staff consultation confirms that there are currently no conflicts with the transfer of the land due to Council's existing or proposed assets or adopted plans for the site.

GOVERNANCE AND POLICY IMPLICATIONS

The land is classified as Operational Land for the purposes of the Local Government Act, 1993 and there is no impediment to transfer of the land.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

MATERIAL RISKS AND ISSUES

The proposal has been initiated by TfNSW, and any risks or issues related to the project will be dealt with by them. There are no material risks or issues to WSC in transference of the land.

CONCLUSION

The sale of Council-owned land at Kangy Angy for the purpose of a new Intercity Fleet Maintenance Facility has the opportunity to turn an under-utilised asset into a financial gain for WSC, while also allowing TfNSW to provide a new employment generating facility on the Central Coast. Council is asked to endorse the sale of No 55 Orchard Road, Kangy Angy to Transport for NSW for an amount not less than market value as determined by a licensed valuer.

ATTACHMENTS

- 1 Confidential - Deal Summary - D12251063

4.5 Councillor Attendance - Central Coast Economic Breakfast

TRIM REFERENCE: F2004/06517 - D12261813

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

New South Wales Business Chamber (NSWBC) Central Coast Economic Breakfast is being held on Friday 8 April 2015 at The Entertainment Ground (Gosford Racecourse).

RECOMMENDATION

- 1 That Council authorise the attendance of interested Councillors at the New South Wales Business Chamber (NSWBC) Central Coast Economic Breakfast in accordance with the Council's Facilities and Expenses Policy for Councillors.**
- 2 That Council authorise the reimbursement of expenses for Councillors in accordance with the Council's Facilities and Expenses Policy for Councillors.**

BACKGROUND

The first NSWBC Central Coast Economic Breakfast for 2016 will be held Friday 8 April 2016 at The Entertainment Ground (Gosford Racecourse), Gosford. The event is sponsored by The University of Newcastle with three key note speakers.

For more information, please visit the following event link:

<http://events.nswbc.com.au/Detail/EVE1604705>

THE PROPOSAL

Councillors have expressed an interest in attending this event.

Councillors may be reimbursed for expenses incurred in the attendance of non-Council events and functions in accordance with the provisions of the Facilities and Expenses Policy.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

Nil impact.

Budget Impact

The table below indicates the approximate cost for attendance at the event and associated travel expenses per Councillor:

(NSWBC) Central Coast Economic Breakfast	Councillor Fees
Registration (Member)	\$ 55.00
Registration (Non Member)	\$ 77.00
Travel	\$ 40.00
Total (estimate)	\$ 95.00 (Non Member) \$ 117.00 (Member)

CONSULTATION

This submission complies with Council's adopted Facilities and Expenses Policy for Councillors.

GOVERNANCE AND POLICY IMPLICATIONS

In accordance with the provisions of Council's Facilities and Expenses Policy for Councillors, clause D14 and D17, reasonable expenses incurred in Councillors attending non-Council events and functions are met in accordance with that policy.

"D14 Council will meet sustenance and attendance expenses for Councillors' attendance at non-Council functions related to Council business which provide briefings to Councillors from key members of the community, politicians and business. Reimbursement for expenses associated with attendances at meetings of any of the local Chambers of Commerce do not require prior approval by way of resolution of the Council, but reimbursement for expenses for attendances at all other non-Council Events and Functions must be approved by way of resolution of the Council.. The total maximum expenditure is \$1200. Note the Mayor's attendance and expenditure is covered by Clause D57.

D17 Council will pay the cost as further described in this section, for a spouse or partners or carer or one accompanying person per Councillor and children under 18 years in attending the following events as per the table below:

Event	Registration	Ticket	Accommodation	Sustenance	Partner Tours	Travel	Carer
<i>Other Council approved conferences and events including any Councillor Workshop.</i>	No	No	Yes.	<i>Other Council approved conferences and events including any Councillor Workshop.</i>	No	No	Yes.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

CONCLUSION

Attendance at this event is in accordance with Council's Facilities and Expenses Policy for Councillors.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Information - New South Wales Business Chamber Central Coast
Economic Breakfast - 8 April 2016 | D12261810 |
|---|---|-----------|

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Dear Jade,

We invite you to join us for the first Central Coast Economic Breakfast for 2016 - with thanks to the [University of Newcastle, Central Coast](#).

Kicking off the series for 2016 we have secured 3 fantastic speakers who will provide you a snapshot of what is happening in our economy; globally, nationally and locally, and furthermore what opportunities exist for your business.

- Jo Masters, Senior Economist - ANZ
- Ivan Motley, Founder - [economy.id](#)
- Paul Anderson, Chief Executive Officer – Gosford City Council

Why should I attend?

- Networking opportunities with over 200 Central Coast business representatives
- Assessment of the global economy by a leading Australian economist
- Current trending data, presented in the context of the Central Coast

With a not to be missed speaker line-up, we encourage all Central Coast businesses to join us for this informative breakfast.

Corporate tables of 8 are available if you wish to bring along your staff, colleagues or clients!

Speakers	Jo Masters - ANZ Ivan Motley - economy.id Paul Anderson - Gosford City Council
Date	Friday, 8th April 2016
Time	7.15am - 9.00am
Venue	The Entertainment Grounds (Gosford Racecourse) 4 Racecourse Road, Gosford Parking: The carpark is accessed from Faunce Street (off Racecourse Road).
Tickets	\$55.00 - Member & Local Chamber Member \$77.00 - Non Member *Corporate Tables (8 x seats) available Book tickets online or call 4391 0600

[Book Tickets](#) [Decline](#)

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Speakers

Jo Masters - Senior Economist, ANZ
Jo joined ANZ as a Senior Economist in the Australian Economics Team. She is responsible for analysing and forecasting trends in the Australian economy, as well as providing thematic research on key issues. In



particular, Jo focuses on inflation, wages and consumption. Jo publishes regular reports and presents to internal and external clients, as well as provides media coverage. Prior to joining ANZ, Jo worked at Macquarie Bank for over ten years, both as a senior Economist and as the Currency Strategist.



Ivan Motley - Founder, economy.id

"Confident decisions come from understanding complex information as a clear and persuasive narrative". Ivan is interested in how communities have access to education, housing, health, employment, recreation and each other. [Continue reading...](#)



Paul Anderson - Chief Executive Officer, Gosford City Council

Paul Anderson commenced at Gosford City Council in January 2013. Following his appointment, Paul instigated the Open for Business - Under New Management campaign, which saw council refocus on encouraging development and investment in the region. He has many years of high level experience in local government, including roles as the General Manager of Eurobodalla Shire and Lithgow City Council, and five years as the Director of Planning and Environment Services at Tamworth City Council. [Continue reading...](#)



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4.6 Draft Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee - 3 March 2016

TRIM REFERENCE: F2004/07986 - D12262398

MANAGER: Peter Ham, Manager

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Confirmation of minutes of the previous Tuggerah Lakes Estuary Management, Coastal and Floodplain Management Committee held on Thursday 3 March 2016.

RECOMMENDATION

- 1 That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 3 March 2016.**
- 2 That Council to consider funding for the retarding basin, upstream of the freeway and below Mardi Dam, in the 2016/17 capital works budget.**

BACKGROUND

A meeting of the Tuggerah Lakes Estuary Management, Coastal and Floodplain Management Committee was held on Thursday 3 March 2016. The agenda for the meeting is available at the following link: [Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee Agenda - 3 March 2016](#).

Council has not delegated its authority to the Committee to make decisions on its behalf nor does the Committee have the authority to direct staff. Accordingly any recommendations of the Committee requiring the authorisation of Council will be reported to Council separately.

Item 3.1 (2) will be the subject of a separate report to Council.

GOVERNANCE

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

ATTACHMENTS

- 1 MINUTES - Tuggerah Lakes Estuary, Coastal & Floodplain Management Committee Meeting - 3 March 2016 D12257459

WYONG SHIRE COUNCIL

**MINUTES OF THE
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN
MANAGEMENT COMMITTEE OF COUNCIL**

**HELD IN THE COMMITTEE ROOMS
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 03 MARCH 2016
COMMENCING AT 5.00PM**

PRESENT

Mayor D Eaton (Wyong Shire Council)
Councillor A Troy (Wyong Shire Council) – Co-Chairperson
Mr Bob Davies (Community Member)
Ms Marlene Pennings (Community Member)

IN ATTENDANCE

Mr Peter Ham (Wyong Shire Council)
Mr Ben Fullagar (Wyong Shire Council)
Mr Peter Sheath (Wyong Shire Council)
Ms Jade Maskiewicz (Wyong Shire Council)
Mr Peter White (Community Member)
Ms Janene White (Community Member)

APOLOGIES

Councillor L Taylor (Wyong Shire Council) – Co-Chairperson
Councillor L Webster (Wyong Shire Council)
Mr Ken Derry (Community Member)

The meeting was declared open by Councillor Troy at 5.09pm.

1.1 Disclosure of Interest

RESOLVED unanimously on the motion of Councillor TROY and seconded by Mr B DAVIES:

That the Committee receive the report on Disclosures of Interest and note that there were no disclosures.

1.2 Confirmation of Minutes of Previous Meeting

RESOLVED unanimously on the motion of Ms M PENNINGS and seconded by Mr B DAVIES:

That the Committee confirm the minutes of the previous Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 4 February 2016.

BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

1.3 Address by invited Speakers

Peter White, community member, addressed the committee at 5.11pm, answered questions and retired at 5.30pm.

RESOLVED unanimously on the motion of Councillor TROY and seconded by Mr B DAVIES:

- 1 *That the Committee receive the report on Invited Speakers.*
- 2 *That the Committee invite Peter White, community member, to address the Committee regarding break walls.*
- 3 *That the Committee 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.*

2.1 Water Pollution Warning Signs

RESOLVED unanimously on the motion of Ms M PENNINGS and seconded by Mr B DAVIES:

That the Committee receive the report on Water Pollution Warning Signs.

3.1 Floodplain Risk Management

RESOLVED unanimously on the motion of Councillor TROY and seconded by Mr B DAVIES:

- 1 That the Committee receive and note the Floodplain Risk Management Report.**
- 2 That the Committee request Council to consider funding for the retarding basin, upstream of the freeway and below Mardi Dam, in the 2016/17 capital works budget.**
- 3 That the Committee note that a consultant will attend at the April 2016 Committee Meeting to present on the Wallarah Creek Flood Study.**
- 4 That the Committee note a consultant will attend the May 2016 Committee Meeting to present on the Ourimbah Creek Floodplain Risk Management Study and Plan Review.**

3.2 Gross Pollutant Trap Capital Works

RESOLVED unanimously on the motion of Councillor TROY and seconded by Ms M PENNINGS:

That the Committee receive the report on Gross Pollutant Trap Capital Works.

3.3 Report on Lake Management Operations

RESOLVED unanimously on the motion of Ms M PENNINGS and seconded by Mr B DAVIES:

That the Committee receive the Report on Lake Management Operations.

3.4 Coastal Zone Management

RESOLVED unanimously on the motion of Mr B DAVIES and seconded by Ms M PENNINGS:

That the Committee receive the report on Coastal Zone Management.

3.5 Status Report on Outstanding Actions

RESOLVED unanimously on the motion of Councillor TROY and seconded by Ms M PENNINGS:

That the Committee confirm the Status Report on Outstanding Actions for the Tuggerah Lakes Estuary Coastal & Floodplain Management Committee Meeting.

**WYONG SHIRE COUNCIL
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN MANAGEMENT COMMITTEE
ACTION LOG**

Item #	Meeting Date	Report Title	Action	Responsibility	Status/ Notes
2.2	4 February 2016	Gross Pollutant Trap Capital Works	<p>1 That the Committee <u>receive</u> the report on Gross Pollutant Trap Capital Works.</p> <p>2 That the Committee <u>recommend</u> to Council that a report which records photographic evidence of gross pollutant trap contents for use in education programs be referred to the Committee.</p>	Peter Ham Manager Waterways and Asset Management	Preliminary report discussed at 3 March Committee Meeting.
2.3	4 February 2016	Floodplain Risk Management	<p>1 That the Committee <u>receive</u> and note the Floodplain Risk Management Report.</p> <p>2 That the Committee <u>recommend</u> to Council that staff report on the existing proposed and completed works and actions contained within adopted floodplain risk management plans to the Committee.</p>	Peter Ham Manager Waterways and Asset Management	Report discussed at 3 March Committee Meeting.
2.4	4 February 2016	Coastal Zone Management	<p>1 That the Committee <u>receive</u> the report on Coastal Zone Management.</p> <p>2 That the Committee <u>reaffirms</u> its position in relation to the phasing out of commercial fishing on Tuggerah lakes.</p>	Peter Ham Manager Waterways and Asset Management	The Committee's position will be reported back to the Hawkesbury Marine Bioshelf Region community consultation.
2.7	4 February 2016	Large Rubbish Items at Lake Edges	<p>1 That the Committee <u>note</u> the report on rubbish removal.</p> <p>2 That the Committee <u>note</u> that staff will write a letter of support for Tuggerah Lakes Care to the Local Land Services (LLS) in relation to assistance with the collection of large rubbish items at the lakes edge.</p>	Peter Ham Manager Waterways and Asset Management	Completed.

Item #	Meeting Date	Report Title	Action	Responsibility	Status/ Notes
2.8	4 February 2016	Tuggerah Lakes and Lake Macquarie Community Survey	<p>1 <i>That the Committee <u>receive</u> the report on the Tuggerah Lakes and Lake Macquarie Community Survey</i></p> <p>2 <i>That the Committee <u>note</u> that staff will further investigate incorporating the survey results in the program planning for 2016/17.</i></p>	Peter Ham Manager Waterways and Asset Management	On-going. Will be incorporated into 16/17 where budget allocations allow.
GB3/16	4 February 2016	Polluted Waterway Signage around Tuggerah Lakes	<p><i>Councillor Taylor advised the Committee that he has been contacted regarding a number of polluted waterway signs Council has erected around Tuggerah Lakes. Can staff please advise the purpose of this signage?</i></p> <p><i>Mr Greg McDonald advised that this signage is a legislative requirement following overflows of sewerage into our waterways and advised that staff will look into how long the signage needs to be displayed and the wording of the signs, with a view to communicating these issues more effectively to the community.</i></p>	Peter Ham Manager Waterways and Asset Management	Report discussed at 3 March Committee Meeting.

**WYONG SHIRE COUNCIL
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN MANAGEMENT COMMITTEE
COMPLETED SINCE 4 FEBRUARY 2016**

Item #	Meeting Date	Report Title	Status/ Notes
2.3	3 December 2015	Investigation of Lighting Options at The Entrance	Report included on 4 February 2016 Committee Meeting agenda.
GB16/16	3 December 2015	Weed at Canton Beach	Update provided at the 4 February 2016 Committee Meeting.

3.0 GENERAL BUSINESS

There were no General Business items

THE MEETING terminated at 6.37pm.

4.7 Proposed Retarding Basin below Mardi Dam

TRIM REFERENCE: F2004/07986 - D12261027

MANAGER: Peter Ham, Manager

AUTHOR: Peter Sheath; Senior Planning Engineer Hydrology

SUMMARY

Provision of capital works funding within the 2016/17 budget for a retarding basin project on the western side of the Motorway, below Mardi Dam.

RECOMMENDATION

That Council note that an allocation of \$100,000 for flood mitigation works be funded from the Tuggerah Lakes Stormwater Levy, to construct a retarding basin on the western side of the M1 Motorway, located below Mardi Dam will be included within the 2016/17 draft capital works budget.

BACKGROUND

As part of the recently completed Wyong River Catchment Flood Study an opportunity was identified to provide some reduction in flood levels in the Tuggerah Industrial Area around Anzac Avenue.

This capital works opportunity is currently being further investigated as one of many options in the preparation of the Wyong River Floodplain Risk Management Plan. The preparation of the plan is the next prescriptive stage of the State Government's Floodplain Risk Management Process.

This works opportunity was discussed at the most recent meeting of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee on 3 March 2016. At that meeting the committee deemed that the feasibility of this flood mitigation action had already been sufficiently demonstrated and that they would prefer to see the works occur sooner rather than later. As a result the committee made the following recommendation:

3.1 (2) That the Committee request Council consider funding for the retarding basin upstream of the freeway below Mardi Dam in the 2016/17 capital works budget.

CURRENT STATUS

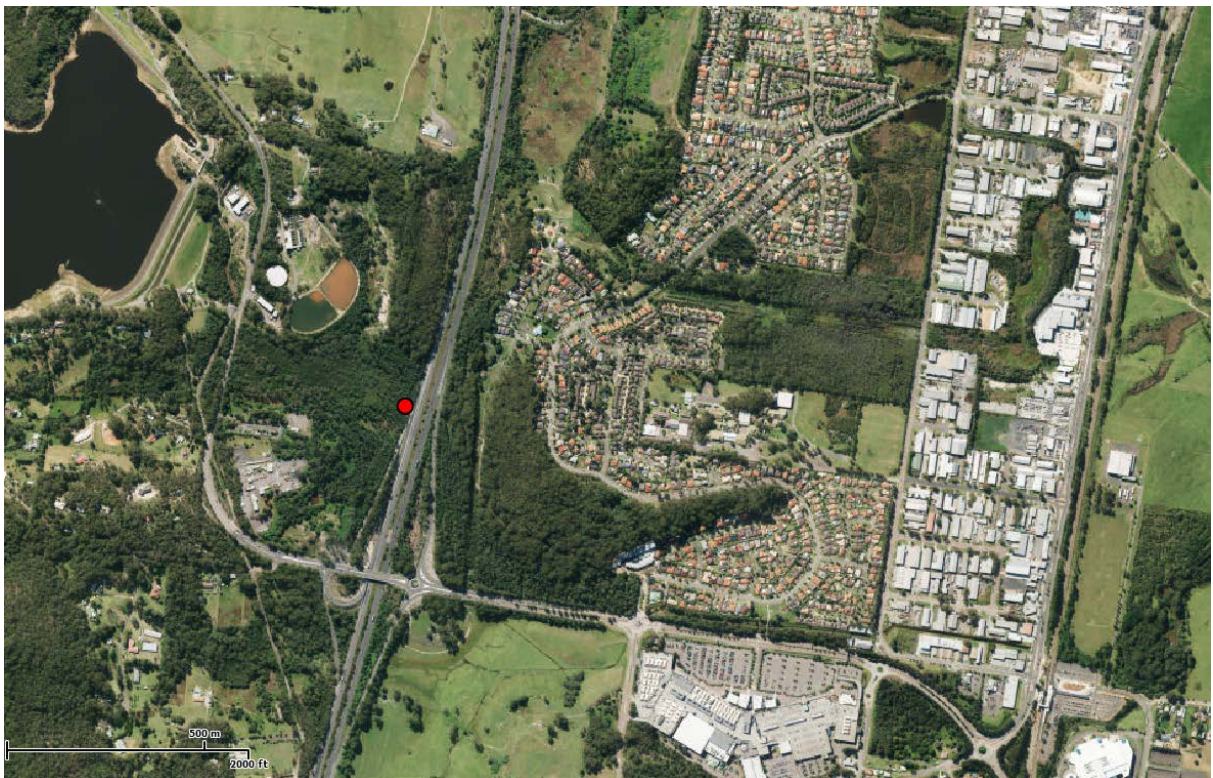
A concept design has been completed that has confirmed that this project has the potential to lower flood levels at Anzac Avenue by up to 0.3m, which is a significant benefit. The reduction in expected flood damage cost has not yet been quantified, but will be identified as part of the current Floodplain Risk Management Plan. It is however likely that the benefit will justify the cost.

Consultation with stakeholders has commenced. Initial feedback from the RMS has been positive. The RMS are the most significant stakeholder, given that the works are located, and will be accessed via, the Motorway road corridor. Environmental impact assessment and detailed design have not yet commenced.

This project is not currently listed within the draft capital works budget. Funds are however available within from the Tuggerah Lakes Stormwater Levy (current balance \$4,247,000).

THE PROPOSAL

The proposal is to build a retarding basin within the RMS road corridor upstream on the western side of the M1 Pacific Motorway. The project entails building a 2.5m high wall about 5m east of the entrance to the existing triple cell box culvert (3 No. 3.0m x 2.0m boxes), as shown below.



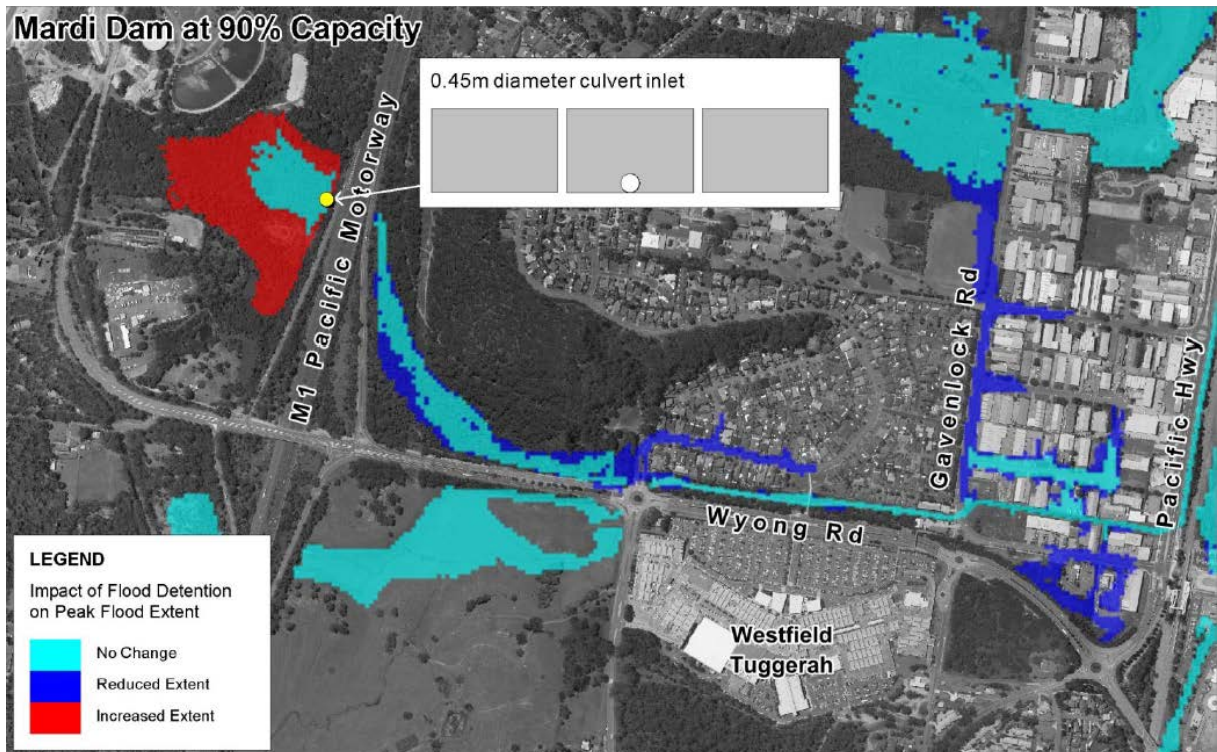


There would be no earthworks or clearing required, apart from minor vegetation clearing to gain access from the freeway. Construction access would be via the old northbound freeway on-loading ramp as shown below. The culvert is greater than 6m below the level of the Motorway (culvert invert level = 12.1m AHD, Motorway level = 18.5m AHD). Therefore there would be no impact on the Motorway pavement. A concrete or sandstone block wall would be constructed 2.5m high with a small orifice. Floodwaters would be held back behind the wall until they reach a level where they overtop the wall and flow into the existing culverts. The overtopping level would still be about 4m below the Motorway level.

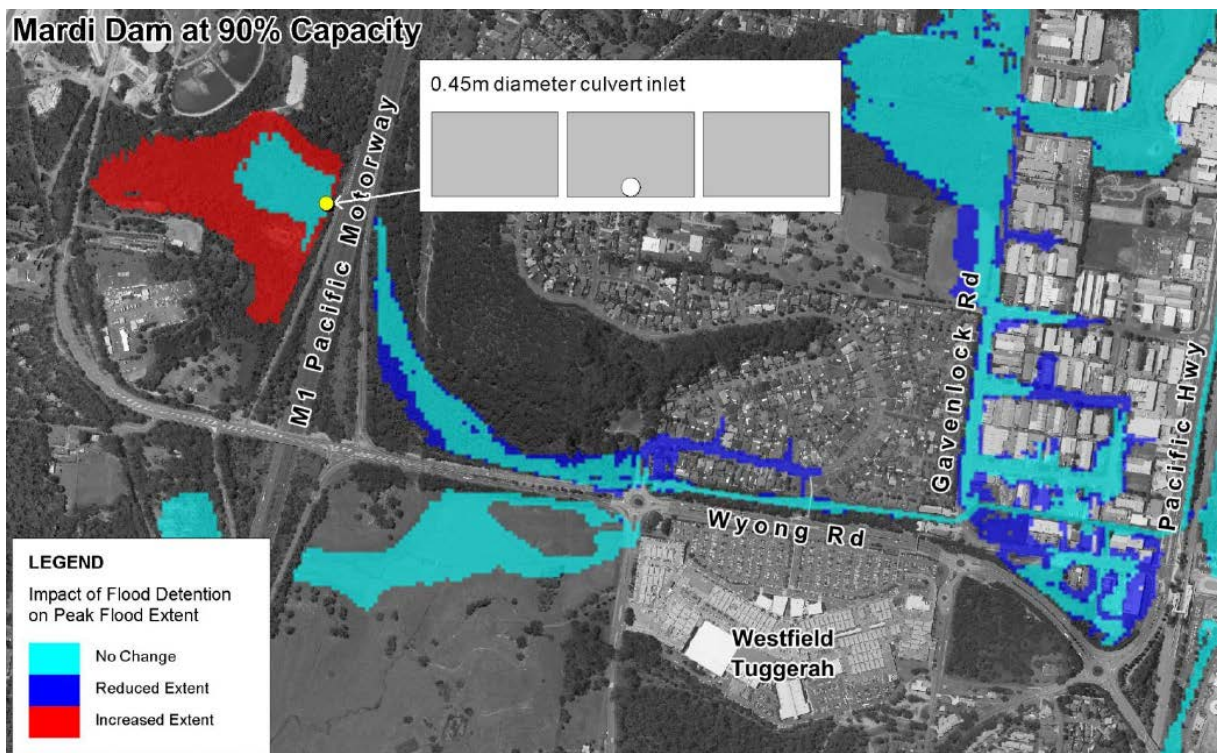


The projected benefit of the works is illustrated below in terms of reduced areas of flooding for both the 20% Annual Exceedance Probability (AEP) Flood event (1 in 5 year) and the 5% AEP Flood event (1 in 20 year). The increased area of flooding upstream of the Motorway will not adversely affect any existing infrastructure or property.

Zoriana Close, a local access road on the western side of Old Maitland Road, can become inundated at levels above 16.4m AHD, which is lower than Old Maitland Road. The concept design at this stage sets a maximum storage level 0.5m below at 15.9m AHD. There may be a possibility to increase the depth of the retarding basin to maximise the flood mitigation benefits, which will be investigated further.



Reduced flood extent in the 20% AEP event



Reduced flood extent in the 5% AEP event

OPTIONS

Funding Options

This project could be included within the 2016/17 Capital Works Budget; alternatively it may be held back for consideration at the Q1 budget review late in this calendar year.

Works Options

At this stage this retarding basin project is the only viable flood mitigation project to be identified in this area that will have benefit for a range of different sized flood events. Other projects may be identified as part of the current Floodplain Risk Management Plan review.

There is another project that is viable for reducing nuisance flooding in Anzac Avenue that is currently being investigated for delivery as part of the 2015/16 GPT capital works program. This involves a bund wall with a rubber one-way valve, a sump and trash rack within the channel opposite McDonalds in Anzac Avenue.

The two projects are not mutually exclusive, but would indeed complement each other.

STRATEGIC LINKS

This project has not been specifically identified in the Annual Plan, Service Unit Business Plan or other Council Plans.

The project is likely to cost \$100,000. There is currently no capital works budget provision, however funds are available from the Stormwater Levy.

CONSULTATION

The Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee, who have prompted this report, have been consulted. Initial consultation has occurred with the RMS, which was positive.

GOVERNANCE AND POLICY IMPLICATIONS

The project is consistent with the NSW Government's Flood Prone Land Policy and will be developed in accordance with the principles within the Gazetted NSW Floodplain Development Manual.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

MATERIAL RISKS AND ISSUES

The project aims to reduce existing flood risk within the Tuggerah Industrial Area. The main risk affecting successful delivery is likely to be associated with consultation with the RMS; the consequences being delays rather than material damages.

CONCLUSION

The Tuggerah Lakes Estuary, Coastal and Floodplain Risk Management Committee recommends that Council approve \$100,000 of flood mitigation works within 2016/17 capital works budget to be funded from the Tuggerah Lakes Stormwater Levy to build a retarding basin upstream on the western side of the M1 Motorway, located below Mardi Dam.

ATTACHMENTS

Nil.

5.1 Wyong Water - Works in Progress

TRIM REFERENCE: F2004/07830 - D12237654

MANAGER: Greg Cashin, Manager, Wyong Water Commercial and Planning

AUTHORS: Vanessa Trzcinka; Section Manager, Network Operations
Luke Drury; Section Manager

SUMMARY

Water supply and wastewater works in progress and completed for February 2016.

RECOMMENDATION

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

WATER SUPPLY

The table below is a status report of current major new and upgrade water projects.

Item Description	Est. Cost \$	Start Date	% Spent	% Comp	Est. Comp Date	Comments
Distribution Network - Water Quality Modelling	\$140,000	July 2015	48%	45%	May 2016	Calibration of the water quality model is ongoing throughout the month of February with results expected late March

WASTEWATER SYSTEM

The table below is a status report of current major new and upgrade wastewater projects.

Item Description	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Wastewater Pumping Station BB05 and BB06 (Blue Bay / Toowoona Bay) construction	\$3.3M	April 2015	65%	67%	June 2016	BB06 has been commissioned and practical completion granted. Site works at BB05 (Binburra Ave) have recommenced with retaining walls, and roof slab construction currently underway.
Charmhaven and Toukley Chemical Closet and Septic Receptacles	\$490,000	May 2015	15%	15%	June 2016	Review of Contractors initial designs are complete with amendments required before construction can commence.
Wyong South Wastewater Treatment Plant Augmentation	\$15.8M	Dec 2014	55%	65%	June 2016	Upgrade of the third aeration tank is complete including acceptance testing. Construction of new inlet works is ongoing.
Sewer rehabilitation: Bateau Bay Berkeley Vale Blue Bay Budgewoi Buff Point Chain Valley Bay Charmhaven Chittaway Bay Doyalson North Entrance Ourimbah Summerland Point Tuggerah Warnervale	\$688,000	July 2015	70%	70%	June 2016	Contract sewer main / manhole inspection & maintenance program to improve system reliability and to reduce blockages and potential overflows. Work is being delivered as part of a 4 year contract and is ongoing in 2015/16.

WATER QUALITY AND ENVIRONMENT

Water Supply

All water supplied to customers complied with the Australian Drinking Water Guidelines.

Wastewater Treatment

The effluent discharged from the Toukley and Bateau Bay wastewater systems was within the concentration limits as set out in the Environment Protection Licenses.

Wastewater Overflows

There were 16 overflow incidents reported to the Council's Environmental Hotline in February, with 9 of these related to minor tree root blockages where the normal clean up and reporting were completed. Of the 16 incidents 7 were reported to the Environmental Protection Authority, NSW Health, Work Cover and Fire and Rescue.

Follow up reporting has been submitted for each incident through Council's internal environmental reporting procedures.

GOVERNANCE

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

ATTACHMENTS

Nil.

5.2 Investment Report for February 2016

TRIM REFERENCE: F2004/06604 - D12258144

MANAGER: Vivienne Louie, Acting Chief Financial Officer

AUTHOR: Devini Susindran; Financial Accountant

SUMMARY

This report details Council's investments as at 29 February 2016.

RECOMMENDATION

That Council receive the Investment Report for February 2016.

BACKGROUND

WSC's investments are made in accordance with the Local Government Act (1993), the Local Government (General) Regulation (2005), Council's Investment Policy, Ministerial Investment Order issued February 2011 and Division of Local Government Investment Policy Guidelines published in May 2010.

CURRENT STATUS

Cash and Term Deposit Funds

Cash flows were managed through term deposit maturities, with a net inflow of \$6,594k for the month of February predominantly from receipt of third quarter rates instalments and a Financial Assistance Grant.

Table 1 - Movement in Cash and Term deposits

Institution	Term (Approx. Months)	Interest Rate %	Maturity	Investment / (Redemption) \$'000
Movement in Term Deposits				
Commonwealth Bank of Australia	11.0	3.08%	Feb 2016	(\$5,000)
Commonwealth Bank of Australia	11.5	3.08%	Feb 2016	(\$5,000)
MyState Bank Limited	10.0	3.10%	Dec 2016	\$5,000
MyState Bank Limited	10.5	3.10%	Dec 2016	\$5,000
Wyong Shire Credit Union	12.0	2.40%	Feb 2017	\$1,000
Members Equity Bank	10.0	3.05%	Jan 2017	\$5,000
Credit Union Australia	10.5	3.05%	Jan 2017	\$5,000
Members Equity Bank	11.5	3.08%	Feb 2017	\$5,000
Credit Union Australia	12.0	3.12%	Feb 2017	\$5,000
Credit Union Australia	12.5	3.12%	Mar 2017	\$5,000

5.2 Investment Report for February 2016 (contd)

Total Term Deposit Movement				\$26,000
Cash Movement				
- WBC				(\$14,330)
- Wyong Credit Union				(\$1,000)
- AMP				(\$4,094)
Interest earned on all call accounts				18
Total Cash at Call Movement				(\$19,406)
Total Cash & Term Deposit Movement				\$6,594

Total Portfolio

Total net return in interest earnings for February 2016 was \$404k.

Table 2 - Net Return

	Full Year 2014-15 \$'000	Qtr1 2015-16 \$'000	Qtr2 2015-16 \$'000	Jan 2016 \$'000	Feb 2016 \$'000	Year To Date 2015-16
Income Distribution From Managed Funds *	25	-	-	-	-	-
Interest Earnings on Call Deposits Received	431	116	60	33	18	227
Interest Earnings on Term Deposits received at Maturity	5,189	1,220	1,275	379	386	3,260
Total Interest Earnings	5,620	1,336	1,335	412	404	3,487
Total return for the period	5,645	1,336	1,335	412	404	3,487

* Until October 2013, Council's portfolio included investments in managed funds (Blackrock Care and Maintenance Fund). A final distribution, held with ASIC was received in April 2015

Financial Year to Date (YTD) returns to February of 3.32% is favourable compared to benchmark bank bill swap (BBSW) *financial year to date* Bank Bill Index of 2.35% and Council guidelines of BBSW + 10 basis points.

Table 3 - Investment Returns

Investment Class	Portfolio Balance \$ '000	Financial YTD Return \$ '000	Financial YTD Return %
Cash at Call	1,847	227	2.23
Term Deposits	158,961	3,260	3.43
Total Investments	160,808	3,487	3.32

5.2 Investment Report for February 2016 (contd)

Council investments are evaluated and monitored against a benchmark appropriate to the risk (Standard and Poor's BBB long term or above) and time horizon of the investment concerned. The investment strategy includes rolling maturity dates to ensure that Council has sufficient funds at all times to meet its obligations. A summary of the Term Deposit maturities are listed in Table 4 below.

Table 4 - Term Deposits Maturities

Time Horizon	Maturity on or before	Value \$ '000
At Call	Immediate	1,847
Term Deposits		
0 - 3 months	May 2016	30,000
4 - 6 months	Aug 2016	40,000
7 - 12 months	Feb 2017	64,961
1 - 2 years	Feb 2018	14,000
2 - 3 years	Feb 2019	5,000
3 - 4 years	Feb 2020	-
4 – 5 years	Feb 2021	5,000
Total Term Deposits		158,961
Total Portfolio		160,808

The target maximum allocation limit in each investment risk category and the current spread of investments is listed in Table 5.

The portfolio is still overweight in A1 reflecting where the best returns were (and simultaneously representing the lowest risk). Aside from A1, weightings for all categories remain within policy guidelines.

Table 5 - Portfolio Credit Framework

Investment Category Short Term	Target Maximum Allocation	Portfolio Allocation
A1*	10.0%	37.19%
A2	75.0%	59.70%
A3	10.0%	2.49%
Unrated	15.0%	0.62%

* Council has provided security for Self-Insurance by way of a Term Deposit invested in an ADI (with a short term S & P rating of A1) through WorkCover. This security has been included as part of Council's investment portfolio. Council regularly conducts a review to identify the optimal WorkCover security providing Council with the best return possible.

Portfolio Movements

The increase in the value of the portfolio for February 2016 was \$6,594k. Movements are shown in Table 6.

Table 6 – Portfolio Movements for the year

	Full Year 2014-15 \$'000	Qtr1 2016 \$'000	Qtr2 2016 \$'000	Jan 2016 \$'000	Feb 2016 \$'000	Year to Date 2015-16 \$'000
Movement in Assets						
Opening Balance	145,394	152,541	166,077	152,607	154,214	152,541
Net movement in Managed fund to Liquidation in Oct'13	-	-	-	-	-	-
Net Cash/Investments (Withdrawals)	7,147	13,536	(13,470)	1,607	6,594	8,267
Closing Balance	152,541	166,077	152,607	154,214	160,808	160,808

Portfolio Interest and Investment Returns compared to budget

Year to date returns as at 29 February 2016 on Council's investment portfolio of deposit accounts and term deposits, show a \$186k or 5.63% favourable variance when compared to the year to date budget due to funds held at higher returns, invested prior to fall in rates.

Table 7 – Year to-date Investment Portfolio Performance

Investment Source	Financial YTD Actual Interest Income \$ '000	Financial YTD Budget \$ '000	Financial YTD Variance to Budget \$ '000
	A	B	C=A-B
General	2,165	2,014	151
Water	641	627	14
Sewerage	681	660	21
Total	3,487	3,301	186

Interest rates in the month, ranged from 2.40% to 5.20% (with the exception of deposit with Heritage Bank at 7.25%), all of which exceeded the annualised *monthly* Bank Bill Swap Rate (BBSW) benchmark of 2.11%.

Comparison to Neighbouring Councils

Portfolio Valuation

WSC's investment portfolio reflects our strong cash position, which is comparable with neighbouring Councils. Balances are summarised in table 8 below.

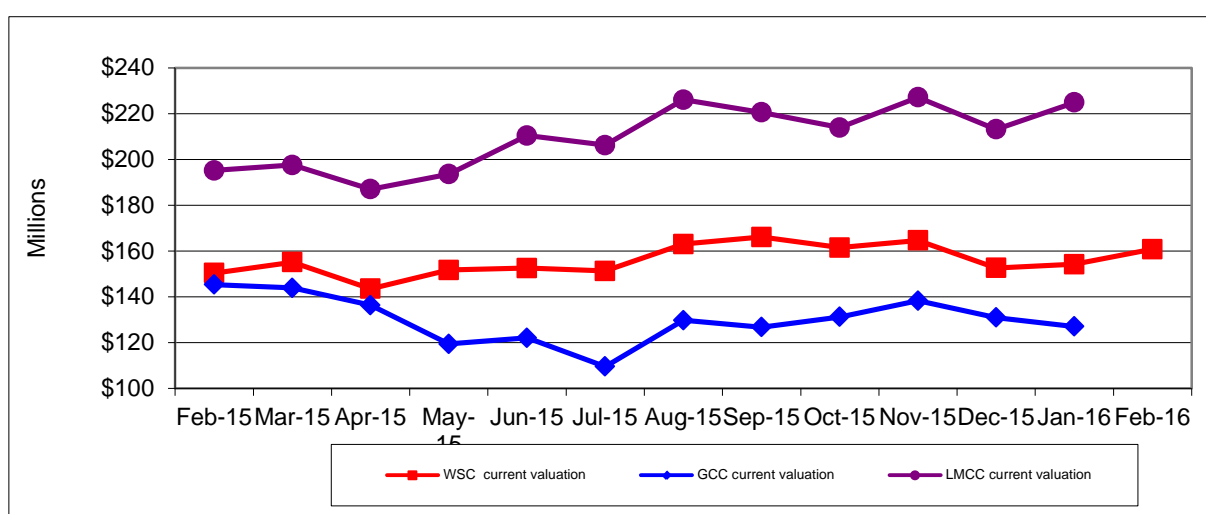
There is a lag in the information available for neighbouring Councils with reports for February 2016, not being available at the time of writing this report.

Table 8 – Summary of Investment Portfolio Balances

Month / Council	Wyong Shire Council \$'000	Gosford City Council \$'000	Lake Macquarie Council \$'000
Sep 2015	\$166,077	\$126,765	\$220,542
Oct 2015	\$161,517	\$131,258	\$213,911
Nov 2015	\$164,673	\$138,324	\$227,125
Dec 2015	\$152,607	\$130,974	\$213,161
Jan 2016	\$154,214	\$127,009	\$224,903
Feb 2016	\$160,808	Not available	Not available

Graph 1 shows the monthly portfolio balances over a twelve month period for all three Councils.

Graph 1 – Portfolio Valuations – Comparison to Neighbouring Councils



Portfolio Returns (Annualised)

WSC’s investment yield compares favourably to neighbouring Councils as outlined in table 9 below. We expect the overall portfolio return to reduce in the next few months as a number of term deposits that yield above the average portfolio return mature.

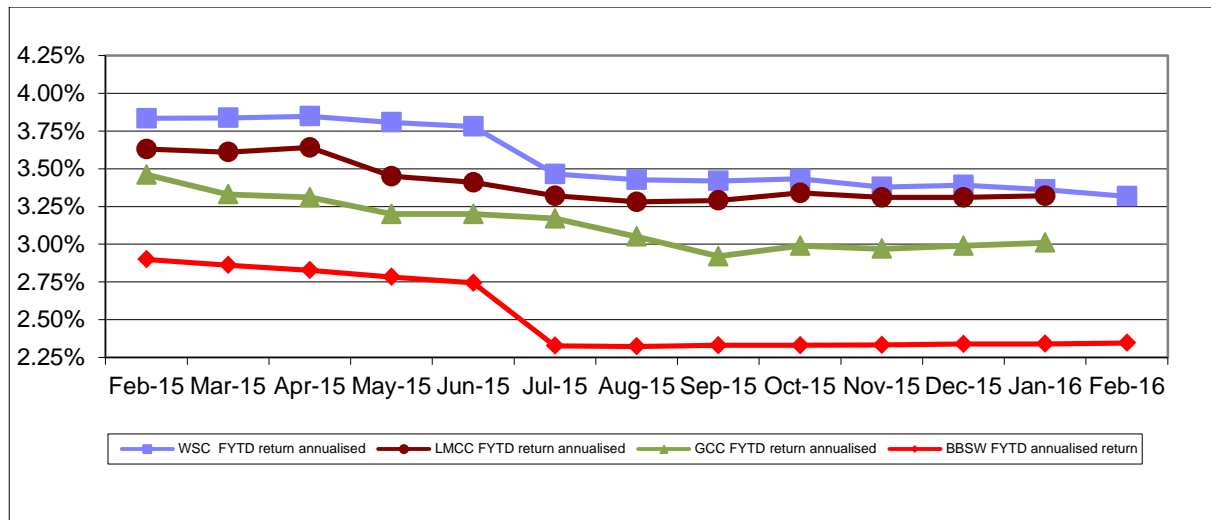
Table 9 – Summary of Investment Portfolio Returns

Month	BBSW	Wyong Shire Council	Gosford City Council	Lake Macquarie Council
Sep 2015	2.33%	3.42%	2.92%	3.29%
Oct 2015	2.33%	3.43%	2.99%	3.34%
Nov 2015	2.33%	3.38%	2.97%	3.31%
Dec 2015	2.34%	3.39%	2.99%	3.31%
Jan 2016	2.34%	3.36%	3.01%	3.32%
Feb 2016	2.35%	3.32%	Not available	Not available

5.2 Investment Report for February 2016 (contd)

Graph 2 shows the Financial Year to date, annualised portfolio returns over a 12 month period for all three Councils compared to the BBSW.

Graph 2 – Portfolio Return – Comparison to Neighbouring Councils



INVESTMENT STATEMENT

In accordance with the Local Government (General) Regulation 2005, Part 9, Division 5, Clause 212, it is certified that the investments held as at 29 February 2016 have been made in accordance with the Act, the Regulations and Council's Investment Policies.

GOVERNANCE

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "Council Decision Making during Merger Proposal Periods" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

ATTACHMENTS

- 1 Summary of Investment by Type - February 2016 D12258152

Wyong Shire Council Summary of Investments - By Type As at 29 February 2016									
FUND MANAGER	TYPE OF INVESTMENT	RATINGS		MATURITY	PORTFOLIO BALANCE 31.01.16	PORTFOLIO BALANCE 29.02.16 \$	AS A % OF TOTAL PORTFOLIO	INCOME FOR MONTH OF FEBRUARY \$	INTEREST RATES %
		Short Term	Long Term						
CASH AT CALL:									
Westpac Baking Corporation	Corporate Investment Account	A1	AA	Daily	15,658,818	1,341,184		12,365	2.10
Wyong Shire Credit Union	At Call Deposit	UNRATED	UNRATED	Daily	1,000,000			17	2.40
AMP Bank	Business Saver Account	A1	A	Daily	4,594,254	506,247		6,247	2.55
Total Cash At Call					21,253,072	1,847,431	1.15%	18,629	
TERM DEPOSITS & BONDS									
<u>Short term deposits & bills (less than 90 days)</u>									
Commonwealth bank of Australia	Term Deposit	A1	AA	10/02/2016	5,000,000			3,797	3.08
Commonwealth bank of Australia	Term Deposit	A1	AA	22/02/2016	5,000,000			8,860	3.08
National Australia Bank	Term Deposit	A1	AA	7/03/2016	5,000,000	5,000,000		12,434	3.13
Rural Bank	Term Deposit	A2	A	24/03/2016	5,000,000	5,000,000		11,521	2.90
Rural Bank	Term Deposit	A2	A	13/04/2016	5,000,000	5,000,000		11,521	2.90
Bankwest	Term Deposit	A1	AA	20/04/2016	5,000,000	5,000,000		11,521	2.90
Bankwest	Term Deposit	A1	AA	11/05/2016		5,000,000		11,521	2.90
Bendigo and Adelaide Bank	Term Deposit	A2	BBB	27/05/2016		5,000,000		11,719	2.95
					30,000,000	30,000,000	18.66%	82,895	
<u>Medium Term Deposits (up to 365 days)</u>									
Bankwest	Term Deposit	A1	AA	11/05/2016	5,000,000				2.90
Bendigo and Adelaide Bank	Term Deposit	A2	BBB	27/05/2016	5,000,000				2.95
Bendigo and Adelaide Bank	Term Deposit	A2	BBB	15/06/2016	5,000,000	5,000,000		11,719	2.95
National Australia Bank	Term Deposit	A1	AA	24/06/2016	10,000,000	10,000,000		22,405	2.82
MyState Bank	Term Deposit	A2	BBB	6/07/2016	5,000,000	5,000,000		11,918	3.00
Bendigo and Adelaide Bank	Term Deposit	A2	BBB	26/07/2016	5,000,000	5,000,000		11,322	2.85
Bank of Queensland	Term Deposit	A2	BBB	2/08/2016	6,000,000	6,000,000		24,789	5.20
Bendigo and Adelaide Bank	Term Deposit	A2	BBB	25/08/2016	5,000,000	5,000,000		11,322	2.85
Australia NewZealand Banking Group	Term Deposit	A1	AA	23/08/2016	4,000,000	4,000,000		9,089	2.86
Bank of Queensland	Term Deposit	A2	BBB	8/09/2016	5,000,000	5,000,000		14,699	3.70
Australia NewZealand Banking Group	Term Deposit	A1	AA	22/09/2016	4,000,000	4,000,000		9,058	2.85
Bank of Queensland	Term Deposit	A2	BBB	13/10/2016	5,000,000	5,000,000		11,322	2.85
Bendigo and Adelaide Bank	Term Deposit	A2	BBB	25/10/2016	5,000,000	5,000,000		11,918	3.00
Australia NewZealand Banking Group	Term Deposit	A1	AA	3/11/2016	5,000,000	5,000,000		11,997	3.02
Australia NewZealand Banking Group	Term Deposit	A1	AA	21/11/2016	5,000,000	5,000,000		11,997	3.02
MyState Bank	Term Deposit	A2	BBB	6/12/2016		5,000,000		12,315	3.10
MyState Bank	Term Deposit	A2	BBB	21/12/2016		5,000,000		12,315	3.10
Members Equity Bank	Term Deposit	A2	BBB	9/01/2017		5,000,000		5,014	3.05
Credit Union Australia	Term Deposit	A2	BBB	19/01/2017		5,000,000		5,014	3.05
Workcover	Term Deposit	A1	AA	24/01/2017	4,961,000	4,961,000	With an ADI through Workcover	11,785	2.99
Members Equity Bank	Term Deposit	A2	BBB	9/02/2017		5,000,000		5,063	3.08
Wyong Shire Credit Union	Term Deposit	UNRATED	UNRATED	16/02/2017		1,000,000		1,973	2.40
Credit Union Australia	Term Deposit	A2	BBB	22/02/2017		5,000,000		2,137	3.12
					83,961,000	104,961,000	65.27%	229,171	
<u>Non - Current</u>									
Credit Union Australia	Term Deposit	A2	BBB	8/03/2017		5,000,000		2,137	3.12
Heritage Bank	Senior Bond	A3	BBB	20/06/2017	4,000,000	4,000,000		23,041	7.25
Members Equity Bank	Term Deposit	A2	BBB	25/08/2017	5,000,000	5,000,000		15,493	3.90
Australia NewZealand Banking Group	Term Deposit	A1	AA	30/10/2018	5,000,000	5,000,000		19,347	4.87
Rabo Bank	Term Deposit	A1	A	7/09/2020	5,000,000	5,000,000		13,904	3.50
					19,000,000	24,000,000	14.92%	73,922	
Total Term Deposit & Bonds:					132,961,000	158,961,000	98.85%	385,988	
TOTAL PORTFOLIO					154,214,072	160,808,431	100.00%	404,617	
Current					135,214,072	136,808,431	85.08%		
Non-Current					19,000,000	24,000,000	14.92%		
TOTAL PORTFOLIO					154,214,072	160,808,431	100.00%		

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

TRIM REFERENCE: F2004/06822 - D12258940

MANAGER: Jamie Loader, Manager Building Certification and Health

AUTHOR: Tabitha Kuypers; Environmental Assurance Protection Officer

SUMMARY

Reporting on the results of bacteriological water quality monitoring at popular lake and ocean swimming sites in Wyong Shire for February 2016.

RECOMMENDATION

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

Primary Recreation Water Quality Monitoring Program

Water quality monitoring is undertaken at 22 popular swimming sites in Wyong Shire to enable the community to make informed decisions about where and when to swim.

Through the warmer months (September to March), water samples are collected weekly. The results are provided to the Office of Environment and Heritage as part of the state-wide Beachwatch Partnership Program. Daily pollution forecasts and long term trend analysis can be viewed on their website www.environment.nsw.gov.au/beach/index/htm.

Water quality monitoring is undertaken to provide Council with an insight into short term water quality trends. The indicator organism used to determine microbial water quality is Enterococci - a subgroup of Faecal Streptococci that has been used as an indicator of faecal pollution for many years. Enterococci are especially useful in the marine environment and recreational waters as an indicator of potential health risks and swimming-related gastroenteritis.

Each month the average Enterococci count for each swimming site is compared against the National Health and Medical Research Council's (NHMRC) *Guidelines for Managing Risks in Recreational Water (2008)*. Table 2 displays the guidelines rating system used to determine if water is suitable for primary recreation (i.e. swimming).

Whilst water quality results generally indicate that the monitored swimming sites are acceptable for swimming, advisory signs have been erected at the lake sites to advise that *"this area can be affected by stormwater pollution for up to three days after heavy rain. Swimming during this period in NOT recommended"*. Greater connectivity to urban areas and lower dilution rates make the lakes more vulnerable to sources of faecal contamination including stormwater discharges, sewage infrastructure breaks and animal inputs. This is a precautionary measure only and does not mean water quality is poor at all times. In the event sampling revealed Enterococci concentrations greater than 200cfu/100mL, the site would be closed until water quality improved.

5.3 Results of Water Quality Testing for Beaches and Lake Swimming Locations (contd)

Summary of results February 2016

Weekly sampling was conducted through February, which received a total of 17.4 mm of rainfall, with a maximum of 5.6 mm on 6/2/2016 and 20 dry days in total.

Twenty one sites achieved a top star rating and were considered safe for swimming according to the NHMRC star rating system (see Table 2). Gwandalan received a fair rating due to a slightly elevated reading (120 cfu /100mL) on 5th February. While still considered safe for swimming, water quality at the Koowong Road swimming enclosure (Gwandalan) is often influenced by urban stormwater inputs from the natural drainage line to the east and the stormwater inlet to the west.

Table 1: Beachwatch average star rating

Swimming Site	Site Type	Rating	Stars
North Entrance Beach	Ocean Beach	Good	****
The Entrance Channel	Estuarine	Good	****
The Entrance Beach	Ocean Beach	Good	****
Blue Bay	Ocean Beach	Good	****
Toowoan Bay	Ocean Beach	Good	****
Shelly Beach	Ocean Beach	Good	****
Blue Lagoon	Ocean Beach	Good	****
Bateau Bay	Ocean Beach	Good	****
Chain Valley Bay	Lagoon/Lake	Good	****
Gwandalan	Lagoon/Lake	Fair	***
Frazer Beach	Ocean Beach	Good	****
Birdie Beach	Ocean Beach	Good	****
Lake Munmorah – Tom Burke Reserve	Lagoon/Lake	Good	****
Budgewoi Beach	Ocean Beach	Good	****
Lakes Beach	Ocean Beach	Good	****
Hargraves Beach	Ocean Beach	Good	****
Jenny Dixon Beach	Ocean Beach	Good	****
Canton Beach	Lagoon/Lake	Good	****
Cabbage Tree Bay	Ocean Beach	Good	****
Lighthouse Beach Rock pool	Ocean Beach	Good	****
Gravelly Beach	Ocean Beach	Good	****
Soldiers Beach	Ocean Beach	Good	****

Table 2: NHMRC Star Rating Interpretation

Star Rating	Enterococci (cfu/100mL)	Interpretation	
****	Good	≤ 40	NHMRC indicates site suitable for swimming
***	Fair	41 – 200	NHMRC indicates site is suitable for swimming
**	Poor	201- 500	NHMRC indicates swimming at site is not recommended.
*	Bad	>500	NHMRC indicates swimming at site is not recommended.

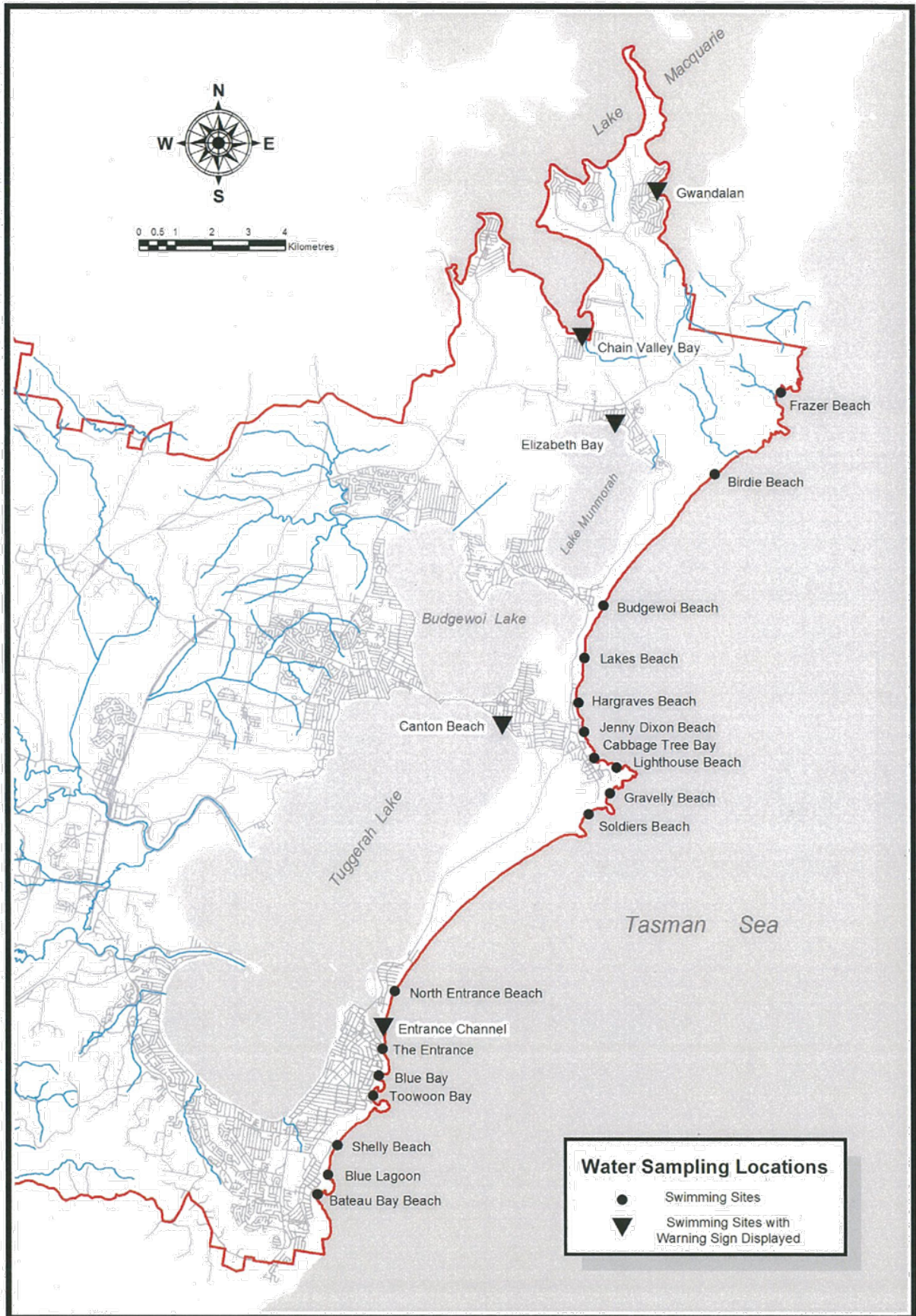
GOVERNANCE

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

ATTACHMENTS

- 1 Water Sampling Sites D03238043



5.4 Activities of the Development and Rezoning and Building Certification Compliance and Health Units - February 2016

TRIM REFERENCE: F2004/07830 - D12259950

MANAGER: Tanya O'Brien, Manager

AUTHOR: Jane Doyle; Development Assistant

SUMMARY

The report includes information and statistics regarding the operations of the Development and Rezoning Unit and the Building Certification, Compliance and Health Unit which covers the submission and determination of development, construction and subdivision applications for the month of February 2016.

RECOMMENDATION

That Council receive the report on Activities of the Development and Rezoning and Building Certification, Compliance and Health Units for the month of February 2016.

Development Applications Received and Determined – Development and Rezoning Unit – February 2016

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	4	625,000	10	1,249,310
Industrial	1	750,000	1	806,250
Residential (Multiple Dwellings/Dual Occupancy)	15	8,404,060	6	1,447,700
Other Applications	1	1,000,000	-	-
Subdivisions	2	30,000	2	250,000
Section 96 Applications	11	-	6	-
Total	34	10,809,060	25	3,753,260

Note: Included in the Lodged "Residential" category was an application for 23 self care dwellings under SEPP (Housing for Seniors or People with a Disability) 2004 valued at \$4.9 Million.

5.4 Activities of the Development and Rezoning and Building Certification Compliance and Health Units - February 2016 (contd)

Development Applications Received and Determined – Building Certification Compliance and Health Unit – February 2016

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	3	2,056,806	2	308,200
Industrial	-	-	2	32,000
Residential-Multiple Dwellings (Dwellings)	46	12,235,200	40	11,448,280
Residential (Alterations and Additions)	45	3,224,132	43	3,689,027
Other Applications	4	54,880	6	67,400
Section 96 Applications	21	-	6	-
Total	119	17,571,018	99	15,544,907

Jobs created during reporting period

During February 2016, 124 DA's were determined representing approximately \$19M worth of investment.

The following table outlines the number of jobs which could be created, should the DA's which have been approved be fully taken up:

Month 2015	Value of Development Applications Determined \$	Equivalent Jobs Created through DAs determined (based on 10 jobs per \$1M)	Equivalents jobs created through Council's capital expenditure and materials and contracts operating expenditure (based on 10 jobs per \$1M)	Central Coast Growth Plan monthly jobs target (based on 947 jobs per year)
July 2015	27,840,069	270	13	79
August 2015	64,694,141	640	49	79
September 2015	59,517,333	590	63	79
October 2015	31,449,841	315	50	79
November 2015	41,405,864	410	50	79
December 2015	325,317,181	3253	65	79
January 2016	10,528,719	100	29	79
Feb 2016	19,298,167	190	60	79

5.4 Activities of the Development and Rezoning and Building Certification Compliance and Health Units - February 2016 (contd)

Subdivision Applications Received and Determined February 2016

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	1	0	-	-
Industrial	-	-	-	-
Residential	1	1	2	2
Rural	-	-	-	-
Total	2	1	2	2

February – Lots Created

Financial Year	Residential & Strata Lots Created (Actual)	Residential & Strata Lots Created (DA Approved)	Secondary Dwellings Approved	Required Homes per CC Growth Plan
2012/2013	145	282	59	1288
2013/2014	95	943	96	1288
2014/2015	204	413	131	1288
2015/2016	280	348	108	1288

Net Median Turn-around Time – February 2016

The net median turn-around time in working days for development applications determined within the Development Assessment Unit during February 2016 was **20** days. The net median turnaround time in working days for Section 96 applications was **10** days.

The net median turn-around time in working days for development applications determined in the Building Certification Compliance and Health for February 2016 was **18** days. The net median turn-around time in working days for Section 96 applications was **28** days.

The net median turn-around time in working days for all development applications determined in the Building Certification Compliance and Development Assessment units for February 2016 was **18** days.

Other Approvals and Certificates

Type	Determined February 2016
Section 149 D Certificates <i>(Building Certificates)</i>	5
Construction Certificates	69
Complying Development Certificates	21

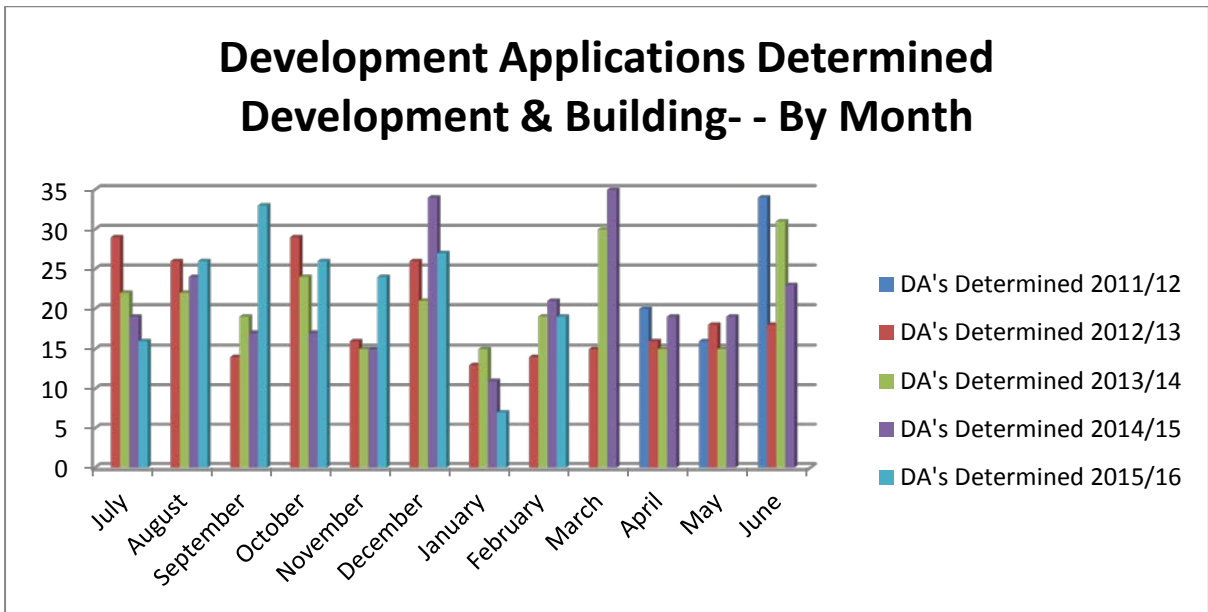
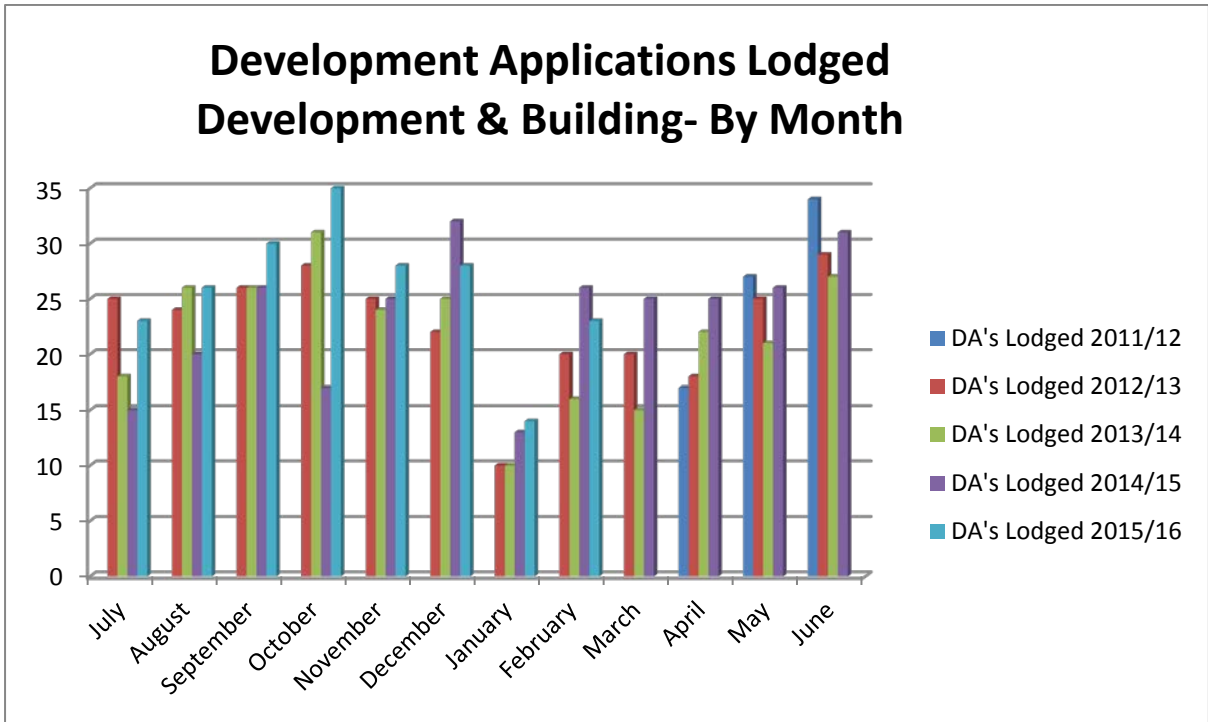
GOVERNANCE

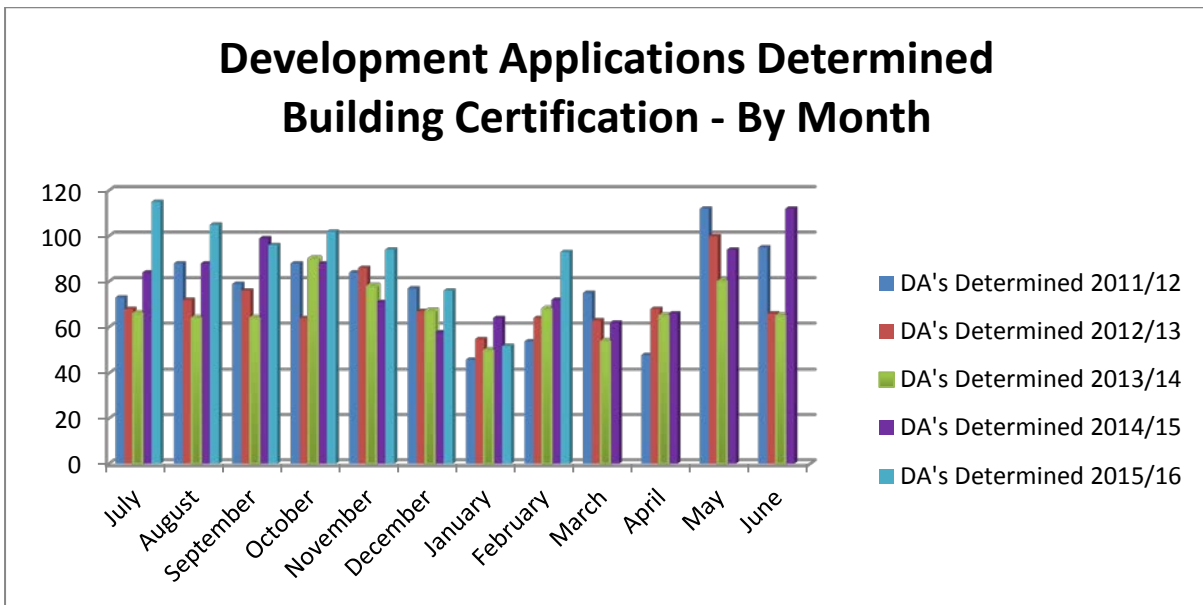
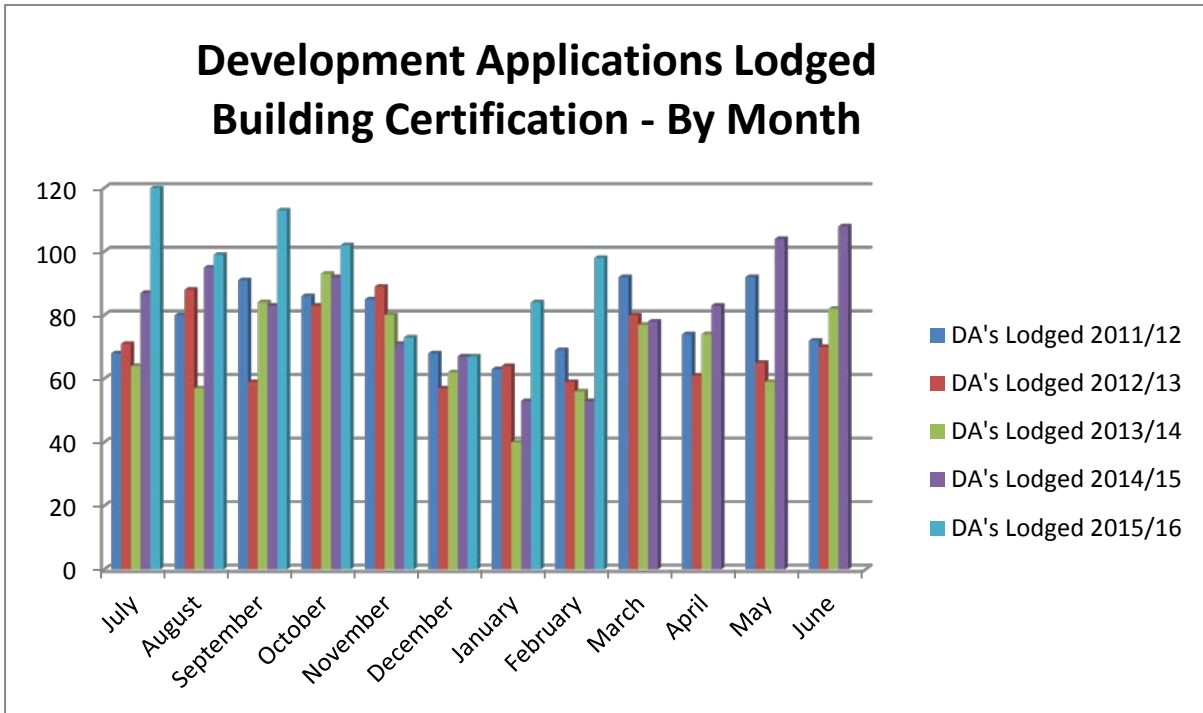
Consideration of s.23A guidelines

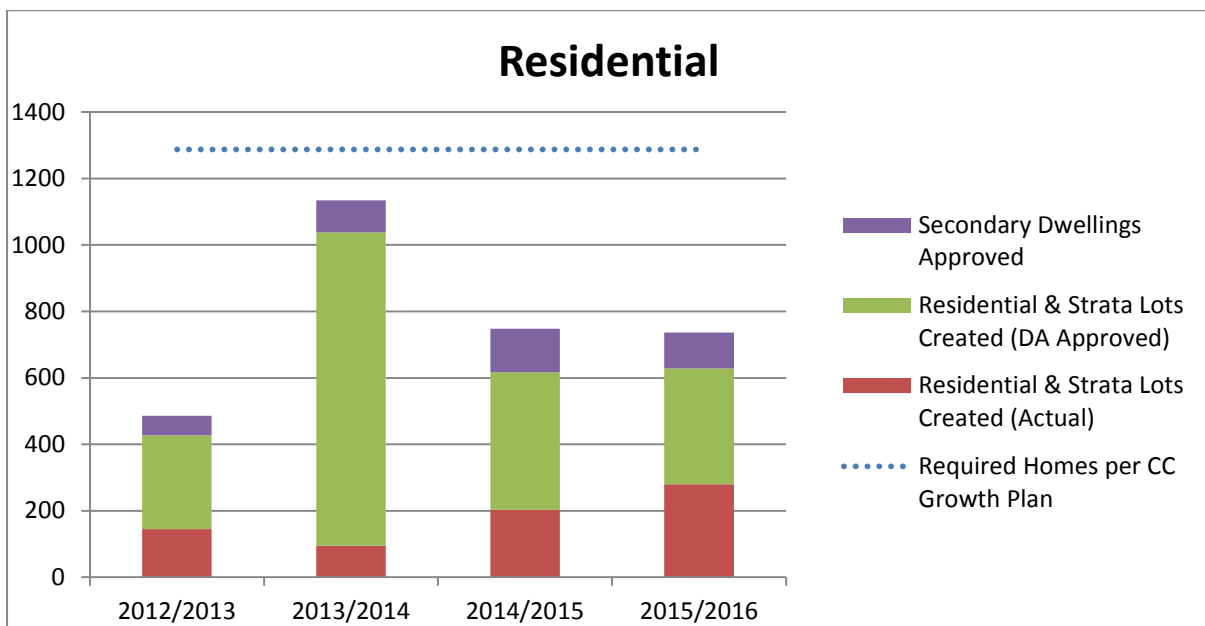
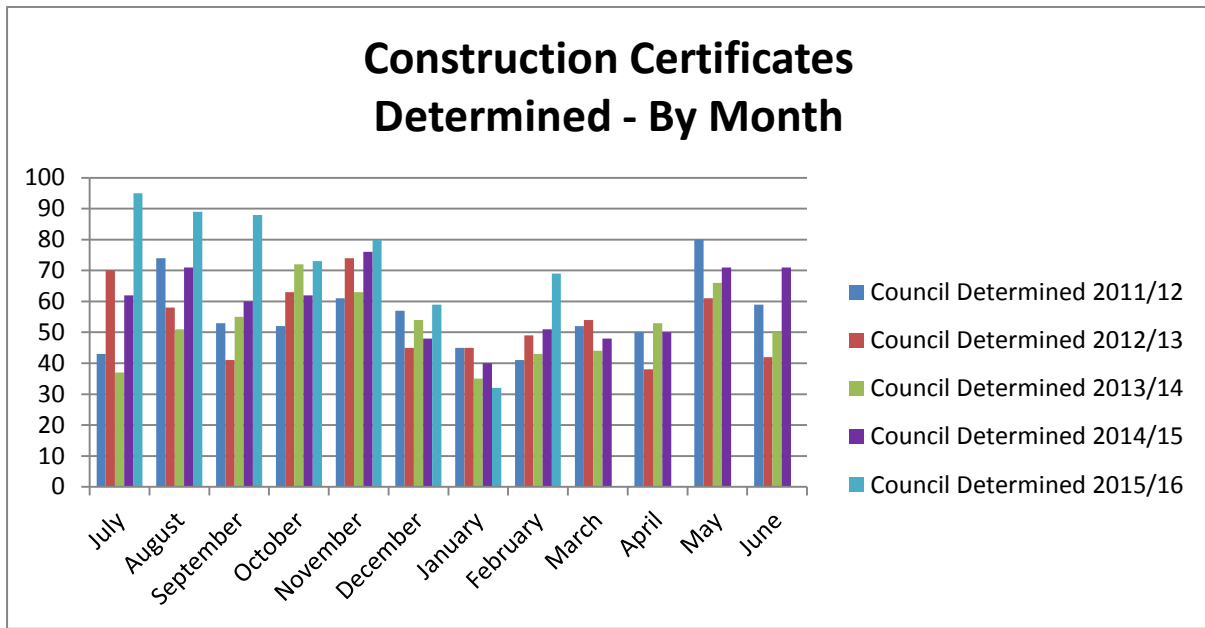
The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Graphs-Development Applications Lodged, Determined, Construction Certificates Determined | D12267101 |
|---|--|-----------|







5.5 Draft Minutes of the Employment and Economic Development Committee Meeting - 2 March 2016

TRIM REFERENCE: F2012/01905 - D12261718

MANAGER: Mike Dowling, Director

AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

The draft minutes of the Employment and Economic Development Committee meeting of 2 March 2016 are submitted to Council for consideration.

RECOMMENDATION

That Council receive the report on Draft Minutes of the Employment and Economic Development Committee Meeting - 2 March 2016.

BACKGROUND

A meeting of the Employment and Economic Committee was held on 2 March 2016. The minutes of this meeting are attached to this report.

Council has not delegated its authority to the Committee to make decisions on its behalf nor does the Committee have the authority to direct staff. Accordingly any recommendations of the Committee requiring the authorisation of Council will be reported to Council separately.

GOVERNANCE

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

ATTACHMENTS

- 1 MINUTES - Employment and Economic Development Committee Meeting - 2 March 2016

D12255571

WYONG SHIRE COUNCIL

**MINUTES OF THE
EMPLOYMENT AND ECONOMIC DEVELOPMENT COMMITTEE OF
COUNCIL**

HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 02 MARCH 2016
COMMENCING AT 4.00PM

PRESENT

Councillors G P Best (Chairperson), D J Eaton OAM, K G Greenwald and A Troy

IN ATTENDANCE

Director Property and Economic Development, Director Development and Building (*entered the meeting at 5.02pm*) and Councillor Services Officer.

APOLOGIES

Councillor Webster

All reports were dealt with in the correct agenda sequence.

The Chairperson, Councillor Greg Best, declared the meeting open at 4.21 pm.

1.1 Disclosures of Interest

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

That the Committee receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

2.1 Address by Invited Speakers

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

That the Committee receive the report on Invited Speakers.

3.1 Confirmation of the adopted Minutes of the Employment and Economic Development Committee Meeting - 20 January 2016

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

That the Committee note that Council received the minutes of the previous meeting of the Employment and Economic Development Committee held on the 20 January 2016.

4.1 Iconic Sites Status Report

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

That the Committee receive the report on Iconic Sites Status Report.

CONFIDENTIAL SESSION

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

- 1 *That the Committee move into Confidential Session to discuss item 4.2, Major Projects Status Report, pursuant to Sections 10A(2)(c) of the Local Government Act 1993.***
- 2 *That the Committee note its reason for discussing Report No 4.2 – Major Projects Status Report, is that discussion contained information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business:***

At this stage of the meeting being 5.07 pm the committee moved into Confidential Session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10A 2(c) of The Local Government Act, 1993.

OPEN SESSION

The Committee resumed in open session at 5.14 pm and the Chairperson, Councillor Greg Best, reported on proceedings of the confidential session of the ordinary meeting of the committee as follows:

4.2 Major Projects Status Report

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

That the Committee receive the report on Major Projects Status Report.

5.1 Value of Development Assessments

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

That the Committee receive the report on Value of Development Assessments.

THE MEETING closed at 5.21 pm.

5.6 Councillor Strategic Planning Workshop (5-6 February 2016) - Minutes and Action Register

TRIM REFERENCE: F2015/01383 - D12260077

MANAGER: Vivienne Louie, Acting Chief Financial Officer

AUTHOR: Kathleen Morris; Manager

SUMMARY

This report provides the minutes and action register of the Council Strategic Planning Workshop held from 5-6 February 2016.

RECOMMENDATION

That Council receive and note the minutes and action register of the 2016 Councillor Strategic Planning Workshop (held from 5-6 February 2016).

BACKGROUND

Each year Council reviews its four year delivery plan and sets its operational plan for the next financial year. The review is conducted under the Integrated Planning and Reporting Framework, as legislated in the Local Government Act, with the process ensuring the delivery of Council services is aligned to the objectives set by the community in the Community Strategic Plan.

The review period includes a series of workshops where Councillors and senior management consider strategies, plans and resources, and identify opportunities for the Shire's future.

CURRENT STATUS

The workshop series culminated in a weekend workshop held from 5-6 February 2016. The outcomes of the workshop will assist staff to develop a draft strategic plan to deliver the services Council provides to the community. The draft plan will be released to the public for feedback during late April/May 2016.

In consideration of setting strategic direction, workshop discussions included:

- amalgamation topics (Section 23A guidelines, support for staff and consideration of contents for Council's submission to the Minister for Local Government)
- the 2016/17 Operational Plan and related financial considerations.
- water pricing
- customer service
- regulatory processes
- waste management
- strategic land use
- community facilities
- improving amenity

THE PROPOSAL

Minutes of the workshop, along with a list of action items are provided for Council endorsement. The outcomes report assists in the tracking of progress against items determined by Council to appear in this or future strategic plans.

STRATEGIC LINKS

The proposal supports Council's strategic planning activities and the preparation of the 2016-17 operational plan.

Budget Impact

Adoption of the minutes and action register does not provide a budget impact. Forecast budgets for the 2016-17 year are in line with the long term financial plan.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

CONCLUSION

Minutes of the 2016 Council Strategic Planning workshop, along with an action register, are provided for Council endorsement.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | CONFIDENTIAL - Minutes of the Strategic Planning Workshop 5-6 February 2016 - | D12270012 |
| 2 | CONFIDENTIAL - 2016-17 Action Register - | D12269883 |

5.7 Outstanding Questions on Notice and Notices of Motion

TRIM REFERENCE: F2016/00012 - D12259015

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.

Consideration of s.23A guidelines

The Chief Executive of the NSW Office for Local Government has issued guidelines titled "*Council Decision Making during Merger Proposal Periods*" pursuant to s.23A(1) of the *Local Government Act 1993* ("LG Act"). The Council must consider those guidelines when making decisions during the "merger proposal period", which commenced on 6 January 2016 and will conclude on the date on which a proclamation is made to amalgamate the Wyong and Gosford local government areas or the Minister for Local Government determines that he will not proceed with the proposal for that amalgamation: s.23A(3) of the LG Act. Councillors have been provided with a copy of those guidelines and have been given advice concerning those guidelines. The decisions that are proposed as part of this report comply with those guidelines.

ATTACHMENTS

- 1 Table of Outstanding Questions and Notice of Motions - 23 March 2016 D12259173

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
115	Chief Executive Officer's Unit	Stephen Naven	7.2 Notice of Motion - Government Rating Outrage 50/15 <i>That Council <u>note</u> with great concern the likely significant escalation of the 2015 rate burden on the local lower to mid-market property sector.</i> 51/15 <i>That Council <u>note</u> the significant escalation is as a consequence of the recent property market increases and unfair rerating formulas dictated to Council by the State Government Valuer General and Office of Local Government.</i> 52/15 <i>That Council <u>call</u> on the State Government to conduct a thorough review into the Valuer General's and Office of Local Government's outdated and discriminatory rating methods that will place undue hardship on many in our community.</i> 53/15 <i>That Council <u>investigate</u> a shire wide, online petition in partnership with the community, to give ratepayers a voice to call upon the State Government to reject this outrageous and out of touch taxing.</i> 54/15 <i>That Council <u>include</u> in its 2015 Strategic Planning Process a review of all options to assist in reducing the impact of the Government's looming rerating charges.</i>	28 January 2015 Cr Best	Response to be provided at a future meeting.
170	Infrastructure and Operations	Peter Ham	1.6 Mayoral Minute - Vandalism Reward Doubling 837/15 <i>That Council <u>double</u> its current reward under its Policy for Reporting Vandalism in respect of the EDSAAC Bateau Bay amenities/clubhouse building destroyed by fire last weekend.</i> 838/15 <i>That Council <u>publicise</u> this increased reward extensively through Council's media and communication channels.</i> 839/15 <i>That Council <u>publicise</u> the names of those convicted, subject to any prosecution.</i>	Cr Eaton 26 August 2015	WAM staff are consulting with our Comms Business Partner in publicising the reward for information relating to the vandalism that occurred at EDSAAC Bateau Bay amenities/clubhouse building.
180	Property and Economic Development	Mike Dowling	1.6 Mayoral Minute - The Entrance Surf Club Lease 984/15 <i>That Council <u>request</u> The Entrance Surf club enter into suitable arrangements with Council for the</i>	Cr Eaton 23 September 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>985/15 clearance of the outstanding rates and charges. That Council <u>request</u> for additional purpose to be added to the Reserve under Section 121A of the Crown Lands Act 1989.</p> <p>986/15 That Council <u>amend</u> the lease to include a sub-lease permitting a café/restaurant to be included in the footprint of The Entrance Surf Club.</p> <p>987/15 That Council <u>share</u> the rental derived from the commercial operation with The Entrance Surf Club.</p> <p>988/15 That Council <u>require</u> The Entrance Surf Club to spend their share of the rental on Surf Life Saving activities and/or equipment, and provide annual financial statements to show how these funds have been distributed.</p>		
181	Community and Recreation Services	Brett Sherar	<p>8.1 Notice of Motion - Shark Summit</p> <p>1037/15 That Council <u>note</u> the increased number of shark attacks in and around our coastal waters due to the rise in shark numbers.</p> <p>1038/15 That Council <u>take</u> proactive and pre-emptive steps to mitigate further local attacks.</p> <p>1039/15 That Council <u>recognise</u> that not only do the current shark attacks highlight the need for better public safety they have the potential to affect summer time tourism and its associated employment.</p> <p>1040/15 That, having regard to the far reaching potential of these events, Council <u>convene</u> in partnership with Surf Life Saving and Professional Life Guards a Shark Summit that includes all key stakeholder groups, rescue organisations, applicable agencies, tourism representatives and specialist marine experts.</p> <p>1041/15 That Council <u>request</u> the Acting Chief Executive Officer to report on the feasibility of auditing our ocean coast line with a view to identifying suitable</p>	Cr Best 23 September 2015	Response to be provided at an Ordinary meeting in August 2016.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>sites to create shark proof ocean bathing areas/enclosures, however this does not include traditional netting.</p> <p>1042/15 That staff <u>investigate</u> the effectiveness and practicality of making available to bathers, technology such as the shark shield devices on a short term hire basis.</p>		
186	Infrastructure and Operations	Daryl Mann	<p>Q42/15 Kanwal Traffic Calming Devices</p> <p>"Mr Mayor,</p> <p>As the local area Councillor, my question is on behalf of the good folk of Walker Avenue/ Braithwaite, Kanwal. I am hearing of outrageous driving behaviour that is endangering public safety, I appreciate it's a policing matter, however could you have staff look into the possibility of installing some traffic calming devices in this area, particularly leading from the high pedestrian area, Kanwal shops?"</p>	Cr Best 23 September 2015	Response to be provided at an Ordinary Meeting in April 2016.
195	Infrastructure and Operations	Greg McDonald	<p>7.1 Notice of Motion - Norah Head / Cabbage Tree Bay "Missing Link"</p> <p>1169/15 That Council notes the excellent work carried out by staff in delivering the complex engineering of the Cabbage Tree Bay (CTB) seawall and more recently the CTB ocean ramps, further it is noted both these facilities were severely tested in the April 2015 storms with no reported damage.</p> <p>1170/15 That Council notes these much needed multimillion dollar Bay works have now highlighted the extremely poor condition of Mazlin Reserve Cliff Face and in particular the Norah Head Search and Rescue site, this has now become known as the "Missing Link".</p> <p>1171/15 That Council recognises that both these sites are the ownership of the State Government and are their full responsibility.</p> <p>1172/15 That Council seeks to work with the State</p>	Cr Best 28 October 2015	This is subject to confidential legal proceedings. Refer to General Counsel.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>Government through convening an initial meeting of all key stakeholder groups with a view to making a whole of community representation seeking upgrade funding in the 2016/17 State Budget.</p> <p>1173/15 That Council notes the outstanding support Karen McNamara our Federal Member for Dobell and State Agencies provided in assisting Council and the community in delivering the much needed Cabbage Tree Bay Ocean Ramp and the bay retaining wall.</p>		
196	Infrastructure and Operations	Daryl Mann	<p>7.2 Notice of Motion - Toukley Speed Bump Shambles</p> <p>1164/15 That Council, on behalf of the community, again call on the RMS to rip up the failed and controversial Toukley speed bumps.</p> <p>1165/15 That Council notes the reports that these 'safety devices' have actually caused accidents involving both pedestrians and motorists, further there is emerging anecdotal evidence that shop trade is also beginning to be affected.</p> <p>1166/15 That Council call on the RMS to release its 'Black Spot' funding submission, including the statistics it relied upon to convince the Federal Government to fund these controversial speed bumps."</p> <p>1167/15 That Council further notes that some 50 accidents have been reported in the last 6 years on this road, with only 4 actually occurring in the Toukley CBD. Further, Council notes that there are two other 40km/h speed zones in Main Road Toukley that do not rely on speed bumps for their effective management.</p>	Cr Best 28 October 2015	Council is currently drafting a letter to the RMS to respond to the issues raised in items 1164/15 and 1166/15 of the NOM.
202	Property and Economic Development	Andrew Pearce	<p>7.1 Notice of Motion - Waste Management Contract</p> <p>1279/15 That Council thank the Transport Workers Union for presenting at the Wyong Council Resident's</p>	Cr Eaton 25 November 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>1280/15</p> <p>Forum held on Wednesday 11 November 2015. That Council acknowledge the clause provided by the Transport Workers Union to protect workers' wages and conditions and public safety;</p> <ul style="list-style-type: none"> Campbelltown Council's recent waste contract renewal process included the following clause: "The Contractor must, as a minimum requirement, preserve employee pay rates and pay-related conditions(for all employees of the Contractor) as those provided in either the Remondis Enterprise Agreement 2018 or, Any enterprise agreement approved by Fair Work Australia which applies to employees previously subject to the Remondis Australia Enterprise Agreement 2018 and comes into operation prior to the commencement of the Contract" The current Sydney Metropolitan Bus Service Contract included the clause: "33.8 Successor Operator to Make Offers (a) TfNSW must procure that any Successor Operator makes offers of employment on equivalent terms and conditions (including all accrued entitlements) to Contract Bus Services Employees (other than the persons named in Schedule 11). Offers made by a Successor Operator must take effect from the expiry or termination of this Contract." <p>1281/15</p> <p>That Council staff advise at what part of the tendering process it would be appropriate for Council to consider the inclusion of the proposed clause in the new Waste Management Contract?</p>		
203	Community and Recreation Services	Brett Sherar	<p>7.2</p> <p>Notice of Motion - Shark Summit Update / Community Forum</p> <p>1282/15</p> <p>That Council, in partnership with Surf Life Saving and our Professional Life Guards, <u>conduct</u> a</p>	Cr Best 25 November 2015	Response to be provided at an Ordinary meeting in August 2016.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>1283/15 Community Forum to update key stakeholder groups and interested parties on the findings and initiatives recommended by the expert scientific panel at Council's recent Shark Summit. That Council, with the assistance of our community and marine experts, <u>identify</u> suitable trial projects that could be submitted for consideration in the recently announced State Government Shark Management Project.</p> <p>1284/15 That Council <u>note</u>, as the Central Coast was the first region to conduct a local Shark Summit since the State Government's announcement of the \$16million Shark Fund, the Coast is now ideally positioned to contribute and access these resources subject to developing our submission expeditiously.</p>		
206	Property and Economic Development	Mike Dowling	<p>7.1 Notice of Motion - Busker Encouragement</p> <p>1 That Council <u>adopt</u> a new policy on a trial basis, to encourage busking in the Shire.</p> <p>2 That Council <u>request</u> the Acting Chief Executive Officer to prepare the policy on the basis that the process for approval is simple, cheap and easy for the applicant.</p> <p>3 That Council <u>request</u> the Acting Chief Executive Officer include the following elements in the trial policy:</p> <p>(a) A 6 month permit on a single page application for a \$10 fee.</p> <p>(b) The busker must produce photo identification, mobile number and address details.</p> <p>(c) Conditions of permit should include no impediment to pedestrians or shopkeepers, use of battery powered amplifiers (ie. no power leads), no risk of harm to the public etc.</p> <p>(d) Council may revoke the permit at any time without notice.</p> <p>(e) There be no requirement for any insurances by Council.</p> <p>4 That Council <u>request</u> the Acting Chief Executive Officer to prepare the new policy to Council with a view to swift implementation of the trial.</p>	Cr's Webster & Eaton 27 January 2016	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			5 That Council <u>request</u> the Acting Chief Executive Officer to report on the results of this trial in August 2016.		
208	Community and Recreation Services	Maxine Kenyon	7.1 Notice of Motion - Protecting Neighbourhood Properties 133/16 That Council <u>fund</u> an increase to the public tree risk management budget of \$250,000 to reduce the backlog of requests to remove dead, dying or dangerous trees. 134/16 That Council <u>request</u> a report on public tree risk management tree procedures in response to the recent significant storms in April and October 2015 and more recently 15 January 2016, as many trees on public land have fallen or been reported as being dangerous. 135/16 That Council <u>seek</u> the assistance of the State Government, through the local members, to support Council's initiative to improve public safety through matching Council's initiative dollar for dollar.	Cr's Taylor & Troy 10 February 2016	Letters sent to Yasmin Catley MP, David Harris MP and David Mehan MP on 15 March 2016, awaiting responses. Response to be provided at 11 May 2016 Ordinary Meeting.
209	Property and Economic Development	Mike Dowling	7.2 Notice of Motion - Chinese Theme Park Confidential 136/16 That the Council <u>note</u> recent media reports that the Minister for Local Government, the Hon Paul Toole, has requested an urgent report on proposed \$500 million Chappypie China Theme Park development at Warnervale. 137/16 That the Council <u>further note</u> that the Minister and the NSW Office of Local Government (OLG) have investigative powers under the Local Government Act that may be exercised, and that it is prudent that the Council take no action that might complicate or frustrate any review the Minister or OLG may take. 138/16 That Council also <u>confirms</u> that no Ratepayer Funds have been invested in the development of this proposal & that it is not Council's intention to invest any funds into the construction of the proposal. 139/16 That Council <u>notes</u> that Council's main roles in respect to the proposed development are: a. As the "relevant planning authority" under Part 3 Division 4 of the Environmental	Cr Best 10 February 2016	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p><i>Planning and Assessment Act, which is a statutory function that the Council is required to undertake in respect to the pending Planning Proposal to be determined by the Minister for Planning and the Environment; and</i></p> <p><i>b. To assist the Hunter and Central Coast Joint Regional Planning Panel in the determination of pending and future development applications in respect to the development site, that Panel being an independent statutory body to consider and determine such development applications.</i></p>		
210	Property and Economic Development	Mike Dowling	<p>Q1/16 Purchase of 7 Anzac Avenue, Wyong</p> <p><i>Can the Acting Chief Executive Officer please provide a report on the purchase of 7 Anzac Avenue, Wyong including cost of purchase and any plans for the dwelling?</i></p>	Cr Matthews 10 February 2016	Response to be provided at a future meeting.
211	Property and Economic Development	Mike Dowling	<p>Q2/16 Toilets at Frank Balance Park</p> <p><i>Can staff please provide information as to when toilet/s including an accessible toilet be provided/built on the Frank Balance Park site?</i></p>	Cr Matthews 10 February 2016	Response to be provided at a future meeting.
213	Community and Recreation Services	Maxine Kenyon	<p>7.1 Notice of Motion - Remote Piloted Vehicles (RPVs) / Drone Ports</p> <p>1 <i>That, due to the escalating popularity of Remote Piloted Vehicles (RPVs), Council <u>recognise</u> the need to better manage, educate and police their usage.</i></p> <p>2 <i>That Council <u>seek</u> to engage local user groups, key stake holders and regulators to best identify how Council can assist in managing this emerging and innovative industry sector.</i></p> <p>3 <i>That Council <u>review</u> options around possible suitable usage locations/ drone ports, with a view to developing a policy to assist safe recreational and professional usage of these devices.</i></p>	24 February 2016	A report will be provided to Council at the Ordinary Meeting on 27 April 2016.
215	Infrastructure and Operations	Greg	7.1 - Notice of Motion - Closure of Wyong Shire RMS Offices	Cr Best	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		McDonald	<p>1 That Council <u>note</u> with disappointment the decision to reduce motor registry/RMS services on the Central Coast.</p> <p>2 That Council <u>advise</u> the State Government that it welcomes the opportunity to partner with the Government to assist in delivering such services across the Central Coast through innovative co-location within Council facilities including The Entrance, Lake Munmorah and Wyong.</p> <p>3 That Council <u>encourage</u> Gosford City Council to join in this partnering initiative across the Central Coast region.</p>	10 March 2016	
216	Development and Building	Scott Cox	<p>7.2 - Notice of Motion - Five Year Development Consent Period</p> <p>1 That Council, <u>apply</u> a lapsing period of five years for all development consents in accordance with Section 95 of the Environmental Planning and Assessment Act 1979.</p> <p>2 That Council <u>recognise</u> that an extended consent period will:</p> <ul style="list-style-type: none"> • allow developers of all sizes greater time to secure finance and investors make arrangements for builders and contractors, • support the development industry, • promote investment within the shire, • assist in improving the feasibility of developments, • support local employment through supporting development. 	Cr Best 10 March 2016	Response to be provided at a future meeting.
217	Development and Building	Scott Cox	<p>1.6 - Mayoral Minute - Light Rail and the Central Coast Regional Plan</p> <p>That Council <u>include</u> in its submission to the Central Coast Regional Plan the concept of a future light rail public transport solution linking Gosford to The Entrance via East Gosford, Erina, Terrigal, Wamberal, Bateau Bay and Long Jetty.</p>	Cr Eaton 10 March 2016	Response to be provided at a future meeting.
218	Community and Recreation Services	Maxine Kenyon	<p>1.7 - Mayoral Minute - Central Coast Tourism Incorporated Funding</p> <p>That Council <u>advise</u> Central Coast Tourism Incorporated (CCTI) that it will continue to fund CCTI until 30 June 2017 subject to Gosford City Council agreeing by 30 March 2016 to also continue to fund CCTI for the 2016/17 financial year in an amount no less than Wyong Sire Council's total contribution to</p>	Cr Eaton 10 March 2016	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>CCTI and The Entrance Visitors Centre, totalling \$248,000.</i>		
219	Property and Economic Development	Mike Dowling	<p>9.2 - Confidential Mayoral Minute – The Entrance Town Centre Management Corporation Inc.</p> <p>1 <i>That the Council <u>note</u> resolution 4.2 of the meeting of the Board of The Entrance Town Centre Management Corporation Inc. of 23 February 2016.</i></p> <p>2 <i>That the Council <u>resolve</u> that Council terminate, by agreement or otherwise, the following agreements between Council and The Entrance Town Centre Management Corporation Inc.:</i></p> <p>2.1 <i>Funding Agreement (Events) dated 20 September 2013; and</i></p> <p>2.2 <i>Funding Agreement (Marketing, Promotion and Maintenance) dated 20 September 2013.</i></p> <p>3 <i>That the Council <u>resolve</u> that no further payments are to be made to The Entrance Town Centre Management Corporation Inc. pursuant to those Funding Agreements, pending a careful and detailed audit of TETCM's compliance with the Funding Agreements to determine whether the public funds provided to TETCM by the Council have been properly accounted for and applied by TETCM.</i></p> <p>4 <i>That the Council <u>resolve</u> that monies to be paid to The Entrance Town Centre Management Corporation Inc. from the date of this resolution be applied by Council directly to providing the same services and functions that were to have been undertaken for Council by The Entrance Town Centre Management Corporation Inc. pursuant to those Funding Agreements, to ensure continuity of service to the community.</i></p> <p>5 <i>That the Council <u>note</u> the information set out in this Mayoral Minute.</i></p> <p>6 <i>That the Council <u>authorise</u> the Acting Chief Executive Officer to enter in to any necessary negotiations with The Entrance Town Centre Management Corporation Inc. to give effect to these resolutions.</i></p> <p>7 <i>That Council <u>determine</u> that this Mayoral Minute remain confidential in accordance with sub-sections 10A(2)(c), 10A(2)(g), 10B(2) and 11(3) of the Local Government Act 1993, because:</i></p>	Cr Eaton 10 March 2016	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>7.1 This Mayoral Minute contains information that might, if disclosed, confer a commercial advantage on a person that Council is currently conducting business with; and</p> <p>7.2 This Mayoral Minute includes legal advice to the Council from General Counsel concerning substantive issues which would be privileged from production in legal proceedings on the ground of legal professional privilege.</p>		
220	Development and Building	Scott Cox	<p>9.3 - Mayoral Minute - 140 Sparks Road, Warnervale</p> <p>That Resolution number 88/16 from the Confidential Session of the Ordinary Council Meeting of 27 January 2016 is <u>amended</u> by <u>deleting</u> the words "conditional upon WSC achieving bio-diversity certification approval by the NSW Minister for the Environment" from that resolution.</p>	Cr Eaton 10 March 2016	Response to be provided at a future meeting.

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE
10 MARCH 2016**

No#	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
150	Development and Building	6.1 Notice of Motion - Council's Animal Care Facility	Cr Best 27 May 2015	Response included on agenda for 23 March 2016 Ordinary Meeting.
200	Property and Economic Development	1.6 Mayoral Minute - Wyong Grove	Cr Eaton 11 November 2015	Completed
204	Infrastructure and Operations	U5/15 Extension of Dredging at The Entrance	Cr Taylor 25 November 2015	CBU issued - Completed
207	Development and Building	7.2 Notice of Motion - Central Coasts New and Innovative Regional Animal Cares Facility	Cr's Best & Webster 27 January 2016	Response included on agenda for 23 March 2016 Ordinary Meeting.
212	Community and Recreation Services	Q3/16 Cost to Council to Hold/Participate in Events on Australia Day	Cr Greenwald 10 February 2016	Response included on agenda for 23 March 2016 Ordinary Meeting.
214	Property and Economic Development	Q4/16 Train Maintenance Facility - Kangy Angy	Cr Matthews 24 February 2016	Response included on agenda for 23 March 2016 Ordinary Meeting.

6.1 Answers to Question on Notice

TRIM REFERENCE: F2013/02047 - D12248795
AUTHOR: Glenn Cannard, Section Manager

Q3/16 - Cost to Council to Hold/Participate in Events on Australia Day

The following question was asked by Councillor Greenwald at the Ordinary Meeting on 10 February 2016:

“Can the Acting Chief Executive Officer of Wyong answer a question asked to me by a ratepayer?

Can you advise how much it cost Council to hold or participate in events held in Wyong Shire on Australia Day?”.

BACKGROUND

Wyong Shire Council financially supports five individual events to celebrate Australia Day across the Shire.

Events include community celebrations in our three major town centres, The Entrance, Toukley and Wyong, plus an annual Australia Day Awards ceremony and Australia Day Citizenship ceremony.

In 2016 Council contributed a total of \$59,270.64 toward the cost of these five annual Australia Day events. This does not include costs associated with staff time for planning and management of these events.

ATTACHMENTS

Nil.

6.2 Answers to Question on Notice

TRIM REFERENCE: F2015/01376 - D12259968
AUTHOR: Steven Mann, Manager

Q4/16 - Train Maintenance Facility - Kangy Angy

The following question was asked by Councillor Lisa Matthews at the Ordinary Meeting on 24 February 2016:

“Can staff please provide an update on the proposed train maintenance facility at Kangy Angy?”

A Council report has been prepared for 23 March 2016 meeting with potential for a briefing from TfNSW representatives. A brief summary of the progress since the last Council Briefing is as follows:

September 2015	TfNSW delivered a notice to selected Kangy Angy residents advising them that TfNSW was considering Kangy Angy as the preferred site for the new Intercity Fleet Maintenance Facility.
21 September 2015	Meeting with TfNSW and Council's Waterway Asset Management Team to discuss concerns about the proposed access bridge across Chittaway Creek flood area to connect Orchard Road to Bridge Street and Pacific Highway.
23 September 2015	Councillor Briefing – TfNSW delivered a brief summary of the proposal for the Intercity Rail Maintenance Facility.
19 November 2015	Meeting with TfNSW to discuss Council land acquisition requirements, road realignment and valuation processes.
December 2015 – January 2016	Valuation completed and meeting with TfNSW Valuer to resolve a recommended purchase price.
25 February 2016	TfNSW Proposed Acquisition offer received for 20.778ha of Council land.

Approximately 6 letters were received from local community members and responses to questions given wherever possible, together with contact details for TfNSW to obtain further information.

ATTACHMENTS

Nil.