



The finishing touches are being put on the stormwater improvement project along the Tuggerah Lake foreshore at Long Jetty. This will improve the water quality entering our lakes.

Wyong Shire Council

Business Paper

ORDINARY COUNCIL MEETING

23 September 2015

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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 September 2015 at 5.00pm,
for the transaction of the business listed below:

OPENING PRAYER

ACKNOWLEDGEMENT OF COUNTRY

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

Rob Noble
ACTING CHIEF EXECUTIVE OFFICER

1.1 Disclosures of Interest

TRIM REFERENCE: F2015/00040-02 - D12069897

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.

1.2 Proposed Inspections and Briefings

TRIM REFERENCE: F2015/00040-02 - D12069920
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 September 2015	Rail maintenance facility	Property and Economic Development
23 September 2015	Wyong Lakes Festival	Community and Recreation Services
23 September 2015	Magenta Shared Pathway	Community and Recreation Services
23 September 2015	Confidential - Smart City Vision - EOI	Property and Economic Development
23 September 2015	Confidential - Development of the Acting CEO's Performance Plan	Office of the Mayor

RECOMMENDATION

That Council receive the report on Proposed Inspections and Briefings.

ATTACHMENTS

- 1 Proposed Inspections and Briefings - 23 September 2015 D12085901



Proposed Briefings List to Date



Briefing Title:	Directorate:	Proposed Month:	Proposed Date:
Rail maintenance facility	Property and Economic Development		23/09/2015
Wyong Lakes Festival	Community and Recreation Services		23/09/2015
Magenta Shared Pathway	Community and Recreation Services		23/09/2015
CONFIDENTIAL Smart City Vision - EOI	Property and Economic Development		23/09/2015
CONFIDENTIAL Development of the Acting CEO's Performance Plan	Office of the Mayor		23/09/2015
Rustrum Site, Toukley	Development and Building		14/10/2015
CONFIDENTIAL - Central Coast Aero Club	Property and Economic Development	October	14/10/2015
Ward Boundary Adjustment	GM Unit		14/10/2015
Year of the Volunteer 2016	Community and Recreation Services		14/10/2015
CONFIDENTIAL - Central Coast Airport CBA	Property and Economic Development		14/10/2015
2016/17 Environmental Strategy	Development and Building		14/10/2015
Azzuro Blu Wharf	Property and Economic Development	October	14/10/2015
Lakeside Plaza, The Entrance Planning Proposal	Development and Building		28/10/2015
Skate Park	Community and Recreation Services		28/10/2015
Ourimbah Masterplan	Property and Economic Development		28/10/2015
Core Systems Transition Status Report	GM Unit		28/10/2015
Strategic Planning Calendar & Process	GM Unit		28/10/2015
Lake Munmorah Kiosk	Community and Recreation Services		28/10/2015
Tourism Update	Community and Recreation Services		25/11/2015
Central Coast Regional Plan	Development and Building		25/11/2015
Development Infrastructure - Porters Creek Stormwater Diversion Project	Development and Building	October	
Specifications for the Domestic Waste Collection Service.	Property and Economic Development	November	

1.3 Address By Invited Speakers

TRIM REFERENCE: F2015/00040-02 - D12070140
MANAGER: Sonia Witt, TL Governance and Councillor Services
AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

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

RECOMMENDATION

That Council receive the report on Invited Speakers.

ATTACHMENTS

Nil.

1.4 Confirmation of Minutes of Previous Meeting

TRIM REFERENCE: F2015/00040-02 - D12070166

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Confirmation of minutes of the Ordinary and Extraordinary Meetings of Council held on Wednesday 9 September 2015.

RECOMMENDATION

That Council confirm the minutes of the Ordinary and Extraordinary Meetings of Council held on Wednesday 9 September 2015.

ATTACHMENTS

- | | | |
|----------|--|-----------|
| 1 | Minutes - Ordinary Meeting - 9 September 2015 | D12077018 |
| 2 | Minutes - Extraordinary Meeting - 9 September 2015 | D12076664 |
| 3 | Minutes - Confidential Session - Ordinary Meeting 9 September 2015 | D12077031 |

WYONG SHIRE COUNCIL

**MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL**

HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 09 SEPTEMBER 2015
COMMENCING AT 5.00PM

PRESENT

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

IN ATTENDANCE

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

The Mayor, Councillor Eaton OAM, declared the meeting open at 5.19 pm, then adjourned it for 5 minutes. The meeting re-opened at 5.24 pm.

The Mayor, Councillor Eaton OAM, 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 Councillor Matthews read an acknowledgment of country statement.

APOLOGY

An apology for the inability to attend the meeting was received on behalf of Councillor Nayna due to work commitments.

At the commencement of the ordinary meeting report numbers 1.6, 2.1, 2.2, 4.2, 4.3, 4.6, 5.4, 5.6, 5.8, 5.9 and 7.3 were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosures of Interest

Item 4.4 - Councillor Attendance - Central Coast Police Charity Fundraising Night 2015

Councillor Greenwald declared a non-pecuniary significant conflict of interest in the matter for the reason that he is employed by NSW Police and Council is bestowing a benefit to a related charity. This item was resolved by the exception method.

Item 5.1 - DA/171/2015 - Bunnings - 80-90 Pacific Highway Charmhaven

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that he is Council's Delegate on the JRPP. This item was resolved by the exception method.

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that Bunnings is in competition with his family's business. This item was resolved by the exception method.

Councillor Taylor declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a representative of the JRPP. This item was resolved by the exception method.

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

902/15 That Council receive the report on Disclosure of Interest and note advice of disclosures.

PROCEDURAL MOTION

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

903/15 That Council allow meeting practice to be varied.

904/15 That Council use the exception method to deal with the balance of the Agenda.

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

905/15 That with the exception of report numbers 1.6, 2.1, 2.2, 4.2, 4.3, 4.6, 5.4, 5.6, 5.8, 5.9 and 7.3 Council adopt the recommendations contained in the remaining reports.

1.2 Proposed Inspections and Briefings

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

906/15 That Council receive the report on Proposed Inspections and Briefings.

1.3 Address By Invited Speakers

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

907/15 That Council receive the report on Invited Speakers.

1.4 Confirmation of Minutes of Previous Meeting

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

908/15 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 26 August 2015.

Business Arising

There was no business arising.

1.5 Notice of Intention to Deal with Matters in Confidential Session

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

909/15 That Council consider the following matter in Confidential Session, pursuant to Sections 10 A (2)(c) of the Local Government Act 1993:

7.1 - Extension of Contract for Lake Haven Recreation Centre and Wyong Pool

7.2 - The Entrance Town Centre - Proposed Fees and Charges Amendments

7.3 - Warnervale Airport – Amphibian Aircraft International (AAI)

910/15 That Council note its reason for considering Report No 7.1 – Extension of Contract for Lake Haven Recreation Centre and Wyong Pool, Report No 7.2 - The Entrance Town Centre - Proposed Fees and Charges Amendments and Report No 7.3 - Warnervale Airport – Amphibian Aircraft International (AAI), 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.

911/15 That Council request the General Manager to report on this matter in open session of Council.

1.6 Mayoral Minute - Confirmation of Staff Establishment

RESOLVED unanimously on the motion of Councillor EATON:

912/15 That Council receives and notes this report.

913/15 That Council adopts the staff establishment for full time equivalent (FTE) number for the organisation, departments, service units and sections as detailed in Attachment 1, until 30 September 2016.

914/15 That Council determine any proposed change outside the adopted establishment numbers via a report to Council.

2.1 Planning Proposal to Rezone Land at Lake Road Tuggerah - Pioneer Dairy - Results of Public Exhibition

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

915/15 That in accordance with Council's resolution 743/14 of 23 July 2014, Council request the General Manager to exercise the Written Authorisation to Exercise Delegation for RZ/6/2013, and proceed with the steps for drafting and making of the amendment to Wyong Local Environmental Plan 2013 (Amendment No.20).

916/15 That Council advise all those who made submissions of Council's decision.

FOR: CRS GB BEST, DE EATON, B G GRAHAM, KG GREENWALD, LM MATTHEWS, LN NAYNA, LT TAYLOR, AT TROY, DV VINCENT AND LW WEBSTER

AGAINST: NIL

2.2 DA/221/2014 - Proposed 43 Lot Subdivision to Create 40 Residential lots, 1 Public Reserve, 1 Detention Basin and 1 Residue Lot

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

917/15 That Council defer this item to be considered later in meeting.

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

918/15 That Council grant consent to DA/221/2014 at 30 Jack Grant Avenue Warnervale for a 43 lot subdivision to create 40 residential lots, one detention basin, one public reserve and one residue lot subject to the conditions provided in Attachment 1, as modified by resolution 3 below.

919/15 That Council advise those who made written submissions of Council's decision.

920/15 That Council amend the conditions as per the following;

- **part of condition 11, bullet point 2, by inserting "any new road" after the word "guttering", and the deletion of the remaining words of that bullet point;**
- **deletion of condition 54, bullet point 4**
- **part of condition 54, bullet point 5, by placing a full stop after the words "busy roads" and deleting the residual of that bullet point.**

FOR: CRS GB BEST, DE EATON, B G GRAHAM, KG GREENWALD, LM MATTHEWS, LN NAYNA, LT TAYLOR, AT TROY, DV VINCENT AND LW WEBSTER

AGAINST: NIL

3.1 CPA/254965 Environmental Monitoring Program - Buttonderry Waste Management Facility & Inactive Landfill Sites

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

921/15 That Council accept the tender from the company nominated as Tenderer No 13, Greencap – NAA Pty Ltd, in the attached Tender Evaluation Report for the amount of \$440,889.95 (excl GST) for this Contract which is inclusive of the lump sum contract value and estimated value of additional works as per the schedule of rates.

922/15 That Council approve a contingency sum as detailed in the Tender Evaluation Report in Attachment A

923/15 That Council determine 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 tenders.

3.2 CPA/260313 - Collection of Bulk Mixed Waste and Recyclable Materials for Central Coast Holiday Parks

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

924/15 That Council accepts the tender from the company nominated as Tenderer '4', Transpacific Cleenaway Pty Ltd, in the attached Tender Evaluation Report, for the estimated total amount of \$408,678 (excl GST) over the 28 Month period, however actual expenditure will vary with fluctuations in demand and CPI (All groups-Sydney) .

925/15 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(s), which may be disclosed after Council has resolved to accept that tender/those tenders.

926/15 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

3.3 CPA/257587 - Hire of Minor Plant and Miscellaneous Equipment 2015-2017

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

- 927/15 That Council accept all conforming tenderers received in the attached Tender Evaluation Report, A Class Hire, Kennys Loos Pty Ltd, Allcott, Coates Hire Operations Pty Ltd, Conplant Pty Ltd, Ezy Access Hire Australia Pty Ltd, Kennards Hire, Koppman Earthmoving Pty Ltd, PremiAir Hire, Resource Equipment Limited and Serendip Holdings Pty Ltd, for a period of up to 2 years for Contract CPA/257587 – Hire of Minor Plant and miscellaneous Equipment 2015-2017. The estimated annual expenditure against this contract is estimated at \$653,500.00 (excl GST), however actual expenditure may vary significantly with fluctuations in demand.
- 928/15 That Council determine the Tender Evaluation Report in Attachment A and ranking list in Attachment B 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 tenderers, which may be disclosed after Council has resolved to accept those tenders.
- 929/15 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

4.1 Approval of 2014/15 Capital Projects to be Continued in 2015/16

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

- 930/15 That Council approve the proposed capital projects to be continued in 2015/16 as detailed in this report.
- 931/15 That Council approve a \$3.9 million increase to the 2015/16 Capital budget to accommodate projects continuing from 2014/15 as detailed in this report.
- 932/15 That reductions totalling \$3.9m be identified in quarterly budget reviews during 2015/16 to ensure that Council's Capital budget is brought back to the original budget of \$104.9 million for 2015/16.

4.2 The Art House, Wyong Shire Performing Arts and Conference Centre

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

- 933/15 That Council formally note approval from the Minister for Local Government to form a public company limited by guarantee to manage The Art House, Wyong Shire Performing Arts and Conference Centre, to be known as The Art House
- 934/15 That Council endorse the Funding and Service Level Agreement between Wyong Shire Council and The Art House, Wyong Shire Performing Arts and Conference Centre.

- 935/15 That Council **request** the General Manager call a general meeting of The Art House, Wyong Shire Performing Arts and Conference Centre, to formally appoint the Board from 1 January 2016
- 936/15 That Council **endorse** the Constitution and appointment of the following people/position to the Board:
- a. Mayor of Wyong Shire or his delegate (1 year term)
 - b. Managing Director, North Construction – Tim Cornish (2 year term)
 - c. Manager Community Partnerships & Planning (3 year term)
- 937/15 That Council **authorise** the General Manager or his delegate to enter into contracts on behalf of The Art House, Wyong Shire Performing Arts and Conference Centre, up to 31 December 2015.
- 938/15 That Council **formally note** that Wyong Shire Council will fund all reasonable costs expended to establish the operation of The Art House, Wyong Shire Performing Arts and Conference Centre up to 31 December 2015.
- 939/15 That Council staff **formally commence** recruitments for volunteers to assist the operation of the Art House.
- 4.3 Classification of Land at Doyalson Lot 31 DP 586913, Lot 32 DP 586913, Lot 762 DP 746526 and Lot 78 DP 755245
-

Councillor Greenwald left the meeting at 6.13 pm and returned to the meeting at 6.15 pm and as a result took no part in voting.

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

- 940/15 That Council **classify** Lot 31 DP 586913, Lot 32 DP 586913, Lot 762 DP 746526 and Lot 78 DP 755245 at Thompson Vale Rd Doyalson as Operational Land.
- 941/15 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.

4.4 Councillor Attendance - Central Coast Police Charity Fundraising Night 2015

Councillor Greenwald declared a non-pecuniary significant conflict of interest in the matter for the reason that he is employed by NSW Police and Council is bestowing a benefit to a related charity. This item was resolved by the exception method.

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

942/15 That Council authorise the attendance of interested Councillors at the Central Coast Police Charity Fundraising Night in accordance with the Council's Facilities and Expenses Policy for Councillors.

943/15 That Council authorise the reimbursement of expenses for Councillors in accordance with the Council's Facilities and Expenses Policy for Councillors.

4.5 Proposed Renaming of Fountaindale Ridge Reserve at Brush Road, Fountaindale to Mark Foster Reserve - Final Submission to Geographical Names Board

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

944/15 That Council endorse the renaming of Fountaindale Ridge Reserve at Lots 5, 98 and 99 DP 755263 Brush Road, Fountaindale to Mark Foster Reserve.

945/15 That Council note this proposal has previously been advertised by Council, with no submissions received.

946/15 That Council note the proposal has been advertised by the Geographical Names Board, with 29 submissions received, which included 1 objection.

947/15 That Council submit the proposal to the Geographical Names Board for final determination.

4.6 Amendment to proposed names of buildings at Wyong Grove Community and Cultural Hub

Councillor Greenwald left the meeting at 6.13 pm and returned to the meeting at 6.15 pm during consideration of this item.

Councillor Vincent left the meeting at 6.14 pm and returned to the meeting at 6.16 pm during consideration of this item.

Councillor Troy left the meeting at 6.16 pm and returned to the meeting at 6.17 pm during consideration of this item.

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

948/15 That Council endorse an amendment to the naming of two of the buildings at Wyong Grove Community and Cultural Hub as follows:

- **Building A – Fred Keep Building**
- **Building D – Paul Levick Building**

5.1 DA/171/2015 - Bunnings - 80-90 Pacific Highway Charmhaven

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that he is Council's Delegate on the JRPP. This item was resolved by the exception method.

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that Bunnings is in competition with his family's business. This item was resolved by the exception method.

Councillor Taylor declared a non-pecuniary significant conflict of interest in the matter for the reason that he is a representative of the JRPP. This item was resolved by the exception method.

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

949/15 That Council receive the report on DA/171/2015 - Bunnings - 80-90 Pacific Highway Charmhaven.

950/15 That Council determine whether it wishes to make a submission to the Joint Regional Planning Panel regarding the application.

5.2 Information Concerning Rates and Charges Written Off 2014-15

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

951/15 That Council receive the report on Information Concerning Rates and Charges Written Off 2014-15.

5.3 Road Capital Works Program

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

952/15 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

5.4 Link Road, Watanobbi to Warnervale, Present Status with Roads & Maritime Services

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

953/15 That Council receive the report on the present status and intentions of Roads and Maritime Services in respect to the Link Road between Watanobbi and Warnervale.

5.5 Voting Information - Local Government NSW Annual Conference

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

954/15 That Council receive the report on Voting Information - Local Government NSW Annual Conference.

5.6 Kerbside Collection Improvement Initiatives

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

955/15 That Council receive the report on Kerbside Collection Improvement Initiative.

956/15 That Council request the General Manager to investigate further opportunities to assist residents in the management of bulk domestic waste through the provision of a supplementary service which encourages residents to transport household waste directly to an approved destination, and report back to Council on the outcomes of these investigations.

5.7 Garage Sale Trail

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

957/15 That Council receive the report on Garage Sale Trail.

5.8 Response to Notice of Motion - Wyong Grove Public School "The Grove" Continued Community Use

Councillor Taylor left the meeting at 6.54 pm and returned to the meeting at 6.58 pm and as a result took no part in voting.

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

958/15 That Council receive the report on Response to Notice of Motion – Wyong Grove Public school “The Grove” continued community use.

959/15 That Council request the GM to thank the staff for their efforts so far.

960/15 That Council request the GM to continue negotiations on behalf of Council with a view to acquire the Wyong Grove School for community use.

5.9 Q4 Financial Summary

Councillor Taylor left the meeting at 6.54 pm and returned to the meeting at 6.58 pm during consideration of this item.

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

961/15 That Council receive the report on Q4 Financial Summary.

5.10 Outstanding Questions on Notice and Notices of Motion

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

962/15 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

CONFIDENTIAL SESSION

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

963/15 That Council move into Confidential Session.

At this stage of the meeting being 7.24 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

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

829/15 That Council move into Open Session.

Council resumed in open session at 7.38 pm and the General Manager reported on proceedings of the confidential session of the ordinary meeting of council as follows:

7.1 Extension of Contract for Lake Haven Recreation Centre and Wyong Pool

- 821/15 *That Council note that significant master planning is occurring in Lake Haven and Wyong where the Lake Haven Recreation Centre and Wyong Pool are located. Due to this, and the possibility of changes to the area, there may be financial impacts on future possible tender outcomes.*
- 822/15 *That Council determine a satisfactory result would not be achieved by going to tender due to master planning being undertaken on these sites and the likelihood of changes to the sustainability of the facilities in the next twelve months.*
- 823/15 *That Council request the General Manager to negotiate a one year extension to the contract with Young Men's Christian Association (YMCA) to manage both Lake Haven Recreation Centre and Wyong Pool.*

7.2 The Entrance Town Centre - Proposed Fees and Charges Amendments

- 824/15 *That Council adopt the proposed changes to its Statement of Revenue (Schedule of Fees) for 2015-16 as described in Table 1 for public exhibition, and;*
- 825/15 *That Council advertise the amendments referred to in (1) above for a period of 28 days as per Section 610F and 705 of the Local Government Act 1993, and;*
- 826/15 *That Council apply the proposed fees following the public exhibition period, subject to no objection, and*
- 827/15 *That Council receive a report, should there be any objections, following the exhibition period outlining the basis of the objections.*

7.3 Warnervale Airport - Amphibian Aircraft International (AAI)

Councillor Greenwald left the meeting at 7.24 pm and returned to the meeting at 7.25 pm during consideration of this item.

- 828/15 *That Council note and endorse the proposed actions in the report.*

QUESTIONS ON NOTICE

Councillor Greenwald left the meeting at 7.24 pm and returned to the meeting at 7.25 pm during consideration of this item.

Q37/15 Threatened, Vulnerable and Endangered Trees

Councillor Doug Vincent

F2004/07718

“Could Staff please advise if there is a list of threatened species relevant to Wyong Shire which can be easily accessed by the Community?”

If not, could staff please make a list available on the Council web site as removal of some of these trees with knowing their listing could expose residents to a substantial fine.”

Q38/15 Council Appointed Tree Officer

Councillor Doug Vincent

F2004/07718

“Could staff please advise if any Council Officers are allocated to provide advice to residents who are unsure if a tree is listed as threatened, vulnerable or endangered?”

If a staff member is available. Could their contact details be made available to the community on the Council website?”

THE MEETING closed at 7.41 pm.

WYONG SHIRE COUNCIL

**MINUTES OF THE
EXTRAORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 09 SEPTEMBER 2015
COMMENCING AT 5.00 PM**

PRESENT

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

IN ATTENDANCE

General Manager, Director Development and Building, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, General Counsel, IT and Operations Manager, Communications Coordinator and three administration staff.

The Mayor, Councillor Eaton OAM, declared the meeting open at 5.01 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 Councillor Matthews read an acknowledgment of country statement.

APOLOGY

An apology for the inability to attend the meeting was received on behalf of Councillor Nayna due to work commitments, however, a motion to accept the apology and grant leave of absence was not put forward.

1.1 Disclosure of Interest

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

895/15 That Council receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

2.1 Mayoral Minute - Mayoral Report 2014-2015

RESOLVED unanimously on the motion of Councillor EATON:

896/15 That Council adopt the Mayoral report for the past 12 month term, 2014-2015.

3.1 Election of Mayor and Voting Procedure

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

897/15 That Council hold an election for the Office of Mayor by all councillors in accordance with the provisions of Section 290(1)(a) of the Local Government Act 2003.

898/15 That Council proceed to elect the Office of Mayor by open voting.

899/15 That Council note the election of Mayor will be for the 2015 – 2016 term.

The General Manager advised that nominations for the position of Mayor had been received for Councillors Eaton and Matthews. Councillors Eaton and Matthews accepted their respective nominations.

The General Manager requested those Councillors supporting the nomination of Councillor Eaton to raise their right hand. Councillors voting in support of Councillor Eaton were Councillors Best, Eaton, Taylor, Troy and Webster.

The General Manager requested those Councillors supporting the nomination of Councillor Matthews to raise their right hand. Councillors voting in support of Councillor Matthews were Councillors Graham, Greenwald, Matthews and Vincent.

Councillor Eaton was declared duly elected to the office of Mayor for the term 2015/2016.

3.2 Election of Deputy Mayor

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

900/15 That Council appoint the position of a Deputy Mayor.

901/15 That Council conduct the election of Deputy Mayor in the same manner as the election of Mayor for the 2015 – 2016 term.

The General Manager advised that nominations for the position of Deputy Mayor had been received for Councillors Webster and Vincent. Councillors Webster and Vincent accepted their respective nominations.

The General Manager requested those Councillors supporting the nomination of Councillor Webster to raise their right hand. Councillors voting in support of Councillor Webster were Councillors Best, Eaton, Taylor, Troy and Webster.

The General Manager requested those Councillors supporting the nomination of Councillor Vincent to raise their right hand. Councillors voting in support of Councillor Vincent were Councillors Graham, Greenwald, Matthews and Vincent.

Councillor Webster was declared duly elected to the office of Deputy Mayor for the term 2015/2016.

THE MEETING closed at 5.19 pm.

1.5 Notice of Intention to Deal with Matters in Confidential Session

TRIM REFERENCE: F2015/00040-02 - D12070172

MANAGER: Sonia Witt, TL Governance and Councillor Services

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 Sections 10A (2)(g) of the Local Government Act 1993:**
 - 9.1 Answer to Question on Notice - Q28/15 - Gateway To Toukley,**
- 2 That Council note its reason for considering Report No 9.1 – Answer to Question on Notice - Q28/15 - Gateway To Toukley, as it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.**
- 3 That Council request the Chief Executive Officer to report on these matters in open session of Council.**

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,

1.5 Notice of Intention to Deal with Matters in Confidential Session (contd)

- 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 RZ/2/2013 - Revision of Planning Proposal for East Wadalba Urban Land Release Area (Precincts 2A and 2B in the North Wyong Shire Structure Plan)

TRIM REFERENCE: RZ/2/2013 - D12057182

MANAGER: Tanya O'Brien, Manager

AUTHOR: Scott Duncan; Section Manager

SUMMARY

A request has been received from the Wadalba East Land Owners Group (WELOG) to reduce the size of the existing planning proposal so as to align with those landowners who are contributing financially to the project. The proposed amended boundaries for the proposal are supported as they align with likely infrastructure delivery.

This report recommends that the revised study area boundaries be endorsed and that a revised gateway determination be sought from the Department of Planning and Environment.

Real Description:	Precincts 2A, 2B as shown in the NWSSP (also known as East Wadalba)
Street Address:	Various properties in Johns Rd, Jensen Rd, Pollock Ave and Warner Ave, Wadalba (also includes small amount of land in Wyong and Tacoma)(see study area boundary in Attachment 1)
Applicant:	ADW Johnson
Owner/s:	40 landowners (many of which are being represented by Wadalba Landowners Lobby Group and ADW Johnson)
Site Area:	143 Hectares
Current Zoning:	RU6 Transition, E2 Environmental Conservation and E3 Environmental Management
Proposed Zoning	Combination of R1 General Residential, R2 Low Density Residential and E2 Environmental Conservation zones
Current Land use:	Non-intensive animal agriculture (grazing) and hobby farming

The combined value of investment created by the modified rezoning is estimated to be in the vicinity of \$500 million and will yield an estimated 1,200 residential lots.

RECOMMENDATION

- 1 ***That Council note the landowner group's request to revise the WELOG project boundary to only include Precinct 2A and 2B of the North Wyong Shire Structure Plan and as such rescind resolutions 1097/13 to 1104/13 which also applied to land within Precinct 3B,***

2.1 RZ/2/2013 - Revision of Planning Proposal for East Wadalba Urban Land Release Area (Precincts 2A and 2B in the North Wyong Shire Structure Plan) (contd)

- 2 That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan 2013 for land within Precincts 2A and 2B as shown in the North Wyong Shire Structure Plan and submit this to the Department of Planning and Environment.
- 3 That Council seek a revised gateway determination from the Department of Planning and Environment with 18 months to finalise the planning proposal to be requested.
- 4 That Council require, subject to the gateway determination, the applicant/landowner consortium submit a Wyong LEP 2013 Amendment Request in accordance with Council's Planning Proposal Procedure to recover the costs involved in further progressing the proposal.
- 5 That Council undertake community and government agency consultation, in accordance with the requirements attached to the gateway determination.
- 6 That Council authorise the Chief Executive Officer (or delegate) to sign any infrastructure and servicing agreement to support the rezoning. This agreement shall:
 - a Address the cost, timing, staging and responsibilities for funding and provision of infrastructure to service the development.
 - b Ensure that Council is not responsible for the cost of any public infrastructure required to support the development such as hard infrastructure (including, roads water and sewer and drainage) and soft infrastructure (which includes open space, community facilities and environmental corridors).
- 7 That Council reach an "in principle" agreement on Item 6 between the Applicant (on behalf of the Wadalba Landowners Lobby Group), Council and State Government prior to the public exhibition of the Planning Proposal.
- 8 That Council advise the applicant that the Planning Proposal will not proceed beyond public exhibition until agreement is reached on the provision of Council and State Government infrastructure to service new development (This agreement shall be based on the "principle of no additional cost to government").
- 9 That Council prepare appropriate Wyong Development Control Plan provisions to guide the development of Precincts 2A and 2B – East Wadalba and exhibit these concurrently with the planning proposal.
- 10 That Council advise the landowners within precincts 2A, 2B, and 3B of the resolution and next steps for the proposal.

THE SITES

A request has been received from ADW Johnson (who are representing WELOG) to revise their original planning proposal. WELOG have confirmed they are now seeking to advance the early release (rezoning) of land in Precincts 2A and 2B as shown in the North Wyong Shire Structure Plan (See Figure 1). This is a reduced study area as the previous proposal also sought rezoning of Precinct 3B.

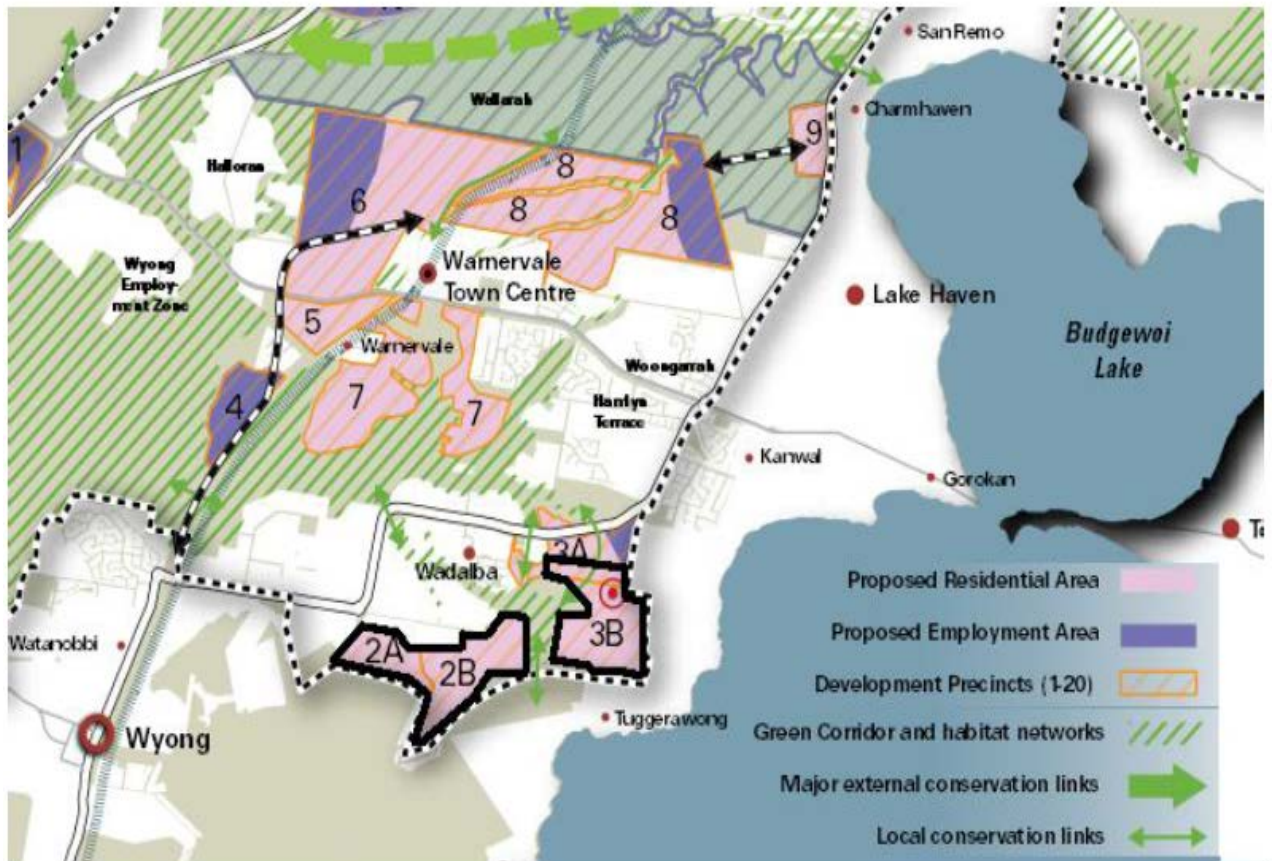


Figure 1 - North Wyong Shire Structure Plan

Precincts 2A and 2B comprises land on Johns Rd, Jensen Rd, Pollock Ave and Warner Ave in Wadalba and land adjoins the Tacoma wetlands to the south. The areas are identified in the NWSSP as future residential with a medium term release priority, meaning that it is expected that the land will be released (rezoned) before 2027.

BACKGROUND

The original rezoning proposal was considered by Council on 28 August 2013. Council resolved the following:

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

- 1096/13 That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan, 1991, (or pending timing, Wyong Standard Instrument Local Environmental Plan) pursuant to Section 55 of the Environmental Planning and Assessment (EP & A) Act, 1979.
- 1097/13 That Council forward the Planning Proposal (generally based on the information in Enclosure 1) to the Department of Planning and Infrastructure (DP&I) accompanied by a request for a “Gateway Determination”, pursuant to Section 56 of the EP & A Act, 1979.
- 1098/13 That Council require, subject to the “Gateway Determination,” the applicant/landowner consortium enter into a Funding Agreement with Council in accordance with Council’s Planning Proposal Procedure to recover the costs involved in further progressing the proposal.
- 1099/13 That Council authorise the General Manager (or delegate) to sign the Funding Agreement for the rezoning.
- 1100/13 That Council undertake community and government agency consultation, in accordance with the requirements attached to the “Gateway Determination”.
- 1101/13 That Council authorise the General Manager (or delegate) to sign any infrastructure and servicing agreement to support the rezoning. This agreement shall:
- a. Address the cost, timing, staging and responsibilities for funding and provision of infrastructure to service the development.
 - b. Ensure that Council is not responsible for the cost of any public infrastructure required to support the development such as hard infrastructure (including, roads water and sewer and drainage) and soft infrastructure (which includes open space, community facilities and environmental corridors).
- 1102/13 That Council reach an “in principle” agreement on Item 6 be reached between the Applicant (on behalf of the Wadalba Landowners Lobby Group), Council and State Government prior to the public exhibition of the Planning Proposal.

2.1 RZ/2/2013 - Revision of Planning Proposal for East Wadalba Urban Land Release Area (Precincts 2A and 2B in the North Wyong Shire Structure Plan) (contd)

- 1103/13 *That Council advise the applicant that the Planning Proposal will not proceed beyond public exhibition until agreement is reached on the provision of Council and State Government infrastructure to service new development (This agreement shall be based on the “principle of no cost to government”).*
- 1104/13 *That Council prepare appropriate Development Control Plan provisions be prepared to support the development of Precincts 2A, 2B and 3B – East Wadalba.”*

A gateway determination was received on 20 December 2013 which established the government agencies to be consulted and emphasised that State infrastructure should be provided under the principle of ‘no additional cost to Government’. It was also emphasised that Council and the proponent will need to liaise with the Department of Planning and Environment to ensure appropriate infrastructure scoping, costing and funding. Consultations with the relevant State authorities were undertaken in early 2014 and further discussions regarding infrastructure are required.

The gateway determination specified an 18 month time period for the plan to be finalised (ie 20 June 2015). As this has since expired, an extension needs to be sought with the Department of Planning and Environment when a revised Gateway Determination is sought.

In order to progress the rezoning, a number of reports (as outlined in the Gateway Determination) and payment of rezoning fees are required. Agreement of the mechanism for landowners funding of State and local government infrastructure and services to support the increased population is also required.

For a number of months WELOG have been considering options to revise the study area to better reflect those landowners who are financially contributing, and to progress a consolidated and serviceable rezoning outcome. The original and revised study area boundaries are shown in Figure 2.

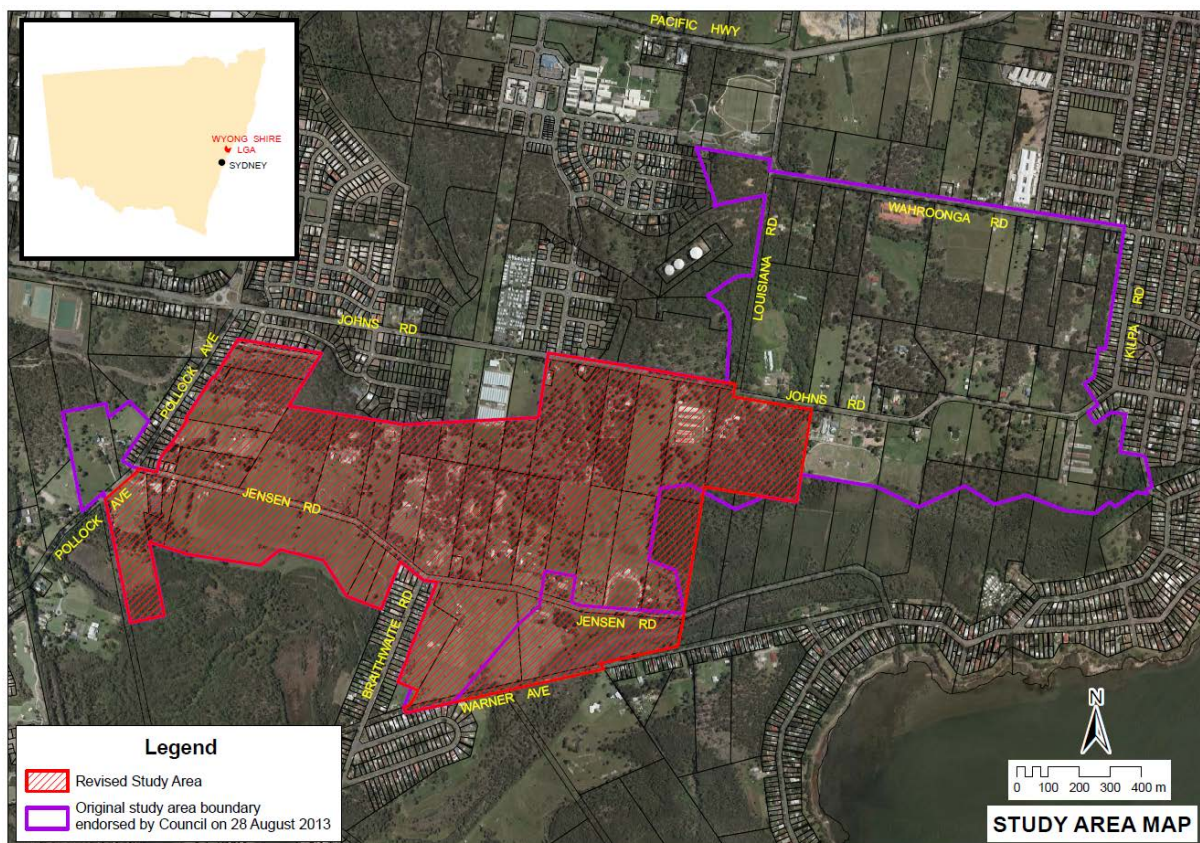


Figure 2- Study boundary areas (WELOG currently propose to progress the area shown hatched in red)

In addition, the matter was also considered on 4 February 2015 at the Employment and Economic Development Committee. The Committee resolved as follows:

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

- 1 *That the Committee defer this matter until the Wadalba East Landowners Group submits an amended planning proposal.*
- 2 *That the Committee further note that the original resolution of Council to progress this to gateway determination was on the basis that all costs be borne by the proponents/ landowners, in accordance with State Government direction.*
- 3 *That the Committee request this matter be reported back to the Committee on receipt of a revised planning proposal from the Wadalba East Landowners Group and consideration by staff.”*

2.1 RZ/2/2013 - Revision of Planning Proposal for East Wadalba Urban Land Release Area (Precincts 2A and 2B in the North Wyong Shire Structure Plan) (contd)

A further report was considered on 2 September 2015 at the Employment and Economic Development Committee. The Committee resolved as follows:

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

That the Committee note the revised WELOG project boundary which with the reduced area is anticipated to yield 1,200 residential lots in addition to Environmental Protection Lands.”

WELOG requested Council to consider the modified study area boundaries and to seek extension of the gateway determination timeframe for a further 18 months. Following assessment of the revised proposal, Council staff subsequently met with representatives of WELOG and discussed procedural processes for modifying the rezoning, conducting technical studies and managing the project.

WELOG also requested the option of paying a lump sum rezoning fee. Council staff reiterated that Council's rezoning fees are paid as per Council's Planning Proposal Procedure and the hourly rates provided in the WSC Strategic Plan 2013-2017. WELOG has been provided with an estimate of Council's rezoning fees which are likely to be charged based on the size and complexity of the project (which are estimated to be in the vicinity of \$150,000-\$200,000 from this point forward). The estimate is based upon comparable rezoning projects of similar scale.

REVISED PLANNING PROPOSAL

The proposed rezoning study area has been reduced in size in order to reduce the cost of the supporting studies (eg flooding, ecology, traffic and infrastructure etc) that are being funded by WELOG and to reflect funding commitments from landowners residing in the study area.

The original rezoning was expected to create approximately 1700-2050 residential lots and the revised proposal will result in approximately 1,200 residential lots. A map showing the original study area and the revised one is shown in Attachment 1.

The proposed development is expected to result in the following outcomes:

- Expected lot yield of approximately 1,200 residential lots
- Create a mix of housing by creating opportunities for small lot housing developments in suitable locations.
- Secure conservation lands to extend the Wadalba Wildlife Corridor to ensure that it can be connected to the Tacoma Wetlands.
- Create a network of local parks, pedestrian pathways and cycleway links to service the new community and connect to adjoining areas
- Clear urban structure with legible and connective road pattern
- Road and pedestrian linkages to major roads and public transport routes.
- Provide the necessary infrastructure to service the new development (e.g. water, sewer, road upgrades).

2.1 RZ/2/2013 - Revision of Planning Proposal for East Wadalba Urban Land Release Area (Precincts 2A and 2B in the North Wyong Shire Structure Plan) (contd)

The revised study area boundaries are reflective of the development precincts shown in the NWSSP and reflect a logical infrastructure staging strategy running from west to east (see Figure 1).

A Concept Master Plan was originally developed by ADW Johnson which provides for the protection of conservation areas and retention of floodprone and drainage lines across precincts 2A, 2B and 3B which were previously being considered (refer to Attachment 2). The current planning proposal is to be consistent with the concept master plan originally proposed by the applicant. An extract of the relevant portion is shown in Figure 3.

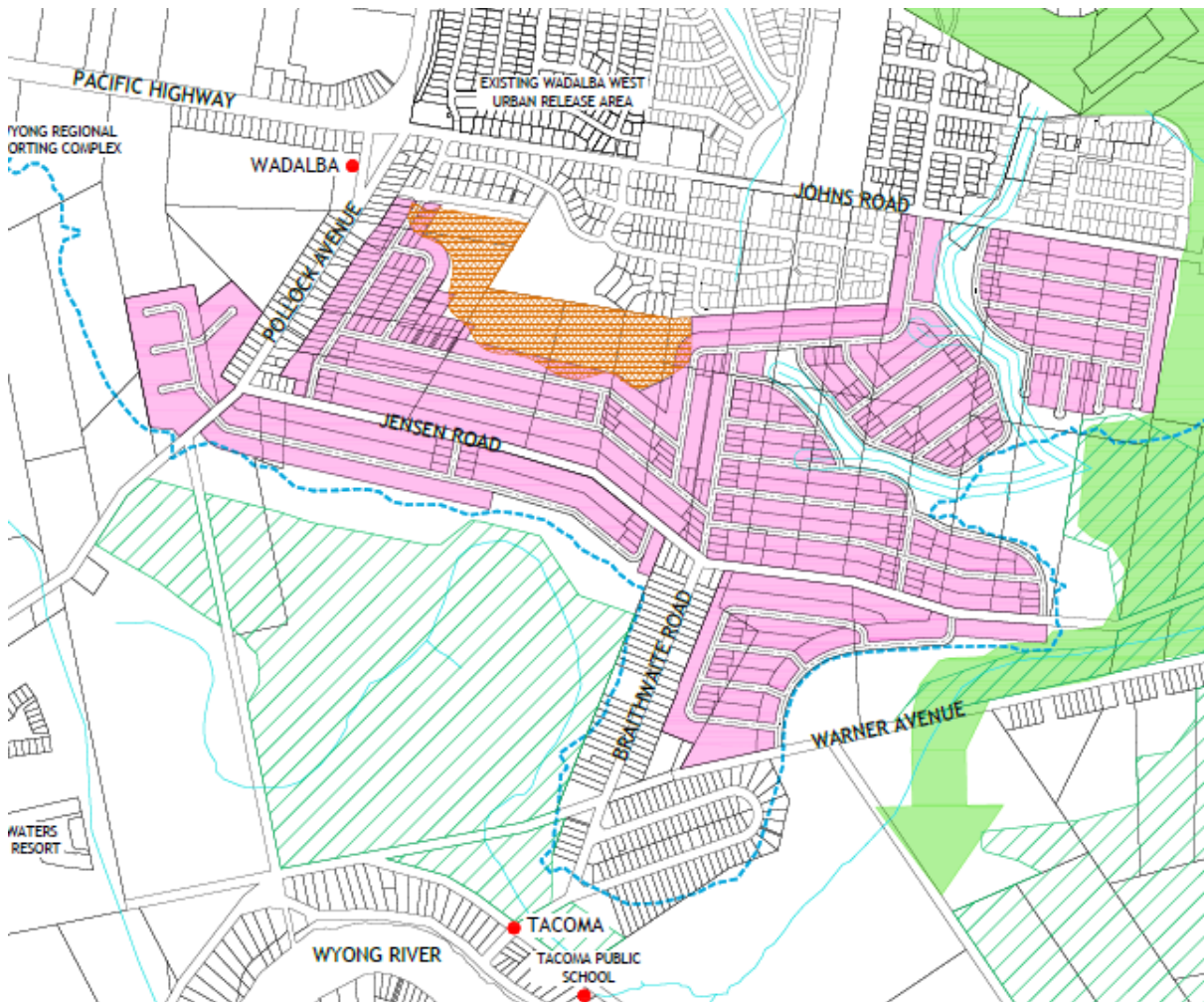


Figure 3- Extract of relevant portion of the concept masterplan developed by applicant

The project will also allow for the extension of the Wadalba Wildlife Corridor to connect to Tacoma wetland areas to the south of Johns Road to provide for a continuous, protected habitat link. This is consistent with the environmental protection outcomes established by Council's Wadalba Wildlife Corridor Management Plan which was endorsed by the Office of Environment and Heritage (OEH).

PLANNING ISSUES

Council previously conducted an assessment of the main planning issues, servicing and legislative requirements when the original planning proposal was assessed by Council on 23 August 2013. A copy of this report is provided in Attachment 4.

The revised planning proposal does not raise any additional issues which have not previously been addressed in the original 23 August 2013 Council report. The revision simply reflects a reduction in the size of the study area.

The exact boundaries of environmental areas, road patterns, floodways will need to be refined and verified by technical studies, feedback from Council and Government agencies through the rezoning process. It also expected that areas of medium density housing (future R1-General Residential zone) will also be identified through the development of the supporting structure plan/masterplan for the project in appropriate locations.

Technical Studies

A number of technical studies will need to be conducted to provide the required level of documentation to support the proposal. An indicative list of reports to support the planning proposal is provided below.

1. Funding agreement (including examination of different funding models) to enable landowners to fund Council and State Government infrastructure. This will be based on a *"principle of no additional cost to government"*.
2. Water and sewer servicing plan (which will include details on who will design and build infrastructure. Details will also be required on the timing of the provision of funds to provide these services)
3. Services Review (gas, telecommunications, electricity provision etc.)
4. Ecological investigations (seasonal flora and fauna surveys/vegetation mapping/conservation offset strategy)
5. Flood and drainage studies
6. Open space and recreation analysis
7. Visual impact analysis
8. Social Impact Assessment
9. Preliminary Contaminated Land Study
10. Acid sulphate soil risk analysis on low lying parts of the site
11. Noise assessment for main road frontages
12. Aboriginal archaeological assessment
13. Integrated Water Cycle Management (IWCM) Strategy
14. Traffic report (which will also examine public transport, pedestrian and cycleway planning issues)
15. Structure Plan, Urban design principles and draft Development Control Plan
16. Draft Voluntary Planning Agreement and possibly Section 94 Contribution Plan (dependent on type of infrastructure model adopted).
17. Updated planning proposal and zone provisions (rezoning)

Council will have input to define the scope of work and be involved in the review of the reports to ensure that they meet legislative, community, Council and State government requirements.

2.1 RZ/2/2013 - Revision of Planning Proposal for East Wadalba Urban Land Release Area (Precincts 2A and 2B in the North Wyong Shire Structure Plan) (contd)

Precinct 3B

As discussed above, the revised planning proposal applies to Precincts 2A and 2B identified in the NWSSP. The proposal removes Precinct 3B from this rezoning. As a result, land in Precinct 3B will retain its existing zoning until a separate rezoning proposal is initiated for that area.

Precinct 3B is shown as a medium term priority like Precincts 2A and 2B under the NWSSP (meaning that it could be rezoned before 2027). In the future if sufficient interest exists amongst the landowners in Precinct 3B, an opportunity might exist to commence the rezoning of this area as the next stage to the WELOG proposal. This would be subject to Precinct 3B landowners funding the necessary supporting studies, infrastructure investigations and payment of rezoning fees for this to occur.

NEXT STEPS

In order to progress the planning proposal Council's endorsement to reduce the size of the study area is sought. Council will also seek a revised gateway determination from the Department of Planning and Environment to reflect the smaller study area and a further 18 months to complete the project. A copy of the Draft LEP Map for the revised planning proposal is shown in Attachment 3. As discussed above the boundaries are to be confirmed in line with the background reports.

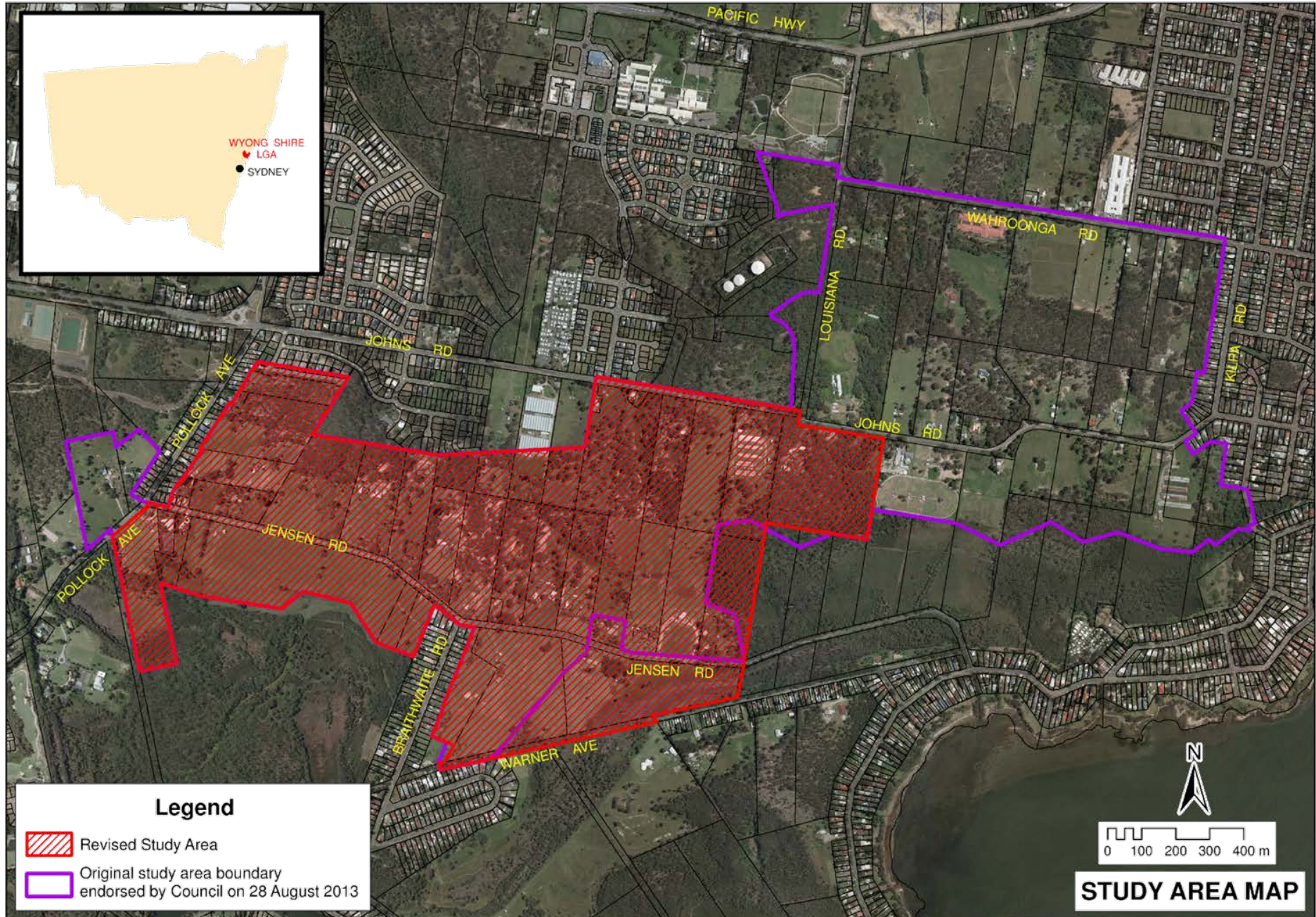
Council will also write to landowners to ensure that they are aware of the revised proposal and the next steps including the future opportunity to provide comment during the public exhibition period.

CONCLUSION

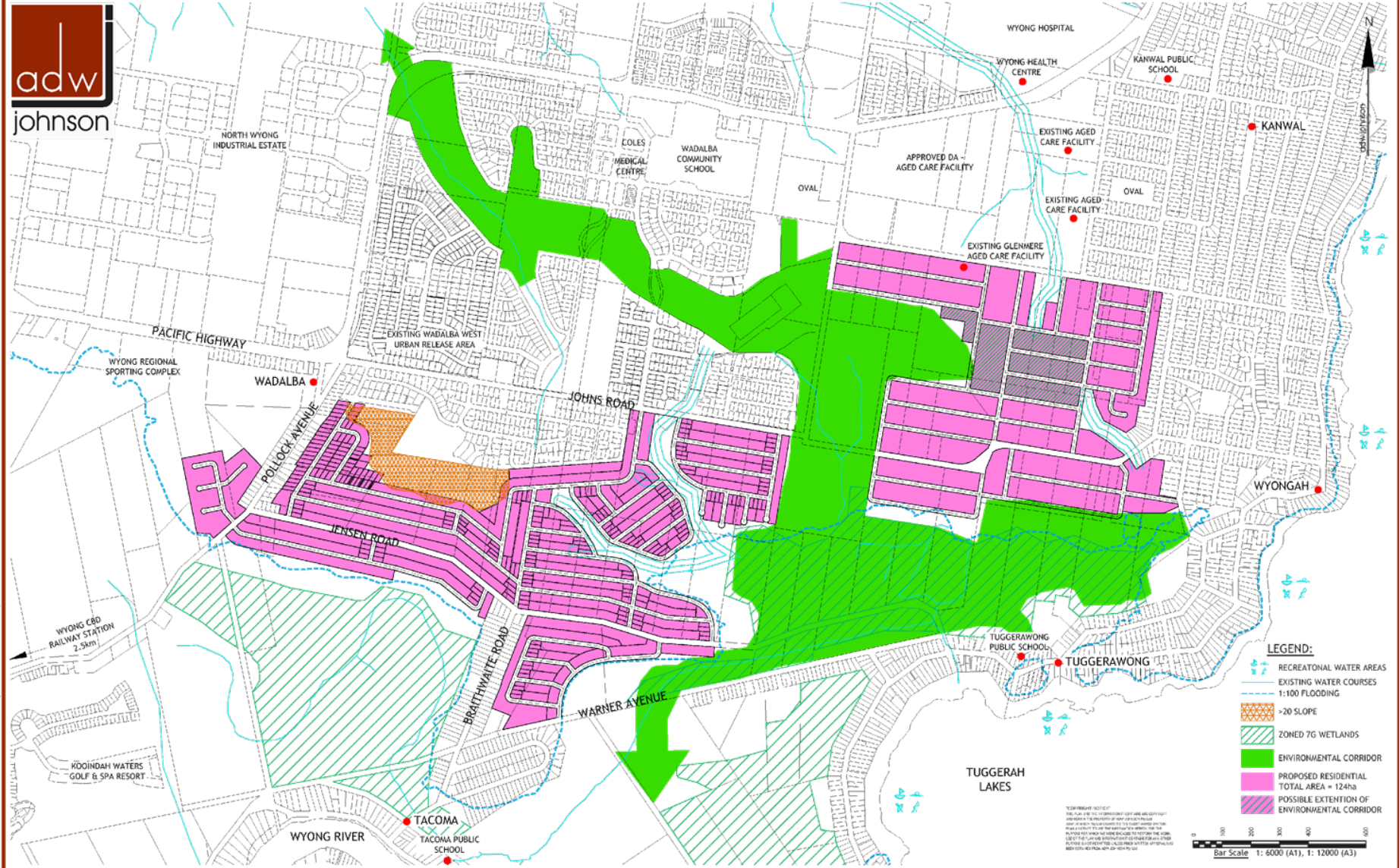
Council has received a request from WELOG to reduce the size of the existing planning proposal so as to align with those landowners who are contributing financially to the project. The proposed amended boundaries are supported as they align with likely infrastructure delivery. In order to progress the planning proposal a revised gateway determination and further 18 month time extension will be requested from the Department of Planning and Environment.

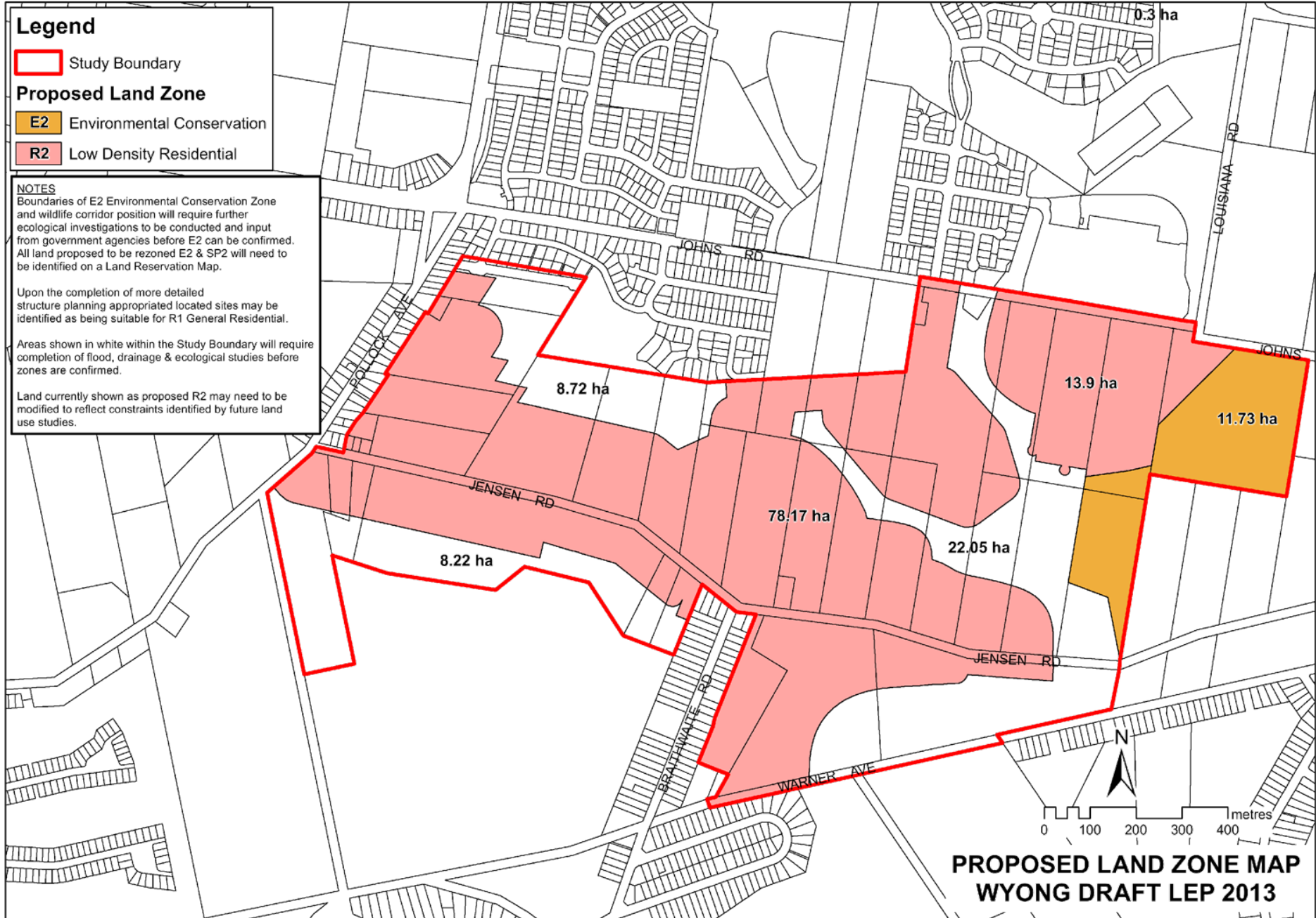
ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Wadalba East Locality Plan | D12049243 |
| 2 | Original Concept Masterplan proposed by ADW Johnson (May 2013) | D03604713 |
| 3 | Wadalba East (Proposed Zone Map) | D12049246 |
| 4 | Council Report for Wadalba East Urban Land Area 23 August 2013 | D03604351 |



Plan of:	CONCEPT WATERPLAN FOR PRECINCTS 2A, 2B & 3B OF THE DRAFT NORTH WYONG SHIRE STRUCTURE PLAN	Location:	WADALBA SOUTH	Date:	24TH NOVEMBER 2011	Version:	A (24th NOVEMBER 2011)
		Council:	WYONG SHIRE	Sheet:	1 of 1	Client:	WADALBA EAST OWNERS LOBBY GROUP
				Plan By:	K.T.	Survey:	N/A
				Project Manager:	C.S.	AutoCAD:	S:\180121\DWGS\PLANNING\180121-SK-003-A.dwg
				Office:	Central Coast	Our Ref:	180121
				Plan Purpose:	PLANNING SUBDIVISION		





28 August 2013

Director's Report

To the Ordinary Council Meeting

Land Management Department

3.2 RZ/2/2013 - Commence preparation of Planning Proposal for East Wadalba Urban Land Release

TRIM REFERENCE: RZ/2/2013 - D03604351

MANAGER: Martin Johnson, Manager Strategic Development

AUTHOR: Scott Duncan; Senior Strategic Planner

SUMMARY

This report seeks Council's endorsement to commence the rezoning for Precincts 2A, 2B and 3B as shown in the North Wyong Shire Structure Plan. The combined value of investment created by this rezoning is estimated to be in the vicinity of \$750 million and will generate significant employment in the local construction industry. It is estimated that the site will also yield 1710-2050 residential lots.

An assessment of the proposal has been undertaken, which identifies that the concept has merit 'in principle', and that Council should initiate the rezoning process by preparing a Planning Proposal and referring it to the Department of Planning and Infrastructure (DP&I) for a "Gateway" determination.

Real Description:	Precincts 2A, 2B and 3B as shown in the North Wyong Shire Structure Plan (also known as East Wadalba)
Street Address:	Various
Applicant:	ADW Johnson
Owner/s:	Various landowners represented by Wadalba Landowners Lobby Group
Site Area:	241 Hectares
Current Zoning:	1(c) Non Urban Constrained Lands Zone, 6(b) (Regional Open Space and Recreation Zone, 7(c) Scenic Protection Small Holdings Zone), 7(g) (Wetlands Management), 10(a) Investigation Precinct Zone.
Current Land use:	Non-intensive animal agriculture (grazing) and hobby farming

RECOMMENDATION

- 1 That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan, 1991, (or pending timing, Wyong Standard Instrument Local Environmental Plan) pursuant to Section 55 of the Environmental Planning and Assessment (EP & A) Act, 1979.
- 2 That Council forward the Planning Proposal (generally based on the information in Enclosure 1) to the Department of Planning and Infrastructure (DP&I) accompanied by a request for a "Gateway Determination", pursuant to Section 56 of the EP & A Act, 1979.

- 3 That Council require, subject to the “Gateway Determination,” the applicant/landowner consortium enter into a Funding Agreement with Council in accordance with Council’s Planning Proposal Procedure to recover the costs involved in further progressing the proposal.
- 4 That Council authorise the General Manager (or delegate) to sign the Funding Agreement for the rezoning.
- 5 That Council undertake community and government agency consultation, in accordance with the requirements attached to the “Gateway Determination”.
- 6 That Council authorise the General Manager (or delegate) to sign any infrastructure and servicing agreement to support the rezoning. This agreement shall:
 - a. Address the cost, timing, staging and responsibilities for funding and provision of infrastructure to service the development.
 - b. Ensure that Council is not responsible for the cost of any public infrastructure required to support the development such as hard infrastructure (including, roads water and sewer and drainage) and soft infrastructure (which includes open space, community facilities and environmental corridors).
- 7 That Council reach an “in principle” agreement on Item 6 be reached between the Applicant (on behalf of the Wadalba Landowners Lobby Group), Council and State Government prior to the public exhibition of the Planning Proposal.
- 8 That Council advise the applicant that the Planning Proposal will not proceed beyond public exhibition until agreement is reached on the provision of Council and State Government infrastructure to service new development (This agreement shall be based on the “principle of no cost to government”).
- 9 That Council prepare appropriate Development Control Plan provisions be prepared to support the development of Precincts 2A, 2B and 3B – East Wadalba.

ORDINARY MEETING HELD ON 28 AUGUST 2013

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

- 1096/13 That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan, 1991, (or pending timing, Wyong Standard Instrument Local Environmental Plan) pursuant to Section 55 of the Environmental Planning and Assessment (EP & A) Act, 1979.
- 1097/13 That Council forward the Planning Proposal (generally based on the information in Enclosure 1) to the Department of Planning and Infrastructure (DP&I) accompanied by a request for a “Gateway Determination”, pursuant to Section 56 of the EP & A Act, 1979.
- 1098/13 That Council require, subject to the “Gateway Determination,” the applicant/landowner consortium enter into a Funding Agreement with Council in accordance with Council’s Planning Proposal Procedure to recover the costs involved in further progressing the proposal.

- 1099/13 That Council **authorise** the General Manager (or delegate) to sign the Funding Agreement for the rezoning.
- 1100/13 That Council **undertake** community and government agency consultation, in accordance with the requirements attached to the “Gateway Determination”.
- 1101/13 That Council **authorise** the General Manager (or delegate) to sign any infrastructure and servicing agreement to support the rezoning. This agreement shall:
- a. Address the cost, timing, staging and responsibilities for funding and provision of infrastructure to service the development.
 - b. Ensure that Council is not responsible for the cost of any public infrastructure required to support the development such as hard infrastructure (including, roads water and sewer and drainage) and soft infrastructure (which includes open space, community facilities and environmental corridors).
- 1102/13 That Council **reach** an “in principle” agreement on Item 6 be reached between the Applicant (on behalf of the Wadalba Landowners Lobby Group), Council and State Government prior to the public exhibition of the Planning Proposal.
- 1103/13 That Council **advise** the applicant that the Planning Proposal will not proceed beyond public exhibition until agreement is reached on the provision of Council and State Government infrastructure to service new development (This agreement shall be based on the “principle of no cost to government”).
- 1104/13 That Council **prepare** appropriate Development Control Plan provisions be prepared to support the development of Precincts 2A, 2B and 3B – East Wadalba.

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

AGAINST: NIL

BACKGROUND/CURRENT PROJECT STATUS

The land proposed to be rezoned has been identified for future residential development in Council’s Residential Development Strategy and Settlement Strategy. The land is also identified in the North Wyong Shire Structure Plan as proposed residential with a medium term release priority (meaning that it is expected that the land will be released before 2027).

ADW Johnson is representing a group of landowners (Wadalba Landowners Lobby Group) in the study area who are seeking to advance the early release of land in Precincts 2A, 2B and 3B as shown in the North Wyong Shire Structure Plan.

In an attempt to positively influence the production of housing, particularly within identified growth areas, the NSW State Government has created a new program called the “Potential Home Sites Program”. The aim of the program is to fast track the production and delivery of housing, particularly within identified growth areas of the state.

On 12 August 2011 the NSW Minister for Planning and Infrastructure created the "Potential Home Sites Program" and asked for landowners to nominate large sites (>100 Hectares) which could be developed for housing within 3 years. Of a total of 43 landowner submissions received by DP&I, one submission was lodged within the Wyong Shire by the Wadalba Landowners Group.

The Wadalba East area was subsequently brought to the attention of the Minister and DP&I with a formal submission made by 29 November 2011 on behalf of the Wadalba Lobby Group. In April 2012, DP&I released a short list of nominated Potential Housing sites, which included the Wadalba East Site.

As part of the review, the Minister invited Council to comment on the Wadalba land owner's submission. On 22 February 2012, Council:

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

- 1 *That Council acknowledge that the Wadalba East Precinct is already incorporated in Council's Residential Development Strategy and draft Wyong Shire Settlement Strategy with master planning to commence following completion of Precinct 7A.*
- 2 *That Council note that the current time line for the development of the Wadalba East Precinct is "in the medium term" as established by direction from the Department of Planning and Infrastructure.*
- 3 *That Council advise the Minister for Planning and Infrastructure that it supports the identification of the Wadalba East Precinct as part of the Potential Home Sites Program subject to the following:*
 - a *Council not being responsible for the cost of the public infrastructure required to support the development; that such infrastructure should include both hard infrastructure, the roads water and sewer and drainage and soft infrastructure which includes open space, community facilities and environmental corridors.*
 - b *Council being responsible for managing the rezoning process (at the applicant's cost);*
 - c *The community being fully engaged as part of the rezoning process;*
 - d *Performance requirements being placed on the developer (i.e.; by way of a "sunset clause" or other means) to ensure that the production of lots proceeds within the Government's timeframe. (ie, 3 years); and*
 - e *Early agreement being reached between the proponents, government and Council regarding not only the range of infrastructure to be provided, but also the cost, timing and responsibility for funding and provision of that infrastructure.*
- 4 *That Council acknowledges that the Wadalba East Precinct would support the Wyong Town Centre business, recreation and public amenities that already exist.*

FOR: Councillors Best, Eaton, Graham, Matthews, McBride,
McNamara, Symington, Vincent and Wynn
AGAINST: Nil

- 5 That Council direct the General Manager to approach the Minister for Planning and Infrastructure proposing that its current priority program for housing development be extended to apply to the fast tracking of employment land within North Wyong.

FOR: Councillors Best, Graham, Matthews, McBride, McNamara,
Symington, Vincent and Wynn
AGAINST: Nil

Following a review of these potential sites the DP&I advised Council on 20 March 2013 that 29 large sites had been reviewed in the Sydney Region under the program. Through this program, the Government has supported the immediate action to progress 7 nominated sites (which included the Wadalba East site) and to investigate a further 13 sites through upcoming strategic plans.

The Wadalba Landowners Lobby Group have been encouraged to continue discussions with Council to implement the release of the land in accordance with the North Wyong Shire Structure Plan, including the option for accelerated release. A key principle for accelerated release is the “principle of no cost to government”. Through this program, landowners will be required to enter into an agreement to pay for infrastructure. The DP&I has indicated that new development through the “Potential Home Sites Program” will need to establish the necessary supporting infrastructure before the sites are allowed to be subdivided.

ADW Johnson on behalf of the Wadalba Landowners Lobby Group lodged a Planning Proposal with Council to commence the rezoning process. Assessment of this rezoning application commenced when the rezoning fee was paid on 14 June 2013.

STUDY AREA

The site comprises approximately 241 hectares covering over 85 different parcels of land under different ownership (See Attachment 1). The land is predominantly zoned 10(a) (Investigation Precinct Zone) under Wyong Local Environmental Plan 1991. Under the Draft Local Environmental Plan 2012, the study area is predominantly zoned RU6 Transition and E2 Environmental Conservation (See attachment 2).

The study area is generally characterised by large rural holdings and hobby farms in the south east corner of the study area. The study area is also bisected by habitat corridors linking Wadalba Wildlife Corridor to the Tacoma/Tuggerawong Wetlands.

A constraints map has been prepared by ADW Johnson which provides a first cut analysis of areas affected by flooding, conservation corridors and steep slopes in excess of 20% (see Attachment 3). The constraints analysis will be refined with further input from specialist reports (e.g. ecological, flooding, archaeological etc).

PLANNING PROPOSAL

The site has been identified as being suitable for residential growth within the North Wyong Shire Structure Plan ("NWSSP") which was adopted by the NSW State Government in October 2012 (See Attachment 4). This NWSSP provides the framework to accommodate the population and dwelling targets set within the Central Coast Regional Strategy. The NWSSP also highlights important linkages which will affect the future planning of new urban areas green corridor and habitat networks.

The proposed rezoning will need to accommodate these linkages in the final development footprint. A Concept Master Plan accompanies this proposal which provides for the protection of areas with conservation values and continues the urban structure with existing settled areas (refer to Attachment 5). The exact boundaries of environmental areas and the concept plan will be further refined by technical studies, feedback from Council and Government agencies through the rezoning process.

A first cut analysis has been undertaken by the ADW Johnson and suggests that there is approximately 182 Ha of constraint free land exists and will be suitable for residential development.

Key features of the proposal are as follows:

- Expected yield of between 1710 to 2050 residential lots.
- Incorporate wildlife corridor linkage connecting Wadalba Wildlife Corridor to Tacoma/Tuggerawong Wetland.
- Mixture of lot sizes will be provided which will provide housing choice for local market.
- Opportunities will be explored to provide some small lot developments (<200m²) in locations with suitable topography. This will deliver to a large market base and will provide opportunities for the lower and very price sensitive market segment.
- Development is proposed to be staged from Pollock Avenue and land will be released in stages from west to east.

STUDY PROCESS

A number of technical studies will need to be conducted to provide the required level of documentation to support the proposed rezoning of land.

An indicative list of reports to support the Planning Proposal is outlined below.

1. Funding agreement (including examination of different funding models) to enable landowners to fund Council and State Government infrastructure. This will be based on a "*principle of no cost to government*".
2. Water and sewer servicing plan (which will include details on who will design and build infrastructure. Details will also be required on the timing of the provision of funds to provide these services)
3. Services Review (gas, telecommunications, electricity provision etc.)
4. Ecological investigations (seasonal flora and fauna surveys/vegetation mapping/conservation offset strategy)
5. Flood and drainage studies
6. Open space and recreation analysis
7. Visual impact analysis
8. Social Impact Assessment

9. Preliminary Contaminated Land Study
10. Acid sulphate soil risk analysis on low lying parts of the site
11. Noise assessment for main road frontages e.g. Pacific Highway
12. Aboriginal archaeological assessment
13. Integrated Water Cycle Management (IWCM) Strategy
14. Traffic Report (which will also examine public transport, pedestrian and cycleway planning issues)
15. Structure Plan, Urban Design principles and draft Development Control Plan
16. Draft VPA and possibly Section 94 Contribution Plan (dependent on type of infrastructure model adopted).
17. Updated Planning Proposal/Planning Controls (rezoning)

The detailed scope of works statements will be prepared by the applicant upon receipt of a Gateway Determination with input from Council staff and relevant Government agencies.

Council staff will provide a review role on all technical studies to ensure that all relevant issues and community concerns are addressed.

Council will require the applicant (who will work on behalf of the Wadalba Landowners Lobby Group) to enter into a Funding Agreement to ensure that Council staff costs are recovered as per Council's Planning Proposal Policy Procedure. Council will also develop a work program in consultation with the applicant with project milestones and timeframes which all parties will work towards.

Not all landowners in the study area are members of the Wadalba Landowners Lobby Group. Council will require funding arrangements to be entered into with an entity with legal authority to represent the landowners.

KEY ISSUES

A Planning Proposal submission was prepared by ADW Johnson which outlines relevant planning issues (see Enclosure1). This document acknowledges that a number of specialist reports will be required to further progress the development of this rezoning proposal.

The main issues are outlined below, these and other issues will be expanded upon and informed as further technical studies are done to the further develop the Planning Proposal.

Flooding and Stormwater

A Flood and Drainage Study will be required to support the proposal. This will need to examine overland flooding impacts and drainage corridors will need to be identified to a 1% Annual Exceedence Probability (AEP) (with appropriate freeboard buffer). These areas will need to be zoned appropriately to ensure that drainage flow paths are not blocked.

Suitable measures will also be required to prevent future residents driving west along Pollock Avenue during heavy rains (ensuring flood free access).

Stormwater management investigations will be undertaken and should include a review of existing creeks and watercourses on the site and potential land loss due to riparian zone setbacks. Trunk drainage corridors would be identified and modeling undertaken to provide indicative drainage corridor dimensions.

Due to the proximity of the site to Tuggerah Lake and sensitive wetlands, water quality and management of downstream wetland hydrology will be of critical importance, especially due to the presence of SEPP 14 – Coastal Wetlands downstream. Stormwater modelling and water quality treatment requirements will also need to be undertaken.

Topography

The study area general contains gentle undulating terrain similar to developed portions of Wadalba. There are some ridgelines which have significantly steeper topography. One of these also contains significant vegetation and forms part of a wildlife corridor linkage and the other contains land with a slope in excess of 20%.

Bushfire

Large areas of the study area are classified as “bushfire prone land”. Future development would need to adopt appropriate Asset Protection Zones (APZ's) and incorporate these requirements into future street layouts and likely setbacks. An assessment of the proposal against Planning for Bushfire Protection 2006, and other relevant guidelines will be required as master plans of the site are developed.

Ecological

The main ecological issues with the proposal are discussed under the following sub-headings.

Wildlife Corridors

A major wildlife corridor runs through the study area which will provide a connection to the Wadalba Wildlife Corridor to Tacoma/Tuggerawong Wetlands. This wildlife linkage is shown in a number of documents e.g. NWSSP, Wyong Shire DCP 2005 - Chapter 13 – Interim Conservation Areas and Chapter 49 – Warnervale East and Wadalba North West Urban Land Release Area. The exact placement and dimensions of this corridor will need to be examined as part of this rezoning proposal.

Council is also in receipt of another Planning Proposal on 145 Johns Road, Wadalba (RZ/1/2013) which is located within a green corridor and conservation link as shown in the North Wyong Shire Structure Plan (See notation in Attachment 1 for location of RZ/1/2013). As this rezoning proposal is located in the middle of the study area, it is recommended that this site be incorporated into a precinct based rezoning process as opposed to a spot rezoning process. This rezoning proposal requires the resolution of a number of strategic issues, namely optimal provision of infrastructure, positioning boundaries of wildlife corridors on adjoining sites and development of precinct based environmental offset strategy (biodiversity certification) to provide development certainty in future urban zones. Council will attempt to find some way of achieving a partial development outcome on this site and adjoining sites, in order to achieve some equity of development and conservation outcomes through a precinct based rezoning process.

Threatened species and meeting legislative requirements

A targeted flora and fauna survey will need to be conducted to inform the rezoning process. This will also need to be supported by detailed vegetation and habitat mapping. This program will need to target relevant threatened species listed in Commonwealth and State legislation.

Biodiversity Certification and Offsetting

Whilst most of the area proposed to be rezoned is cleared, there is likely to be some areas of native vegetation which will require removal in certain locations. These impacts will need to be carefully examined and offset with appropriate conservation measures.

Preliminary conversations with the applicant have indicated that they are interested in pursuing a Biocertification Application to support the rezoning. The area is considered to be a suitable location for this to be pursued. This will result in significant cost savings for Council and developers as threatened species assessments/Species Impact Statements will not be required to support future DAs if it can be achieved.

More importantly, biocertification will remove the risk of developable land being sterilised to protect threatened species habitat, as the number of threatened species and the impact of future listings will continue to be a risk going forward in Council's Urban Land Release Program. Biocertification removes this risk.

Future ownership of conservation land

The current proposal seeks to zone a large portion of the subject site for residential purposes, having regard to environmental and physical attributes. The preliminary boundaries of environmental land are shown in Enclosure 1 (See Appendix 3). The boundaries of conservation zones will be refined as the Planning Proposal is developed and informed by technical studies.

In the past, Council has identified that land with significant conservation values should be transferred into Council ownership for ultimate management. This practice however has resulted in a significant financial burden for its upkeep. This approach may not be pursued by Council for future conservation land in the study area. Further discussions will need to occur with the applicant concerning the future ownership of conservation lands which form part of this rezoning proposal.

Noise and Vibration

A noise and vibration assessment will explore potential noise or vibration sources within the locality which may impact on the amenity of future residents. The assessment will also look at potential impacts to existing residents during construction and for the life of the development.

Visual Impact

The future development of the area would generally be in the form of low scale residential development similar to existing development at Wadalba. Appropriate urban design provisions will be developed which will be incorporated into a future DCP to support the rezoning of the land.

Acid Sulfate Soils and Contaminated Land Assessment

Geological and geotechnical investigations will be undertaken to investigate the extent of acid sulphate soils in the area and the potential effect of these on future residential development and supporting infrastructure. A preliminary contaminated land assessment will also be required addressing the requirements of SEPP 55 Contaminated Land.

Aboriginal Archaeology and European Cultural Heritage

There are some locations within close proximity to the study area (within the existing Wadalba Wildlife Corridor) which contain sites identified on the Aboriginal Heritage Information Management System (AHIMS).

Aboriginal archaeological investigations will be undertaken including an assessment of the cultural significance of the site. This will involve a desktop review of relevant registers, community consultation and broad site assessments in accordance with *Aboriginal cultural heritage consultation requirements for proponents 2010*.

A separate assessment will also be undertaken to assess items within site which have European cultural significance.

Concept Development Plan

The applicant has prepared a preliminary Concept Plan showing indicative road layouts and development pattern (see Attachment 5). Whilst it is recognised that the Concept Plan will change as it is informed by further technical studies and liaison with Council staff. The following preliminary comments are made (more detailed comments will be forwarded to the applicant to assist with more detailed masterplanning).

Potential new village centre

The NWSSP shows a potential new Village Centre as being placed within close proximity to the study area (See Attachment 4). The location of this proposed centre is only indicative on the NWSSP Map and the exact location will need to be confirmed. The NWSSP seeks to provide a variety of medium density housing types within 400-600 m of this proposed new village centre. The location of the new centre will need to be confirmed through the study process and if it is decided to place the new centre within the rezoning area, appropriate development objectives/principles will need to be established.

Wildlife corridor linkage

Boundaries of wildlife corridors will need to be closely examined to provide some equity in terms of conservation and development outcomes. A wildlife corridor linkage will also need to be planned and incorporated into the development to provide a link through the northern part of the precinct into adjoining Precinct 3A to be consistent with the NWSSP.

Street and subdivision layout

There are a number of detailed comments provided from Council's Development Assessment - Design Engineering Unit concerning matters which will affect the street patterns and layouts covering:

- Road safety planning
- Improvements in road layouts to assist garbage servicing
- Road geometry and sight distance
- Improvements in intersection planning and location
- Bushfire assessments will inform planning of Urban Interface Areas (UIAs)
- Odour, acoustic and visual treatment of future sewage pump stations shall be examined.
- Overland floodways will need to be identified and excluded from developable lands

Open space

The location of small parks and open space for future residents will need to be informed by an Open Space and Recreational Needs Analysis. The results of this report will inform where open space and parks will be located in the Concept Plan.

Social Impacts

The Planning Proposal identifies the need to undertake a specialist study to examine Social Impact/Human Services Analysis. This study should identify the social issues and potential needs of current and future residents within the area. This assessment will enable Council to ensure the full extent of social impacts is identified as well as the identification of human service requirements for current and future residents.

Mine Subsidence

Part of the study area is located within a Mine Subsidence District. Preliminary advice from the Mine Subsidence Board (MSB) indicates that they are likely to apply similar surface development controls as set for current residential development at Wadalba. If any further concerns are raised by the Mine Subsidence Board (MSB) they will be addressed as the Planning Proposal is developed.

Water and Sewer

The Wadalba East area will require significant water and sewer infrastructure to service the new development. The Planning Proposal submission by ADW Johnson includes a preliminary water and sewer servicing strategy that would allow for the efficient servicing of future development in the area (see Appendix 6 of Enclosure 1 for details).

Water Supply

Provision has been made to service the site in Council's DSP No 1, with an extension of an existing 200mm water trunk main to the south of existing infrastructure. The rest of proposed infrastructure aligns with Council's servicing intentions for the area.

All reticulation mains (150mm and below) are to be constructed by the developer and donated to Council.

The design and construction of the water mains are to be in accordance with the WSAA Water Supply Code of Australia WSA-02 Sydney Water Edition.

Sewer

Overall, the preliminary sewer system proposed by the developer aligns with Council's servicing strategy.

Council's sewer servicing strategy for the Wadalba area involves the construction of gravity mains to transfer sewage to a sewer lift station (Wadalba 2) south of Johns Road. The Wadalba 2 station will lift the sewage to a proposed trunk gravity main to allow gravity transfer to a new Sewage Pump Station (SPS) Wadalba 1 as described in Council's Development Servicing Plans (DSP). This enables servicing of the whole catchment in an efficient and planned manner. If the timing for development of this site is consistent with the surrounding area then the developers would be required to construct the infrastructure identified in the servicing strategy. All reticulation infrastructure (150mm gravity mains) are to be constructed by the developer and donated to Council.

The existing SPS CH26 will be decommissioned once the proposed development is in place. Therefore, provision needs to be made for the SPS CH26 catchment to drain into the new proposed sewer system.

The design and construction of the sewer mains and sewage pump stations are to be in accordance with the WSAA Sewerage and Pumping Station Code of Australia Sydney Water Edition. Council will specify required amendments to the SWC Pump Station Design Code at the detailed design stage.

Road infrastructure and traffic impacts

The proposal is likely to generate up to 800 peak hour vehicle trips in the AM and PM.

A Traffic Impact Assessment will be required to determine the impact on the existing local and State road network as a result of the proposal. The report will include modeling of all key intersections including Pacific Highway and Johns Road, Louisiana Road, Craigie Avenue and Britannia Drive. The modeling should include 10 and 20 year traffic growth projections based on background growth of 1.5% per annum, but also including potential traffic generated by the other major land release areas such as the Warnervale Town Centre, Precinct 7A and WEZ.

The following intersections will most likely require upgrading, however improvements may be required at other intersections along the Pacific Highway.

- Pacific Highway and Johns Road – Traffic Signals
- Pacific Highway and Louisiana Road – Traffic Signals

Any proposals for the upgrading of intersections with Pacific Highway will require the concurrence of the Roads and Maritime Service (RMS). Early consultation with the RMS will be required to determine funding requirements to service major intersection upgrading works on the Pacific Highway.

Johns Road, Pollock Avenue and Jensen Road will also require upgrading to accommodate future traffic projections. The intersections of proposed internal roads within the existing road network will most likely require roundabouts.

Public transport routes will need to be investigated in order to adequately service the newly created development within TFNSW guidelines. This will need to identify the type of public transport needed to service the development and means of encouraging public transport use in lieu of the motor vehicles. A pedestrian and cycleway report identifying movement desire lines to and from schools, shops, recreational areas and identifying facilities will also be required.

A road hierarchy with similar road cross sections to those which were adopted by Council as part of the Warnervale Town Centre and Precinct 7A – Warnervale and Hamlyn Terrace rezoning, will be required.

Infrastructure Funding

Council staff have met with the proponents, (Wadalba Landowners Lobby Group), on a number of occasions. Landowners within the rezoning area have been made aware that if they wish to proceed with rezoning in advance of the existing urban land release timeframes, they will be required to fund all infrastructure that is necessary to service the land.

It is considered that to effectively manage the funding of infrastructure, the payment of funds for infrastructure will most likely need to be staged, such that those that wish to proceed first commit to providing necessary upfront infrastructure via a Voluntary Planning Agreement. As there are over 80 land holders in the study area, it is unlikely that all land owners will agree to be a party to a Voluntary Planning Agreement to fund infrastructure. To date potential funding models have not been discussed with the consortium of landowners and there is likely to be a significant amount of State Government infrastructure required to service the precinct as well. Agreement will need to be reached on these issues prior to public exhibition of the Planning Proposal as funding for infrastructure and services is critical to the project proceeding.

Impact on Residential Land Supply

The supply of greenfield residential land within Wyong Shire is considered sufficient (as reported in the government's Metropolitan Development Program) to meet market demands without releasing additional residential land at the present point in time, especially given the imminent gazettal of the rezoning of land to the south of the Warnervale Town Centre (Precincts 4, 5 and 7 which has the potential to provide 2,300 residential lots). It is acknowledged, however, that the issue the Government is attempting to resolve is not that of land supply, but rather the production and actual release of residential lots to the market. The Wadalba East rezoning will boost short term housing supply as per the NSW State Government's "Potential Home Sites Program" to provide needed lot production.

LOCAL PLANS, POLICIES AND STRATEGIES

Wyong Local Environmental Plan 1991 and Wyong Standard Instrument Local Environmental Plan

The subject site is currently zoned 1(c) Non Urban Constrained Lands Zone, 6(b) (Regional Open Space and Recreation Zone, 7(c) Scenic Protection Small Holdings Zone), 7(g) (Wetlands Management) and 10(a) Investigation Precinct Zone.

The Wyong Local Environmental Plan (2012) as exhibited proposes to zone the site to RU6 – Transition, E2 - Environmental Conservation and E3 - Environmental Management Zone. These zones are the direct conversion zones from Wyong LEP 1991 zones.

There are also a number of properties affected by lot amalgamation provisions clause in the study area.

Draft Wyong Settlement Strategy 2012

Council's draft Wyong Shire Settlement Strategy and the NSW State Government's North Wyong Shire Structure (NWSSP) incorporates the development staging of land within the medium and long term categories. This is particularly important for land in the 'medium term' category in the NWSSP. There is a considerable amount of land falling into this category and it is not practicable that all land is released and serviced at the same time. Therefore Council's draft Settlement Strategy proposes that development precincts identified as 'medium term' be divided into five priority categories.

In accordance with existing state government policies, Council's staging strategy in the draft Settlement Strategy seeks to prioritise the release of land in the 'medium' term by releasing land which is in close proximity to WTC before releasing land in fringe locations which require significant infrastructure provision to service new development. This was done to ensure consistency with the CCRS which states the majority of future greenfield development is to be concentrated around WTC and the WEZ.

The NSW Government has also supported the inclusion of the Wadalba East Precinct under the "Potential Home Sites Program", so some re-alignment of priorities may need to occur to reflect this decision of the NSW Government which was made after the exhibition of the draft Settlement Strategy. In any case, the Wadalba East Precinct is located within close proximity to Wyong Township and existing residential areas at Wadalba and is therefore logical from an urban expansion point of view.

Development Control Plan (DCP) 2005: Development Controls for Wyong Shire & Draft DCP 2012: Development Provisions for Wyong Shire

Any development of the subject site being undertaken as a result of the rezoning will be required to be consistent with the relevant controls in DCP 2005, or pending timing of DCP 2012, in particular, the following Chapters:

DCP 2005	DCP 2012
61: Car Parking;	Chapter 2.1: Dwelling Houses and Ancillary Structures
66: Subdivision;	Chapter 2.3: Dual Occupancy Development
67: Engineering Requirements for Development;	Chapter 2.11: Parking and Access
69: Controls for Site Waste Management;	Chapter 3.1: Site Waste Management
58: Dual Occupancy Development;	Chapter 3.2: Water Sensitive Urban Design
100: Quality Housing; and	Chapter 3.3: Floodplain Management
99: Building Lines;	
Draft Chapter 97: Water Sensitive Urban Design.	

STATE PLANS, POLICIES AND STRATEGIES

Central Coast Regional Strategy and draft North Wyong Shire Structure Plan

The Central Coast Regional Strategy (CCRS), released in June 2008, provides the base planning framework for the growth of the Central Coast Region over the next 25 years (2006-2031).

The CCRS identifies that an additional 39,500 dwellings will be required to accommodate an anticipated population growth of 71,100 persons. 16,000 of these new dwellings will be required to be accommodated within new release or 'Greenfield' areas.

To date the focus of Council and State Government has been on the release of new development precincts in close proximity to the Warnervale Town Centre (WTC) in an effort to stimulate development of the town centre precinct. Existing state and local planning strategies including the Central Coast Regional Strategy (CCRS), North Wyong Shire Structure Plan, draft Wyong Shire Settlement Strategy and Wyong Shire Residential Development Strategy all reflect this objective.

The CCRS in particular, states that the majority of future greenfield development is to be concentrated around WTC and the Wyong Employment Zone (WEZ). Whilst these plans also support the future development of the Wadalba East precinct, it is perhaps now less of an issue given the imminent rezoning of a large urban land release in Precincts 4, 5 and 7 (Precinct 7A).

The North Wyong Shire Structure Plan (NWSSP) shows the area subject to the rezoning proposal as Precincts 2A, 2B and 3B. Under this plan the area is identified as having a 'medium term' release priority. All land in the 'medium term' under the NWSSP is scheduled to be rezoned before 2027. The NWSSP establishes a residential density target of 15 dwellings per Ha which equates to 1,591 dwellings in total which should easily be met or exceeded by the proposed rezoning.

Regional Economic Development and Employment Strategy (REDES) 2010

The Regional Economic Development and Employment Strategy (REDES) is a partnership between the NSW Government, Regional Development Australia Central Coast (RDACC), Gosford City Council and Wyong Shire Council.

Whilst the proposal will not directly supply long term employment opportunities, short term opportunities would be created through associated planning and construction work.

State Environmental Planning Policies

The proposal has been assessed having regard for relevant State Environmental Planning Policies (SEPPs). The assessment in full is contained within Attachment 6 of this report.

SEPP 44 – Koala Habitat

Subject to the findings of further investigative fauna studies, consideration of the proposal against SEPP 44 – Koala Habitat may be required.

SEPP 55 – Contaminated Land

It is considered that the proposal can be consistent with SEPP 55 – Contaminated Land, provided further investigative studies are undertaken in relation to this issue.

SEPP 71- Coastal Protection

The subject site is located within the "coastal zone" (i.e. one kilometer from the coast or a coastal estuary as indicated on the adopted maps) and is therefore subject to the provisions of SEPP 71- Coastal Protection. Council is required to have regard to the matters for consideration identified under Clause 8 when preparing a Draft Local Environmental Plan.

Section 117 Directions

The proposal has been assessed on a preliminary basis against relevant Section 117 Ministerial Directions. The assessment in full is contained within Attachment 7 of this report.

The consistency of the proposal against a number of Section 117 Directions is subject to the outcomes of a number of additional updated studies required to be undertaken by the proponent.

The following table identifies the applicability and consistency of the proposed rezoning with the current Section 117 Directions:

Number	Direction	Applicable	Consistent
Employment and Resources			
1.1	Business and Industrial Zones	Possible	Possible
1.2	Rural Zones	Yes	Yes
1.3	Mining, Petroleum Production and Extractive Industries	Yes	Yes
1.4	Oyster Aquaculture	No	N/A
1.5	Rural Lands	No	N/A
Environment and Heritage			
2.1	Environmental Protection Zones	Yes	Yes
2.2	Coastal Protection	Yes	Yes
2.3	Heritage Conservation	Yes	Yes
2.4	Recreation Vehicle Areas	Yes	Yes
Housing, Infrastructure and Urban Development			
3.1	Residential Zones	Yes	Yes
3.2	Caravan Parks and Manufactured Home Estates	Yes	Yes
3.3	Home Occupations	Yes	Yes
3.4	Integrating Land Use and Transport	Yes	Yes
3.5	Development Near Licensed Aerodromes	Yes	Yes
3.6	Shooting Ranges	No	N/A
Hazard and Risk			
4.1	Acid Sulphate Soils	Yes	Yes
4.2	Mine Subsidence and Unstable Land	Yes	Yes
4.3	Flood Prone Land	Yes	Yes
4.4	Planning for Bushfire Protection	Yes	Yes
Regional Planning			
5.1	Implementation of Regional Strategies	No	N/A
5.2	Sydney Drinking Water Catchments	No	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	No	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	No	N/A
5.7	Central Coast	Yes	Yes
5.8	Second Sydney Airport: Badgerys Creek	No	N/A
Local Plan Making			
6.1	Approval and Referral Requirements	Yes	Yes
6.2	Reserving Land for Public Purposes	Yes	Yes
6.3	Site Specific Provisions	No	N/A

OPTIONS

Option 1 Discontinue the Proposal (Not Recommended)

Various levels of Government have acknowledged the increasing challenges facing potential home owners and renters in securing suitable accommodation in the areas they work and want to live. In this regard, the planning proposal will result in additional land being available for approximately 1710 - 2050 residential allotments. The proposal will also create local employment opportunities, provide for additional open space and conservation areas. Discontinuing the process will prevent these outcomes from being achieved.

Option 2 Proceed with the Proposal as an Amendment to the Draft LEP 2012 (Recommended)

It is expected that the draft LEP 2012 will be gazetted before the end of 2013. Any zoning changes arising from the Planning Proposal will amend the future WLEP 2012. Preparation of a Planning Proposal is the most effective and timely method to proceed with the State Government's desire to progress the site for future growth within the short term under its "Potential Home Sites Program". However it is recommended that agreement is reached on infrastructure and servicing agreements prior to the public exhibition of the final Planning Proposal.

STRATEGIC LINKS**Wyong Shire Council Strategic/ Annual Plan**

The proposal is consistent with Wyong Shire Council's Strategy Annual Plan.

Long term Financial Strategy and Asset Management Strategy

Management of conservation land where number of landowners are involved is problematic. It is difficult to ensure the same standards of management are applied consistently across the asset.

In the past, Council has identified that areas of significant conservation value should be transferred into Council ownership. This practice however has resulted in a significant financial burden for its upkeep, therefore it is not recommended in this instance.

Subject to a positive determination being received from the Gateway, the Proponent will be requested to further investigate additional management options for any environmentally significant land.

Link to Community Strategic Plan (2030)

Out of the eight priority objectives of the Community Strategic Plan, 3 are relevant:

- There will be ease of travel;
- Communities will have a range of facilities and services; and
- Areas of natural value will be enhanced and maintained.

The development of rezoning plans for the Wadalba East Precinct will need to take into account the above objectives.

Governance and Policy Implications

Refer to discussion relating to Local Plans, Policies and Strategies

Budget Impact

There are no immediate budget impacts, as progress of the Planning Proposal is being funded by payment of a Phase 1 Rezoning Fee. Further assessment work conducted by Council staff and all of the required supporting technical studies will be funded by the proponent.

The more significant issue relates to the funding of required infrastructure. The NSW State Government has made it clear that one of the requirements for “land owner nominated sites” through the “Potential Home Sites Program” is that they can enable dwelling production in the short term “*at no additional cost to Government*”.

Council is not in a financial position to enable it to fund the required infrastructure nor should the community be required to make up any shortfall between what the developer is required to fund or provide and the total cost of providing facilities to a new community.

CONSULTATION

The proposal was referred to the following internal Council units for comment:

- Community and Cultural Development – Social Planning
- Development Assessment - Design Engineering
- Development Assessment – Development Applications
- Floodplain and Stormwater Management - Hydrology
- Strategic Development – Ecology
- Strategic Development - Bushfire
- Strategic Development – Transportation Engineering
- Strategic Development – Planning
- Strategic Development – Section 94
- Water and Sewer Planning

Comments received were utilised to assess the proposal and determine the need for additional investigative studies.

Future community and government agency consultation requirements will be outlined by the Gateway Determination as the assessment of the Planning Proposal is progressed.

CONCLUSION

This report seeks Council’s endorsement to commence the rezoning for Precincts 2A, 2B and 3B as shown in the North Wyong Shire Structure Plan. The combined value of investment created by this rezoning is estimated to be in the vicinity of \$750 million. It is estimated that the site will also yield 1710-2050 residential lots.

An assessment of the Planning Proposal has been undertaken which identifies that the concept has merit ‘in principle’ and that Council should initiate the rezoning process by referring it to the Department of Planning and Infrastructure (DP&I) for a Gateway Determination. Further supporting studies will need to be done by the applicant on behalf of the Wadalba Landowners Lobby Group. These will be done if a positive Gateway Determination is received.

Agreement will need to be reached on the provision of Council and State Government infrastructure to service new development (This agreement shall be based on the “principle of no cost to government”) as this is a key principle for the NSW Government’s “Potential Home Sites Program”. Further discussions with the applicant will need to occur on possible funding models and agreement reached in principle prior to any plans being placed on public exhibition.

ATTACHMENTS

1	Proposed Study Area		D03609031
2	Wyong LEP 2012 Zone Map		D03609172
3	First Cut Constraint Map - Prepared by ADW Johnson		D03604730
4	Relationship to North Wyong Shire Structure Plan		D03605211
5	Concept masterplan for Precincts 2A, 2B and 3B - Note final development boundaries and street layouts will be refined by technical studies		D03604713
6	Assessment of State Environmental Planning Policies		D03609741
7	Section 117 Direction Assessment		D03614800
8	Discussion paper to inform preparation of Planning Proposal for Wadalba East Urban Land Release Area	Enclosure	D03377780

2.2 Planning Proposal - 31 Palmdale Road Palmdale - Results of Agency and Community Consultation

TRIM REFERENCE: RZ/15/2014 - D12047752

MANAGER: Scott Cox, Director

AUTHOR: Chris Ferry; Strategic Planner

SUMMARY

The proposal seeks to rezone the property from RU2 Rural Landscape to part SP2 Special Purpose – Cemetery and part E2 Environmental Conservation.

This report reviews the community and public authority consultation undertaken and submissions received. This report seeks Council's endorsement of the proposal and requests that the appropriate steps be taken to appropriately amend Wyong Local Environmental Plan (WLEP) 2013.

Applicant:	Stevens Group
Owner/s:	JR Stevens (Nominees) Pty Ltd
Proposal No.:	RZ/15/2014
Description of Land:	Lot 1 DP 1012816
Current Zoning:	RU2 Rural Landscape
Existing Use:	Rural Dwelling
Site Area:	4.138 hectares

RECOMMENDATION

That Council request the Chief Executive Officer to exercise the Written Authorisation to Exercise Delegation for RZ/15/2014 being the rezoning of 31 Palmdale Road Palmdale, and proceed with the steps for drafting and making of the amendment to Wyong Local Environmental Plan 2013.

BACKGROUND

Council has been progressing an application to rezone land at 31 Palmdale Road Palmdale to allow the site to be used for cemetery purposes as an extension of the Palmdale Lawn Cemetery on the adjoining site. In consideration of this application Council, at its meeting held 8 April 2015.

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

306/15 *That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan 2013 pursuant to section 55 of the Environmental Planning and Assessment Act (EP&A), 1979, to rezone Lot 1 DP 1012816 from RU2 Rural Landscape to Part SP2 Special Purpose – Cemetery, Part E2 Environmental Conservation and Part RU2 Rural Landscape.*

2.2 Planning Proposal - 31 Palmdale Road Palmdale - Results of Agency and Community Consultation (contd)

307/15 *That Council forward the planning proposal to the Department of Planning and Environment (DP&E) seeking a gateway determination.*

308/15 *That Council request and consider the outcomes of a geotechnical investigation considering the potential for contamination of groundwater and/or surface water in determining if the site is suitable for rezoning.*

309/15 *That Council undertake community consultation in accordance with the requirements of the gateway determination.*

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

AGAINST: NIL”

Subsequently a gateway determination and delegation to determine the application was sought and was issued by DP&E on 12 May 2015. The gateway determination supported the progression of the planning proposal which included agency and community consultation. The determination listed agencies to be consulted based of existing constraints on the land such as Bushfire, EECs and flooding. It suggested that the land on the southern side of Palmdale Road be rezoned to E2 Environmental Conservation, this suggestion was also reiterated by Office of Water and agreed to by the Office of Environment and Heritage.

CURRENT STATUS

The Site

The site is located both north and south of Palmdale Road and directly adjoins the existing Palmdale Lawn Cemetery which has been in operation since 1971. As the existing cemetery site is approaching capacity it is proposed to rezone the subject site to facilitate future cemetery expansion.

The site currently contains a rural dwelling on cleared land and the north-western portion of the site contains 1.04 ha of good condition River Flat Eucalypt Forest – an identified Endangered Ecological Community (EECs). The 6600m² portion of the site south of Palmdale Road also contains this EEC. Figure 1 provides the location of the site and context.

The site is party flood prone (within the 1% AEP) additional investigations were requested to be undertaken by the proponent in relation to groundwater contamination. The result of additional investigations revealed that the potential contamination of surface water and groundwater is quite minimal as the site is not contoured to trap and hold floodwaters. Therefore the site should be under water for less than 24 hours during a flood event. This would not be sufficient time for the flood waters to penetrate the burial sites or cause leaching of possible contaminants into the groundwater.

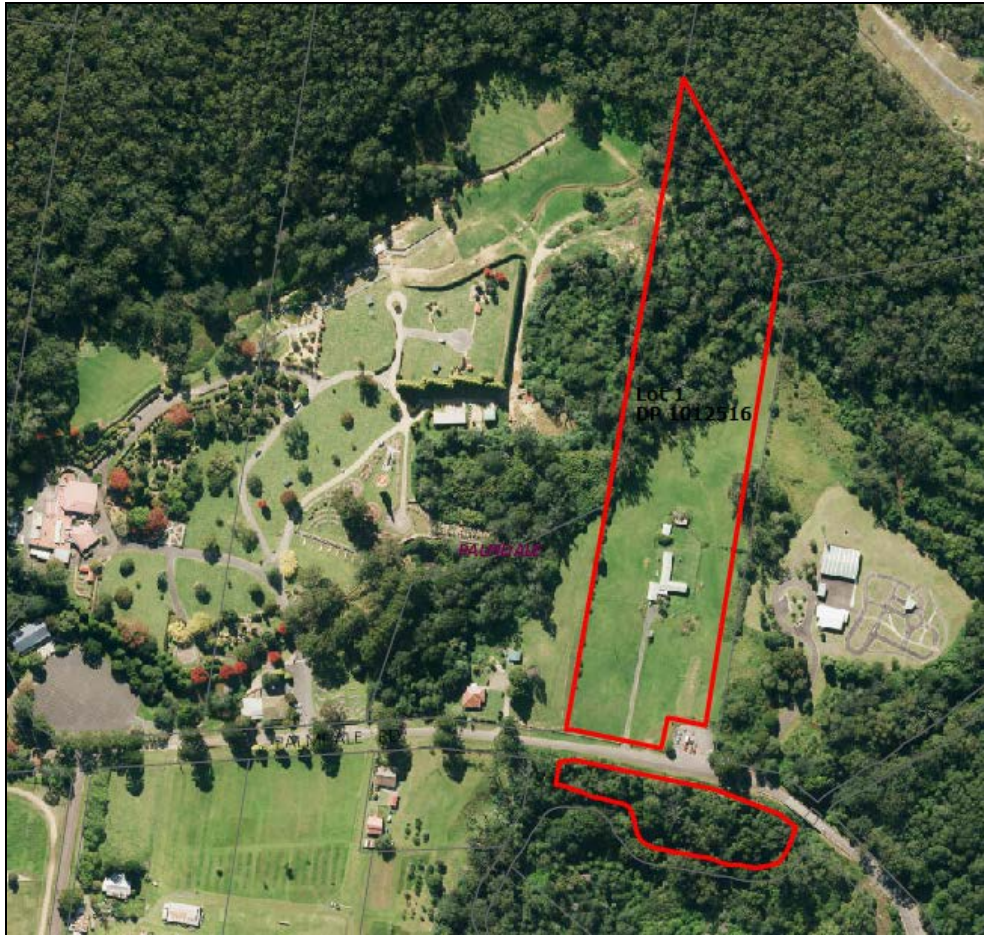


Figure 1 – Site and existing land uses.

THE PROPOSAL

The planning proposal request seeks Council to amend existing planning controls of WLEP 2013 to enable the site to be developed to provide additional area for memorial gardens.

The information provided with the Planning Proposal indicates that the site is appropriate for the use as an addition to the existing cemetery and crematorium located on the neighbouring site.

The planning proposal seeks to protect the 41% of the site which contains the existing River Flat Eucalypt Forest EEC via the proposed E2 Environmental Conservation zone. The proposal will have minimal impact on the existing rural area as the site is cleared and is not utilised for agricultural purposes. The planning proposal will allow for expanded capacity of the existing cemetery and crematorium, which is an integral facility for the growing Wyong community.

The objective of the proposal is to be achieved through rezoning of the site from RU2 Rural Landscape to part SP2 Special Purpose – Cemetery and part E2 Environmental Conservation (see Figure 2 – proposed zoning map).

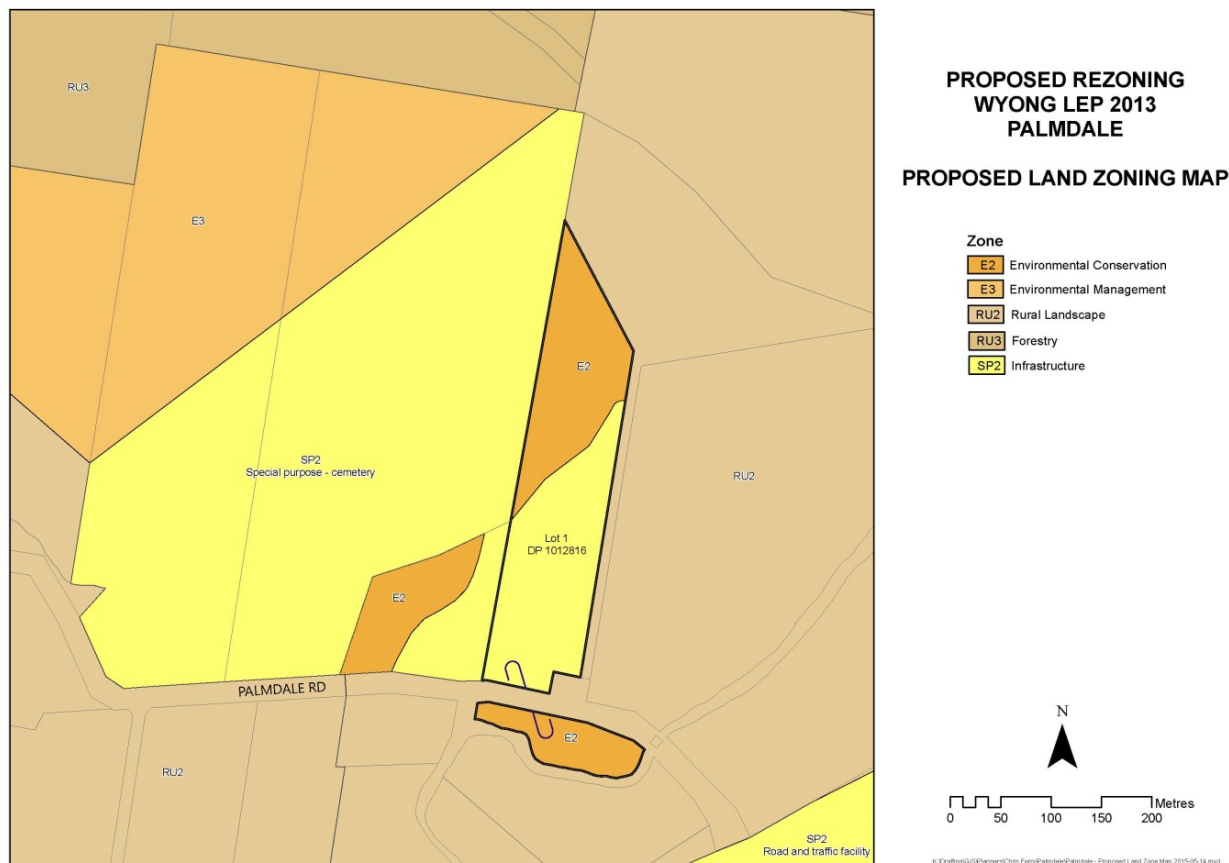


Figure 2 Proposed Land Zoning (The subject lot is shown edged heavy black)

CONSULTATION

Public Consultation

Public exhibition was conducted from 22 July until 5 August 2015. Exhibition of the Planning Proposal and associated material was notified in the Express Advocate and exhibited at Council's Civic Centre and on Council's Website. In addition letters outlining the proposal were sent to surrounding landowners.

No submissions were received during the exhibition period.

Agency Consultation

The gateway determination issued on 12 May 2015 required the proposal to be referred to the following agencies for comment:

- Office of Environment and Heritage
- NSW Trade and Investment – Resources and Energy
- NSW Rural Fire Service
- State Emergency Service
- Office of Water
- Department of Health

2.2 Planning Proposal - 31 Palmdale Road Palmdale - Results of Agency and Community Consultation (contd)

Some concerns were raised but no objection to the proposal was received from the Government Agencies. The following table provides a summary of the agency concerns and Council's actions to ensure the progression of the proposal.

The Office of Water suggested that the proponent provide a *Groundwater Monitoring and Contingency Plan* this request was relayed to the proponent who commissioned a geotechnical report. The report concluded that: based on the subsurface profile and low permeability site clay below the alluvial silty sands, only minor infiltration to groundwater levels is anticipated. This advice was relayed to the Office of Water who concluded that a *Groundwater Monitoring and Contingency Plan* was no longer required.

Agency	Date	Response	Action Required / Taken
NSW Health	22/05/2015	No Response	Nil
NSW Rural Fire Service	22/05/2015	No Response	Nil
Office of Environment & Heritage	22/05/2015 & 9/07/2015	<ol style="list-style-type: none"> 1. Request Due Diligence Aboriginal Report. 2. The Proposal in its current form is generally supported (rezoning to SP2 and E2) 	<ol style="list-style-type: none"> 1. A Due Diligence Aboriginal Assessment has been conducted which concluded that the proposal will not impact on any Aboriginal Relics or sites 2. Noted
Office of Water	22/05/2015	<ol style="list-style-type: none"> 1. Support the E2 zone along Canada Drop Down Creek 2. Suggest E2 zone for that part of the site south of Palmdale Road due to its location in proximity to Ourimbah Creek 3. Suggest the proponent carry out groundwater monitoring and contingency plan to be incorporated into the existing groundwater monitoring and contingency plan. 	<ol style="list-style-type: none"> 1. Noted 2. The planning proposal (zoning map) was amended to include the approx. 6600m² portion of the site which is south of Palmdale Road as E2 land. The applicant has confirmed their acceptance of this change. The E2 zone is considered appropriate as this portion of the site is located adjacent to Ourimbah Creek, is heavily vegetated with EECs and completely flood liable during the 1% AEP. 3. Proponent has provided additional information with regard to the proposed land use being memorialisation and has satisfied the Office of Water that a groundwater monitoring and contingency plan is not required.

2.2**Planning Proposal - 31 Palmdale Road Palmdale - Results of Agency and Community Consultation (contd)**

Agency	Date	Response	Action Required / Taken
NSW Trade and Investment – Resources and Energy	22/05/2015	No issues to raise in regard to S117 1.3 Mining, Petroleum Production and Extractive Industries	Noted
State Emergency Services	22/05/2015	No Response	Nil
Transport for NSW – RMS – as an adjoining Landowner	20/7/2015	No Issues to raise.	Noted

CONCLUSION

The proposed amendment to WLEP 2013 for the rezoning of the subject site to enable the development of additional memorial gardens has been considered and feedback from the community and public authorities has been sought.

The proposed rezoning of the southern portion of the site to E2 Environmental Conservation as a result of Agency responses was considered appropriate given the existing site constraints.

The subject land is considered suitable for the proposed rezoning and therefore it is recommended that Council proceed with the making of the LEP amendment.

ATTACHMENTS

Nil.

3.1 Classification of Land, Lots 133, 136 and 138 DP 1194748 at Drovers Way, Wadalba

TRIM REFERENCE: F2015/00942 - D12078054

MANAGER: Peter Stokes, Manager Property Management

AUTHOR: Julie Tattersall; Property Officer

SUMMARY

Authority is sought to classify Lots 133 and 136 DP 1194748 at Drovers Way, Wadalba as Operational Land.

RECOMMENDATION

- 1 That Council classify Lots 133 and 136 DP 1194748 at Drovers Way, Wadalba as Operational Land.**
- 2 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

Wadalba Central Developments was required to dedicate Lots 133, 136 and 138 DP 1194748 at Drovers Way, Wadalba to Council as part of its development of 108 residential lots from the subdivision of Lot 318 DP 1083445. Lots 133, 136 and 138 have been dedicated to Council pursuant to the Development Consent for DA/1580/2005/B, by way of Section 94 contributions to the Warnervale District Contributions Plan and pursuant to a Deed of Agreement setting out the environmental corridor transfer requirements.

Lots 133 and 136 DP 1194748 at Drovers Way, Wadalba (Lots 133 and 136) have been dedicated as drainage reserve and Lot 138 has been dedicated as public reserve. Lot 138 DP 1194748 will be classified as community land as part of the Wadalba Wildlife Corridor and, as such, is required to remain classified as community land under the Office of Environment and Heritage Deemed Concurrence.

The approximate area of Lots 133 and 136 is as follows:

- Lot 133 - 8,649 square metres
- Lot 136 - 1.113 hectares

3.1 Classification of Land, Lots 133, 136 and 138 DP 1194748 at Drovers Way, Wadalba (contd)

Under Section 31 of the Local Government Act 1993, Council may, before it acquires land or within three 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 three month period is taken to have been classified as Community Land.

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.

Public Notice of the proposal to classify Lots 133 and 136 was given on 31 July 2015. The 28 day notification period ended on 28 August 2015. No submissions have been received.

THE PROPOSAL

It is proposed to classify Lots 133 and 136 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 of and use of Council's property portfolio and improve community and service delivery outcomes.

Lots 133 and 136 should be classified as Operational Land in accordance with the Council's Policy for Property Transactions – Sales and Acquisitions.

OPTIONS

Council may resolve to classify Lots 133 and 136 as either Operational Land or Community Land. If Council does not resolve to classify Lots 133 and 136 within three months of its acquisition then the land will automatically be taken to have been classified as Community Land.

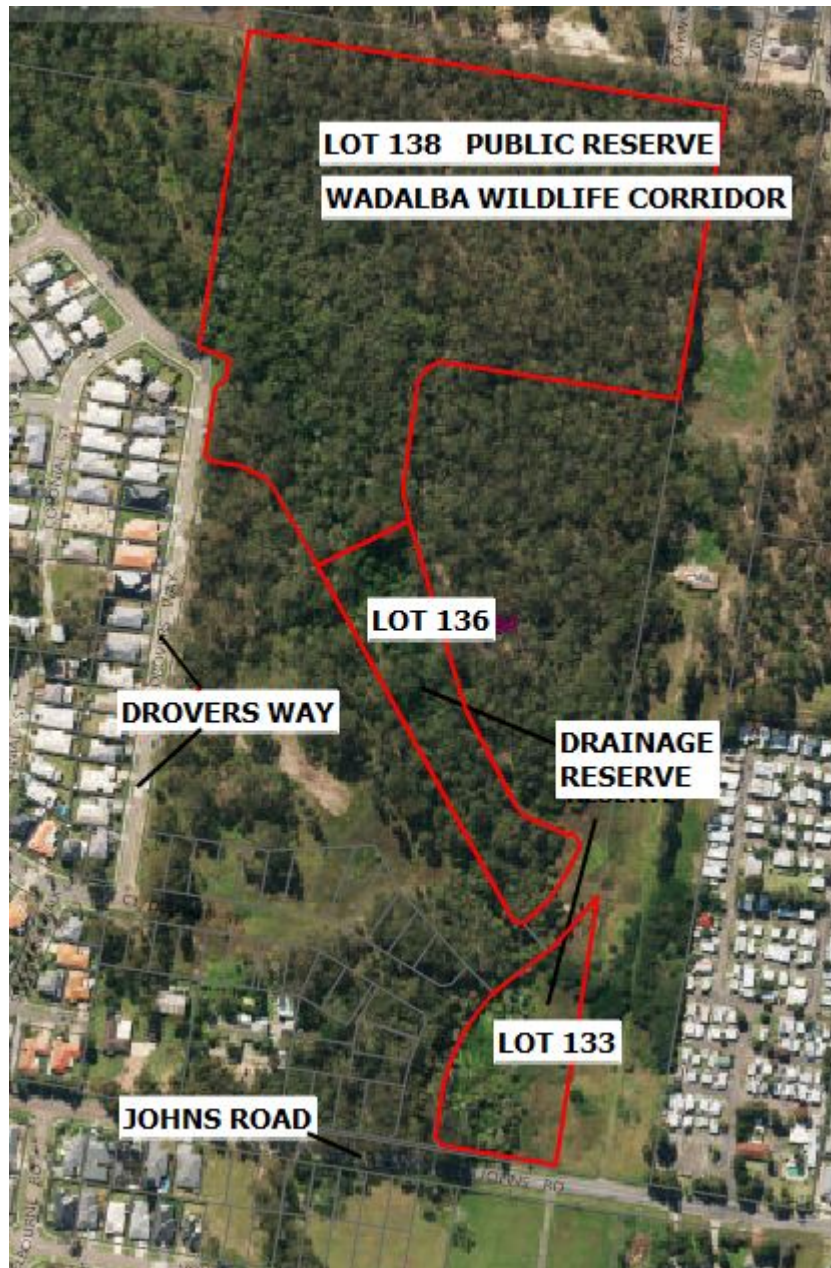
Budget Impact

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.

The proposal to classify Lots 133 and 136 as Operational Land is in accordance with the requirements of the Local Government Act 1993 and Council's Policy for Property Transactions – Sales and Acquisitions.



CONCLUSION

Lots 133 and 136 have been dedicated to Council and require classification under the Local Government Act 1993 (Chapter 6, Part 2, s.25-34). In this instance, Operational Classification is proposed on the basis of the use of the land for drainage reserve in accordance with Council policy.

ATTACHMENTS

Nil.

4.1 CPA/256334 - Operation and Management of Councils Four Holiday parks Located within Wyong Shire Council

TRIM REFERENCE: CPA/256334 - D12066364

MANAGER: Mike Dowling, Director

AUTHOR: Reg Norris; Engineer

SUMMARY

Evaluation and selection of tenders for Contract CPA/256334 – Operation and Management of Councils four Holiday Parks located within Wyong Shire Council

“Councillors are reminded that the name of the successful tenderer will be released after resolution of this item. This means that the contents of Attachment A & B cannot be disclosed during discussion in the open session of the Council meeting.”

RECOMMENDATION

- 1 That Council accept the tender from the company nominated as Tenderer ‘1’ in the attached Tender Evaluation Report, for a period of three (3) years for Contract CPA/256334 –Operation and Management of Councils four Holiday Parks located within Wyong Shire Council. The estimated annual expenditure against this contract is \$2,257,220 (excl GST); however the actual expended amount will vary with fluctuations in the Monthly Operational Profit and changes to the nominated retainer, due to variations in the CPI (All Groups Sydney).**
- 2 That Council determine the Tender Evaluation Report Attachments A & B remain confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the reports contain commercial information of a confidential nature, except for the name of the successful tenderer(s), which may be disclosed after Council has resolved to accept that tender/those tenders.**

BACKGROUND

The scope of this contract provides for the ongoing “Operation and Management of Councils four Holiday Parks” .The location of Councils four holiday parks are:

1. Toowoomb Bay Holiday Park – Koongara St, Toowoomb Bay NSW
2. Norah Head Holiday Park – Victoria St, Norah Head NSW
3. Canton Beach Holiday Park – Oleander St, Canton Beach NSW
4. Budgewoi Holiday Park – Weemala St, Budgewoi NSW

These holiday parks with the exception of Canton Beach are owned by the Crown with Council assuming the responsibility of care, control and management as Trustee. Canton Beach however varies in that the ownership/management is separated into three parcels: Crown land lease, Council as trustee for the Crown and direct ownership by Council.

The financial surplus after operational outgoing and contract payments are made is then re-distributed back into the development of Crown Reserves across the shire.

The current contract with ATPM commenced on 1 November 2011. During the three plus one year extension (4 years period) the total revenue has increased from \$8,447,667 (30 June 2011) to \$ 9,320,415 (30 June 2015). An average increase in revenue of 2.58% per year.

With the current contract reaching expiration on 31 October 2015, it is in the interest of Council to test the market by calling fresh tenders to operate and manage its four holiday parks. Revised documentation has been developed. This current documentation will necessitate a greater emphasis on contractors' entrepreneurialism, innovation and accountability which in turn is driven by a determination to secure better outcomes for Council, ratepayers and other stakeholders.

CONTRACT PLAN

The Contract Plan for this tender process was approved by the Director, Property and Economic Development before the Request for Tender was issued. The approved Contract Plan is filed in TRIM under Document No. D12002784.

INVITATION TO TENDER

Tenders were invited by way of public invitation. Advertisements were placed in the Sydney Morning Herald on 14 July 2015 and the Central Coast Express Advocate on 22 July 2015. Tenders were also advertised on Council's e-Tender website. The advertised closing date was 13 August 2015.

The invitation documents called for Tenders to be submitted based on a fixed retainer and a nominated percentage of the gross operating profit for each of the four holiday parks. The documentation included a Request for Tender (RFT) with seven attachments. Provisions were available within Attachment 1- Returnable forms and Schedules for alternative tenders to be submitted that could allow Council to consider cost saving alternatives.

A compulsory pre-tender meeting was held at the Council administration Building at 10:00 am on 30 July 2015 to field any questions in relation to the contract documentation and on completion of that meeting; tenderers were invited to join in on a tour of each of the four holiday parks.

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

- 1 Clarification of the Business Strategy including the Vision and Key objectives.
- 2 Provision of the Fees and Charges in Excel format in place of the tendered contract's pdf format.
- 3 Minutes of the pre-tender meeting of 30 July 2015.
- 4 Clarification of the application of the monthly fixed retainer for all four parks.
- 5 Provision of a further breakdown of the Gross Operational Profit.
- 6 Clarification of further issues raised, including but not limited to, the removal of the requirement to complete Table 2, application of depreciation as part of Gross Operational Expenditure, timing of claims etc.
- 7 Clarification of line items contained in the Table for Gross Operating Expenditure.

TENDER SUBMISSIONS

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

- Allswell Park Management
- Australian Tourist Park Management
- Discovery Parks
- Pro Management

No late submissions were received.

TENDER EVALUATION

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

- One Tenderer failed to complete the Returnable Schedules in the form contained within Attachment 1. This company was not shortlisted. Tenderers 1, 2 and 3 were then progressed to the weighted evaluation process.

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

Tender submissions from Tenderers 1, 2 and 3 were assessed in accordance with the approved evaluation criteria being:

1. Local Content
2. The tendered price and structure; as well as any other potential costs to Council that may be identified
3(i) - Quality of personnel / company <ul style="list-style-type: none"> - Human Resource capacity, qualifications, skills and experience - Industrial relations, track records and practices - Stability of personnel / company (including years in business and security aspects) 3(ii) - Previous experience of the respondent (tenderer) and standard of performance in the tourism and hospitality industries, particularly holiday park operation, maintenance and management. 3(iii) - Knowledge and demonstrated application of relevant legislation <ul style="list-style-type: none"> - Compliance with applicable legislation and standards
4(iv) - Standard of Service <ul style="list-style-type: none"> - Standard and quality of service on recently completed and Current contracts as measured by reference and referees - Referee Reports

4.1 CPA/256334 - Operation and Management of Councils Four Holiday parks Located within Wyong Shire Council (contd)

- Quality of tenderers Contract , Implementation Plan
5(v) - Entrepreneurial ability <ul style="list-style-type: none">- Commercial business acumen including entrepreneurial- experience and ability- Adequacy of Marketing Plan and capacity to work in concert with Council to effectively market and promote the Tourist Parks
6(vi) - Quality Management <ul style="list-style-type: none">- Implementation status and demonstrated effectiveness of quality systems- W H & S System and record keeping 6(vii) - Co-ordination of Sub-contractors <ul style="list-style-type: none">- Demonstrated ability to effectively co-ordinate and manage sub-contractors- Suitability of sub-contractors
7(viii) - Commitment to client service <ul style="list-style-type: none">- Customer service focus and commitment- Demonstrated commitment to achieving client service including tourists and other park / facility end users.- A record of ethical behaviour and service delivery

Additional information was sourced in the latter stages of the tender evaluation panel and subsequently incorporated into the assessment and final recommendations as outlined in Attachment A.

FINANCIAL IMPLICATIONS

There are sufficient funds allocated for this contract within the Long Term Financial Plan-2015-2019. The source of funding is provided under CPA/256334

RELEVANT LEGISLATION

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

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

CRITICAL DATES / TIME FRAMES

The existing contract for the Operation and Management of Councils four Holiday Parks completes on 31 October 2015.

4.1 CPA/256334 - Operation and Management of Councils Four Holiday parks Located within Wyong Shire Council (contd)

The Letter of Acceptance for this contract needs to be sent to the successful tenderer immediately after the Ordinary Meeting of 23 September 2015; with tender commencement date being on 1 November 2015.

The period of the contract is from 1 November 2015 to 31 October 2018 (3 Years).

RISK

This contract has been assessed as a low risk contract. The key risks and mitigations measures have been addressed in the Contract Plan which is on the TRIM file.D12002784.

REGULATORY APPROVALS

The following regulatory approvals have been obtained for this Contract:

- Nil

PROCESS REVIEW

The Tender evaluation and this report and recommendations have been endorsed in TRIM by the Commercial Manager, Contracts and Project Management.

OPTIONS/ALTERNATIVES

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

PUBLIC CONSULTATION

No public consultation specific to this contract was necessary and none has occurred.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Confidential Attachment A - | D12082112 |
| 2 | Confidential Attachment B - CPA 256334 - | D12081809 |

4.2 CPA/257590 - Hire Trucks - Heavy Plant Equipment - 2015-2017

TRIM REFERENCE: CPA/257590 - D11993607

MANAGER: Andrew Pearce, Manager Commercial Enterprises

AUTHOR: Sue McKinnon; Administration and Financial Supervisor

SUMMARY

Evaluation and selection of tenders for Contract CPA/257590 - Hire Trucks - Heavy Plant Equipment – 2015-2017

“Councilors are reminded that the name of the successful tenderer will be released after resolution of this item. This means that the contents of Attachments A and B1 – B3 cannot be disclosed during discussion in the open session of the Council meeting.”

RECOMMENDATION

- 1 That Council accept all conforming tenderers received in the attached Tender Evaluation Report, for a period of up to 2 years for Contract CPA/257590 – Hire Trucks – Heavy Plant Equipment – 2015-2017. The estimated annual expenditure against this contract is estimated at \$4,526,000.00 (excl GST), however actual expenditure may vary significantly with fluctuations in demand.**
- 2 That Council determine 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 tenderers, which may be disclosed after Council has resolved to accept those tenders.**
- 3 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.**

BACKGROUND

Due to a combination of the fluctuating nature and diversity of its operations, Council frequently finds it necessary to externally hire a wide range of trucks and heavy plant equipment. The demand for externally hired trucks and heavy plant is a function of the composition of the works program at any given time. To ensure that these items are readily available at the most competitive rates, tenders are invited every two to three years. The current tender expires on 14 August 2015.

Initially, when an item is required, the item is provided from Council's own plant pool. When Council owned trucks and heavy plant are not available (due to previous allocations or when it is not cost effective for Council to stock specialist or low utilised equipment), Council's Plant Pool section source the required vehicle from a ranked listing of contracted external providers compiled through a tender assessment process. Offers of hire start with the contractor with the highest ranking for the relevant trucks and heavy plant and if that contractor is not available at the time required, offers proceed down the ranking list until the required numbers of equipment are sourced.

It is critical that equipment is available, fit for purpose and complies with legislative requirements in order to ensure Council's strategic and operational objectives are accomplished. The panel of suppliers provides the flexibility to source additional resources as required, to meet changing requirements.

The contract is aligned to the long term resourcing and financial strategy in terms of the delivery of cost effective truck and heavy plant solutions to meet the long term and annual operational plan works as outlined in the Council Strategic Plan.

The contract is split into two sections; tender for general council services (both wet and dry hired trucks and plant) and Buttonderry Waste Management Facility operations, to take into account the special needs and conditions specific to Waste management. The fulltime hire of a compactor and traxcavator at Buttonderry Waste Management Facility is outside the scope of this tender, with a business case analysis currently underway to determine the best value option to source this specialist and highly utilised equipment.

PROBITY

The tender process has been conducted in accordance with a Probity Plan, due to the higher probity risks associated with this tender by reason of its total capital value, long standing contractors and its potential to be contentious. Probity arrangements focused specifically on the process and panel ranking evaluation post tender submission to ensure the evaluation criteria was satisfactory the process was conducted fairly and with equality. A probity review was carried out by the Probity Officer on Tuesday July 7TH and the probity officer was present during the Evaluation Panel meeting held on Thursday 10th July. The probity officer has also more recently overseen actions in August whereby Council sought further clarification from a number of tenders to seek clarification of compliance with mandatory technical specifications.

The Probity Officer was satisfied that the tender process has been conducted appropriately to date and in accordance with the contract plan.

CONTRACT PLAN

The Contract Plan for this tender process was approved by the Director Property Economic Development, before the Request for Tender was issued. The approved Contract Plan is in TRIM D11895490

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald, Newcastle Herald and Central Coast Express between 5 to 9 May 2015 and eTender.

Tenders closed at Council's Chambers at 2.00pm on 28 May 2015

TENDER SUBMISSIONS

The following tenders were received and considered to be conforming listed in alphabetical order:

- Activaz Pty Ltd
- All Areas Concrete Pumping
- ANB Concrete Pty Ltd
- B J Hunter Pty Ltd
- Adam Lowe Earthmoving Pty Ltd
- AJ Scarr cranes
- Allcott Hire
- Antoun's Construction Pty Ltd
- ASV Sales and Service Pty Ltd
- Base Course Management
- Casson Trucking & Earthmoving Pty Ltd
- Central Coast Contracting Trust
- Central Coast Slashing Service Pty Ltd
- Central Coast Tipper Hire Pty Ltd
- Citystar Pty Limited
- Civil Movement Pty Ltd
- Coates Hire Operations Pty Ltd
- D & M Excavations & Asphaltting Pty Ltd
- Emery Excavations Pty Ltd
- Fenech Group Pty Ltd
- Goodworth Landscapings & Excavations Pty Ltd
- Hardyards Outdoor Constructions Pty Ltd
- HI-Quality civil & environmental services Pty Ltd
- JAS Logistic Enterprises
- John E Hogan Pty Ltd
- Johnno's haulage Pty Ltd
- KASM Excavations Pty Ltd
- Keegan Civil Pty Ltd aft Keegan Family Trust
- Kennards hire
- Kingston Industries Pty Ltd
- Koppman Earthmoving Pty Ltd
- M & R Mason Pty Ltd
- Mainstream Industries Pty Ltd
- McPhan Cranes and Transport
- MJX Earthworks
- PC & LP Hirsch Pty Ltd
- Porter Excavations Pty Ltd
- RK Talbot Enterprises Pty Ltd
- Rollers Australia Pty Ltd
- Ron Leete Pty Ltd
- Roxy Creek Angus Pty Ltd
- RYDA Earthmoving
- Sharpe Bros Australia
- Sherrin Rentals Pty Ltd
- Solution Plant Hire Pty Ltd

- Stanton Corporation Pty Ltd
- Stabilised Pavements of Australia
- TCX Pty Ltd
- Teric Pth Ltd
- The Asphalt Man Pty Ltd
- TNT Plumbing & Drainage Pty Ltd
- Watermans excavations Pty Ltd
- Worth Recycling Pty Ltd
- Wrights Excavations Pty Ltd

The following tenders were received and considered to be non-conforming; the tenderers are listed in alphabetical order:

- All Areas Concrete Pumping
- Central Coast Contracting Trust
- Dreegan Plant Hire
- Fenech Group Pty Ltd
- Ironbark Plant Hire
- Mainstream Industries Pty Ltd
- Max Hire Pty Ltd
- Onsite Rental Group Operations Pty Ltd
- PeterTrans NSW
- Pryor Plant Hire
- Roxy Creek Angus Pty Ltd
- Shaun Clayton Equipment Pty Ltd
- Stanton Corporation Pty Ltd
- Talbot Plant Hire Pty Ltd
- Teric Pty Ltd
- Tomago transport & Earthmoving Pty Ltd
- Watermans excavations Pty Ltd
- Worth Recycling Pty Ltd

TENDER EVALUATION

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

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

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

- 1 Local content
- 2 Price
- 3 Panel ranking
- 4 Experience
- 5 Proven performance

FINANCIAL IMPLICATIONS

Cost for the provision of this service will be allocated from each Business Unit's operational and capital budgets. Cost for the hire of plant and equipment will be managed by each business unit or project manager.

RELEVANT LEGISLATION

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

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

CRITICAL DATES / TIME FRAMES

It is anticipated that the contract will be awarded on 21st September 2015 and that the trucks heavy plant equipment will be available for hire from this date.

RISK

This contract has been assessed as a Medium/High risk contract. The key risks and mitigations measures have been addressed in the Contract Plan and detailed Risk Assessment which is in the Wyong Shire Council electronic document system (TRIM D11895714)

REGULATORY APPROVALS

The following regulatory approvals have been obtained for this Contract:

- Nil

PROCESS REVIEW

The Tender evaluation and this Report and recommendations have been endorsed in TRIM by the Commercial Manager, Contracts and Project Management.

OPTIONS/ALTERNATIVES

Council has the option of not proceeding with this contract by resolving not to accept an offer from any of the Tendering parties. This option is not recommended as it will significantly reduce Council's ability to deliver services to the community.

PUBLIC CONSULTATION

No public consultation specific to this contract was necessary and none has occurred.

ATTACHMENTS

- | | | |
|---|---|-----------|
| 1 | Confidential - Attachment A - T144 - Tender Evaluation Report
CPA257590 - Hire of Truck and Heavy Plant Equipment 2015 - | D12060763 |
| 2 | Confidential - Attachment B1 Buttonderry Waste Management Facility - | D12060777 |
| 3 | Confidential - Attachment B2 Dry Hire - | D12060947 |
| 4 | Confidential - Attachment B3 Wet Hire - | D12060953 |

4.3 CPA/262608 - Design and Supply of Corporate and Operational Uniform

TRIM REFERENCE: CPA/262608 - D12068016

MANAGER: Maxine Kenyon, Director

AUTHOR: Irene Reid; Project Officer

SUMMARY

Evaluation and selection of tenders for Contract CPA/262608 Design and Supply of Corporate and Operational Uniform

“Councillors are reminded that the name of the successful tenderer will be released after resolution of this item. This means that the contents of Attachment A cannot be disclosed during discussion in the open session of the Council meeting.”

RECOMMENDATION

- 1 That Council accept the tender from the company nominated as Tenderer ‘3’ in the attached Tender Evaluation Report, for a period of four years for Contract CPA/262608 – Design and Supply of Corporate and Operational Uniform. The estimated annual expenditure against this contract is \$306423.55) (excl GST), however actual expenditure may vary significantly with fluctuations in demand.**
- 2 That Council determine 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.**

BACKGROUND

Council resolved at its meeting of 10 June 2015 to reject all tenders received for Contract CPA/251997 – for the Supply and Delivery of Corporate Uniforms. The reason for this was to call new tenders based on a revised scope that embellishes Council's new brand and colour scheme and include both indoor and outdoor work wear requirements.

As such, a new Request for Tender was issued in the form of a reverse brief and tenderers were requested to provide an entire design proposal and quote for the supply of corporate and operational uniform.

4.3 CPA/262608 - Design and Supply of Corporate and Operational Uniform (contd)

The tender documents specified that the successful tenderer will be expected to provide a corporate and operational uniform that:

- is functional and high quality;
- provides value for money;
- is easily identifiable and professional;
- is easy to care for;
- reflects the nature of the business and the community we provide services for
- has formal and informal designs that demonstrate the personality of the Wyong Shire Council brand and aligns with the Wyong Shire Council Style Guide, taking into account the requirements of the varying working environments;
- is easily transitioned from the current uniform to minimise the impact on the look of the new uniform; and
- caters for all sizes.

CONTRACT PLAN

The Contract Plan for this tender process was approved by the Director Community and Recreation Services before the Request for Tender was issued. The approved Contract Plan is in TRIM D11986883.

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald, Central Coast Express Advocate and eTender on *11 August 2015* and closed on *3 September 2015*.

A compulsory pre-tender meeting was held at Council Chambers on 20 August 2015 to allow tenderers to become familiar with tender requirements.

Tenders closed at Council's Chambers at 2.00pm on *3 September 2015*.

TENDER SUBMISSIONS

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

- Advance Design Pty Ltd
- Allmakes Pty Ltd T/A Brandworx Australia
- Corporate Innovation Services Pty Ltd
- E-Bisprint Pty Limited
- Goodgear Pty Ltd
- Protector Alsafte Pty Ltd
- The Workwear Group Pty Ltd
- Urban Cargo Pty Ltd
- Zibara Clothing Pty Ltd

A late submission was received from

- RSEA Pty Ltd

TENDER EVALUATION

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

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

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

- a) Evidence of experience in delivering contracts of similar nature, scope and size;
- b) Evidence of appropriate corporate systems to manage quality and safety risks;
- c) Compliance with tender conditions;
- d) Local Content;
- e) The tendered price, design and structure; as well as any other potential costs to Council that may be identified;
- f) Quality and creativity of proposal which demonstrates empathy with corporate aims;
- g) Proposed methodology/program which demonstrates capacity to provide the Services as required under the Contract; and
- h) Experience and proven performance in the specific field.

Selected tenderers were invited to present their proposed garment range to the evaluation panel on Monday 14th September at 10am. Members of the current uniform committee were also invited to attend to provide additional feedback and technical advice to the panel. This provided an opportunity to assess the quality, suitability and wearability of the fabrics and garments being offered and to see the design / colours of the garments first hand. This assisted the panel in assessing the tenders against the non-price criteria.

FINANCIAL IMPLICATIONS

There are sufficient funds allocated for this contract within the current year's operational budget.

RELEVANT LEGISLATION

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

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

CRITICAL DATES / TIME FRAMES

It is anticipated that the contract will be awarded on 28 September.

Final design is expected to be completed by 8 October 2015. Fittings are expected to occur during the last week of October with deliveries commencing on approximately 27 November.

RISK

This contract has been assessed as a low risk contract. The key risks and mitigations measures have been addressed in the Contract Plan.

REGULATORY APPROVALS

The following regulatory approvals have been obtained for this Contract:

- Nil

PROCESS REVIEW

The Tender evaluation and this Report and recommendations have been endorsed in TRIM by the Commercial Manager, Contracts and Project Management.

OPTIONS/ALTERNATIVES

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

PUBLIC CONSULTATION

No public consultation specific to this contract was necessary and none has occurred.

ATTACHMENTS

- 1 Confidential T144 - CPA/262608 Tender Evaluation D12085619

4.4 CPA/264704 - Supply & installation of Electrical Kiosk - Art House

TRIM REFERENCE: CPA/264704 - D12064250

MANAGER: Greg McDonald, Director

AUTHOR: Michael Horan; Project Manager

SUMMARY

Evaluation and selection of tenders for Contract CPA/264704 – Supply & installation of electrical kiosk

“Councillors are reminded that the name of the successful tenderer will be released after resolution of this item. This means that the contents of Attachment A cannot be disclosed during discussion in the open session of the Council meeting.”

RECOMMENDATION

- 1 That Council accept the tender from the company nominated as Tenderer No 1' in the attached Tender Evaluation Report, for the lump sum amount of \$223,298.79 (excl GST) for Contract CPA/264704 – Supply & installation of electrical kiosk.**
- 2 That Council determine 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.**
- 3 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.**

BACKGROUND

An electrical kiosk is required to supply power to the Art House currently under construction.

An application was submitted to Ausgrid in October 2013 and a design prepared by Connect Infrastructure and submitted for review with Ausgrid approval being issued on 9 September 2015.

CONTRACT PLAN

The Contract Plan for this tender process was approved by the Director Maxine Kenyon, before the Request for Tender closed. The approved Contract Plan is in TRIM D12028242.

INVITATION TO TENDER

The tender was advertised in the Sydney Morning Herald, Advertiser and eTender on 4 August 2015 and closed on 27 August 2015.

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

Information meetings were held on site on 11/8/15 and 13/8/15 to allow tenderers to become familiar with site conditions.

TENDER SUBMISSIONS

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

- Bedrule
- Dunmain
- Energy Connect
- Elect Energy
- Metwest
- MPDI
- Systems Constructions

TENDER EVALUATION

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

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

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

- a) Price;
- b) Methodology;
- c) Experience;
- d) Capability of tenderers

FINANCIAL IMPLICATIONS

There are sufficient funds allocated for this contract within the current year's capital works program under CPA/241428, budget allocation 16569.

RELEVANT LEGISLATION

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

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

CRITICAL DATES / TIME FRAMES

It is anticipated that the contract will be awarded on 28 September 2015 and that the works will be available to be put into service by 24 December 2015.

RISK

This contract has been assessed as a Medium risk contract. The key risks and mitigations measures have been addressed in the Contract Plan and detailed Risk Assessment which is on the TRIM file.

REGULATORY APPROVALS

The following regulatory approvals have been obtained for this Contract:

- The Design for the kiosk installation is currently being reviewed by Ausgrid and advice is that approval is imminent.

PROCESS REVIEW

The Tender evaluation and this Report and recommendations have been endorsed in TRIM by the Commercial Manager, Contracts and Project Management.

OPTIONS / ALTERNATIVES

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

PUBLIC CONSULTATION

No public consultation specific to this contract was necessary and none has occurred.

ATTACHMENTS

- 1 T144 - Tender Evaluation Report - Kiosk Supply Installation - D12084615

5.1 Policy - Rate reduction for pensioners

TRIM REFERENCE: F2004/06147 - D12061665
MANAGER: Stephen Naven, Chief Financial Officer
AUTHOR: Darryl Telfer; Revenue Accountant

SUMMARY

The Rates Reduction for Pensioners Policy has been reviewed and is submitted to Council for adoption.

RECOMMENDATION

- 1 That Council note that a review of the Rates Reduction for Pensioners Policy has been undertaken.**
- 2 That Council adopt the Rates Reduction for Pensioners Policy attached to this report.**

BACKGROUND

The Rates Reduction for Pensioners Policy defines the circumstances under which Council will provide Pensioner Concessions on rates and charges, under section 575 of the Local Government Act 1993 (LGA) and clause 221 of the Water Management (General) Regulation 2011 (WMR).

WSC levies ordinary Rates under s494 of the LGA, Domestic Waste Management service charges under s 496 of the LGA and also levies water and sewerage service charges under s310 of the Water Management Act 2000 (WMA)

S575 of the LGA compels Council to provide reductions for eligible pensioners against ordinary rate, domestic waste management service charges, water service charges and sewerage service charges.

Cl 221 of the WMR compels Council to provide reductions for eligible pensioners against water and sewerage service charges levied under the WMA in the same manner as provided for under the LGA.

The proposed policy represents the minimum statutory requirements for the provision of rate reductions for pensioners. Additionally, the proposed policy provides clarity around the circumstances under which applications for concessions conform to the statutory requirements and defines the timeframe for making retrospective claims for concessions as a maximum of two (2) years.

CURRENT STATUS

The Policy has been reviewed as part of Council's policy governance procedures.

THE PROPOSAL

The proposal is to renew the Rates Reduction for Pensioners Policy to provide concessions to residents who are eligible pensioners under section 575 of the LGA and clause 221 of the WMR.

Applications for pensioner concessions must be on the form approved by the Director General and supported with appropriate documentary evidence of the applicant's eligibility under s575 of the LGA. These applications are to be made in the same rating period that the rates and charges, for which the concessions are being sought, are levied, or in the subsequent rating period.

WSC will individually assess applications for concessions under this policy. Those applications that do not fully comply with this policy, or where customers seek concessions in excess of those provided for in this policy, may be considered by the WSC Chief Financial Officer. The pension rebate will be shown separately on the annual rates notice and water account. The pension rebate will be deducted from the total amount owing.

In regards to land which is jointly owned and the liability for payment of rates is shared with rate payers who are ineligible for pensioner concessions, the rebate amount will be calculated proportionally according to the ratio that the eligible pensioners bears to the total number of owners.

For the purpose of this policy, life tenants are deemed as owners.

Pensioner ratepayers who need to leave their homes temporarily for medical care purposes shall continue to receive concessions if the property remains occupied by their spouse or for a maximum period of two (2) years in the event that the property is unoccupied.

If an eligible pensioner becomes ineligible for any reason, then the Council rebate will be written back proportionally according to the number of full quarters left in the rating year (Section 584 of the Local Government Act, 1993).

OPTIONS

Council is legally compelled to provide pensioner concessions however Council may choose to accept the policy as presented or propose other policy amendments.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

Long term Financial Strategy

Rates reductions for pensioners in accordance with this policy presented form a key budget assumption to Council's financial modelling. The cost to Council by providing this reduction has been factored into its operations.

In 2015 \$6,037,517 in pensioner rate reductions were provided. 55% of this amount is recovered from the Federal and State Government. The remaining 45% is a cost to Council totalling \$2,716,882.

Budget Impact

Rates reductions for pensioners form part of Council's budget. The cost to Council by providing this reduction has been factored into its operations.

CONSULTATION

Rate reductions have not changed from previous operational policy and as such no consultation has been sought at this time.

GOVERNANCE AND POLICY IMPLICATIONS

The policy for Rate reductions for pensioners is in compliance with the requirements under the LGA and WMR.

MATERIAL RISKS AND ISSUES

Nil.

CONCLUSION

A periodical review of the Rates Reduction for Pensioners Policy has been undertaken. This policy gives greater transparency and clarity around the eligibility requirements applicants must satisfy in order to receive these concessions. Adoption of the policy is recommended.

ATTACHMENTS

1 Rate Reduction for Pensioners Policy D12041705



POLICY No:

POLICY FOR:

RATE REDUCTION FOR PENSIONERS

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AUTHORITY	NAME & TITLE	SIGNATURE	DATE
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MANAGER	Stephen Naven Chief Financial Officer		
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GENERAL MANAGER	Michael Whittaker		
MAYOR (IF APPLICABLE)			

History of Revisions:

Version	Date	TRIM Doc. #
1		

A. POLICY SUMMARY

- A1 This policy defines the circumstances under which Council will provide Pensioner Concessions on rates and charges under section 575 of the Local Government Act 1993.

B. POLICY BACKGROUND

- B1 WSC levies ordinary Rates under s494 of the LGA, Domestic Waste Management service charges under s 496 of the LGA and also levies water and sewerage service charges under s310 of the WMA
- B2 S575 of the LGA provides that reductions for eligible pensioners be provided against ordinary rates, domestic waste management service charges, water service charges (including water usage charges) and sewerage service charges.
- B3 Cl 221 of the WMR provides that reductions for eligible pensioners be provided against water and sewerage service charges levied under the WMA in the same manner as provided for under the LGA.

C. DEFINITIONS

- C1 **LGA** means the *Local Government Act 1993*.
- C2 **WMA** means the *Water Management Act 2000*.
- C3 **WMR** means the *Water Management (General) Regulation 2011*.
- C4 **WSC** means Wyong Shire Council.
- C5 **Council** means the elected representatives, Councillors, who form the governing body of Wyong Shire Council.
- C6 **Rating period** means the twelve month period from 1 July in one calendar year until 30 June in the following calendar year.
- C7 **Owner** is defined per *Section 3 (Dictionary) of Local Government Act 1993*.
- C8 **Life Tenants** are defined within the *Office of Local Government Council Rating and Revenue Raising Manual 2007 Section 19*.

D. POLICY STATEMENTS**Jurisdiction**

- D1 This Policy covers all elected members of Council, all personnel employed by WSC, any person or organisation contracted to or acting on behalf of WSC, any person or organisation employed to work on WSC premises or facilities and all activities of the WSC.
- D2 This policy does not confer any delegated authority upon any person. All delegations to staff are issued by the General Manager.

Conditions

- D3 Concessions under this policy are provided to residents who are eligible pensioners under section 575 of the LGA

Applications

- D4 Applications must be on the form approved by the Director General.

- D5 Applications must be supported with documentary evidence of the applicant's eligibility under s575 of the LGA.
- D6 Applications must be made in the same rating period that the rates and charges, against which the concessions are being sought, are levied, or in the next rating period.

Concessions

- D7 Reductions for eligible pensioners will be provided against ordinary rates, domestic waste management service charges, water service charges and sewerage services as required under s575 of the LGA.

E. POLICY IMPLEMENTATION - PROCEDURES

- E1 This policy should be read in conjunction with the WSC Code of Conduct.
- E2 It is the personal responsibility of all WSC employees and agents thereof to have knowledge of, and to ensure compliance with this policy.
- E3 WSC will individually assess applications for concessions under this policy.
- E4 Applications that do not fully comply with this policy or where customers seek concessions in excess of those provided for in this policy may be considered by the WSC Chief Financial Officer.
- E5 The rebate on ordinary rates and domestic waste charges will be shown on the annual rate notice and will be deducted from the total amount owing.
- E6 The rebate on water service, water usage and sewerage service charges will be apportioned equally over the number of billing periods in a year. The apportioned rebate amounts will then be applied to each billing period and will be deducted from the total amount owing.
- E7 On land that is jointly owned and the liability for payment of the rates is shared with ratepayers who are not eligible pensioners, the rebate amount will be calculated proportionally according to the ratio that the eligible pensioners bears to the total number of owners.
- E8 For the purpose of this policy, life tenants are deemed as owners.
- E9 Ratepayers remains eligible for concessions notwithstanding that they are required to leave their principal place of living for a temporary period for the purpose of receiving medical care, with an intention to return to their home subject, during the time of their absence, to the property being:
a. unoccupied for a maximum period of two (2) years, or;
b. occupied only by the ratepayer's spouse.
- E10 If an eligible pensioner becomes ineligible for any reason, then the Council rebate will be written back proportionally according to the number of full quarters left in the rating year in accordance with section 584 of the Local Government Act, 1993.

E11 Associated documents

WSC Code of Conduct

5.2 Tourism Framework and Plan 2015-2017

TRIM REFERENCE: F2004/07096 - D12074145

MANAGER: Sue Ledingham, Manager

AUTHOR: Teresa Walters; Section Manager

SUMMARY

Wyong Shire Council recognises that tourism is an opportunity for the Shire, through the creation and support of jobs, the economic benefit it brings to local businesses and the destinations and attractions that it delivers for all residents to benefit from.

This framework has been developed to articulate Council's role in the facilitation of tourism outcomes for the Wyong Shire and outline Council's approach with tourism partners. The plan outlines Council's approach to tourism for 2015-17, details actions and how outcomes will be evaluated.

RECOMMENDATION

That Council adopt the Tourism Framework and Plan 2015-2017.

BACKGROUND

Council has recognised that tourism is an opportunity for the Shire, through the creation and support of jobs, the economic benefit it brings to local businesses and the destinations and attractions that it delivers in benefits for all residents.

Research suggests that for Wyong Shire to be successful in making tourism a driver for development, Council needs a strong tourism asset base and appropriate and effective planning, management and promotion of the destination.

The key outcome of the Regional Tourism Opportunity Plan (2013) developed by The Stafford Group for Wyong Shire Council, Gosford City Council, Regional Development Australia and Central Coast Tourism is to help reverse declining visitor numbers and to facilitate the development of sustainable tourism within the Central Coast region.

Council's Tourism Framework and Plan 2015-17 links to this and addresses the opportunities and gaps.

Tourism is traditionally focussed on the Federal and State government with regional tourism organisation delivering outcomes in relational areas in collaboration with local authorities, visitor information centres, tourism operations, businesses, support services and residents.

Council has considered that it needs to have more strategic management and promotion of tourism, investment and employment for the Wyong Shire and that developing a more strategic management approach is needed as well as investigating the best options for future support for tourism.

The WSC Tourism Framework and Plan 2015-17 has identified that Council's role in tourism is one of facilitation. The framework is based on the premise that no one factor drives successful tourism outcomes and that collaboration and partnerships across a number of different areas are proven approaches to achieving successful tourism outcomes for an area.

Council's approach to this for 2015-17 will be:

- Continue working with Central Coast Tourism as the regional tourism organisation, to assist in facilitating increased visitation to the Wyong Shire through better co-ordination, improved success with external funding and partnerships around events and tourism promotion until June 2016
- Investigate options for a Shire wide events and promotions body to be fully funded and supported by Council and negotiate with Central Coast Tourism, The Entrance Town Centre Management, Wyong Regional Chamber of Commerce and Greater Toukley Vision to effect Council's direction
- Support Central Coast Destination Management Plan (2013-17) strategic priorities with Council's actions
- Deliver a range of projects and activities to support tourism across planning, development and destination marketing.

The outcomes of Council's tourism actions will be evaluated over the duration of the two year plan. The expected outcomes are positive economic returns, contribution to a vibrant destination and a strong identity for the Wyong Shire, with visitors feeling informed, excited and welcomed.

- A strong place identity will be measured by increases in awareness and positive perceptions of Wyong Shire and positive experiences translated to increased visitation and spending. This will be through biennial perception surveys, marketing campaign outcomes and drawing on reporting from external tourism partners about visitor numbers and expenditure
- Successful outcomes for Council's sponsorship program, events strategy and sports tourism focus will be measured through positive economic returns
- Visitor perceptions will be measured through biennial surveys and drawing on information from external tourism partners.

Components and Resources

The Tourism Framework and Plan brings together a number of existing components and strategies across Council, together with external partnerships to provide a strategic direction for Council's role in facilitating tourism. These are the sponsorship program, event strategy, sports tourism, place brand identity and activation, Shire rejuvenation, Visitor Information Services, destination planning and management and tourism promotion and product development.

Council actions under the Tourism Plan will be managed within existing resources.

The Tourism Framework and Plan has also been developed around the tourism deliverables required of the four external organisations currently funded by Council. Should these arrangements change, the Tourism Framework and Plan will be reviewed.

A key action of the Tourism Plan in 2015 is to consult with tourism operators to find out what they need and what Council can do to support their needs and ultimately through a partnership approach, improve tourism outcomes for the Wyong Shire.

Links to Community Strategic Plan (2030)

The proposal supports the delivery of the economic development objectives of the Community Strategic Plan.

CONSULTATION

Consultation was undertaken with the relevant Council business areas responsible for the different components and strategies comprised in this framework. These are the sponsorship program, event strategy, sports tourism place brand identity and activation, Shire rejuvenation, tourism product and development. The Tourism Framework and Plan 2015-17 will be shared with external partners.

CONCLUSION

This report provides details of the WSC Tourism Framework and Plan 2015-2017. The report outlines Council's approach to tourism for 2015-17, details actions and how outcomes will be evaluated.

ATTACHMENTS

- 1 WSC Tourism Framework and Plan 2015-2017 V0.1 July 2015 D12065220



Wyong Shire Council
Tourism Framework and Plan
2015 - 2017

V0.1
Teresa Walters
30 July 2015

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Tourism Framework and Plan 2015-2017

Author: Teresa Walters

Tourism Framework and Plan

Date: 30 July 2015

Version 0.1

Approved by:

Date of Approval:

Assigned review period: 2 years

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Summary

Wyong Shire Council recognises that tourism is an opportunity for the Shire, through the creation and support of jobs, the economic benefit it brings to local businesses and the destinations and attractions that it delivers for all residents to benefit from.

Tourism is traditionally focused on the State and Federal Government with regional tourism organisations delivering outcomes in regional areas in collaboration with local authorities, visitor information centres, tourism operators, businesses, support services and residents. Council's historic approach to tourism has been to sponsor external organisations that were invested in tourism to deliver Shire wide promotion and marketing. The four main organisations Council provides funding to do this are Central Coast Tourism, The Entrance Town Centre Management, Wyong Regional Chamber of Commerce and Greater Toukley Vision.

Following a renewed interest in how tourism is supported in the Wyong local government area as part of Council's overall plans to have more strategic management and promotion of tourism, investment and employment, Council is reviewing the former approach and investigating the best options for future support of tourism.

Background

We need to articulate what a successful tourism space looks like for the Wyong Shire. Research in this area for local government in South Africa¹ indicates that a successful tourism space is achieved for essentially three reasons:

- First, many localities, such as beach resorts or spas, are 'discovered' by private sector entrepreneurs or developers who identify, in these places, certain opportunities for development, triggering the growth of accommodation and recreational facilities, tourist attractions or conference centres;
- Second, other localities become tourism spaces as a result of local initiatives which sometimes are driven out of necessity for new economic opportunities;
- Finally, other localities emerge as tourism spaces by default, if not against the will of the local inhabitants then at least often without their direct encouragement, as a result of much enhanced levels of personal mobility.

The research suggests that for Wyong Shire to be successful in making tourism a driver for development we need a strong tourism asset base – developing and identifying a total tourism product or portfolio of products which will attract visitors. Secondly, appropriate and effective planning and management of tourism at destinations is critical.

Information from Regional Development Australia and Destination NSW records shows that tourism can be a key driver for local economic development for some, but not for all locations.

Links to Central Coast Tourism and Regional Development Australia

The key outcome of the Regional Tourism Opportunity Plan (TOP 2013) developed by The Stafford Group for Wyong Shire Council, Gosford City Council, Regional Development Australia and Central Coast Tourism was developed to help reverse declining visitor numbers and to facilitate the development of sustainable tourism within the Central Coast region. They have identified the following strategic priorities:

1. Activate the waterfront
2. Enhance and promote the sporting and recreational benefits of the Central Coast
3. Attract and grow major sporting, cultural and lifestyle events
4. Make the region more accessible.

¹ Professor Christian Rogerson, School of Tourism and Hospitality Management: Faculty of Management, University of Johannesburg (2013)

The catalyst investment projects identified in the plan are:

1. Mt Penang Tourism Precinct
2. The Waterfront Development at Gosford
3. Motorsport Precinct
4. Pioneer Dairy Sporting Hub
5. Tourism Hub at the Entrance.

There are other opportunities identified in the plan that link to some of the issues/opportunities identified in this document, therefore Council should develop a framework that addresses the gaps and provide strong linkages to the TOP and WSC's Economic Development Strategy.

Approach

No one factor drives successful tourism outcomes and collaboration and partnerships are proven approaches to achieving this for an area. A Tourism Framework has been developed to articulate Council's role in the facilitation of tourism outcomes for the Wyong Shire and outline our approach with tourism partners.

For 2015-17, Council's approach to tourism will be to:

- Continue working with Central Coast Tourism as the regional tourism organisation, to assist in facilitating increased visitation to the Wyong Shire through better co-ordination, improved success with external funding and partnerships around events and tourism promotion until June 2016
- Investigate options for a Shire wide events and promotions body to be fully funded and supported by Council and negotiate with Central Coast Tourism, The Entrance Town Centre Management, Wyong Regional Chamber of Commerce and Greater Toukley Vision to effect Council's new direction
- Support Central Coast Destination Management Plan (CC DMP) strategic priorities with Council's actions
- Deliver a range of projects and activities to support tourism across planning, development, destinations and promotions.

Outcomes and Evaluation

The outcomes of Council's tourism actions will be evaluated over the duration of the two year plan:

- A **strong new place identity** for Wyong Shire will be easily recognised and understood. It will be measured by increases in awareness, positive perceptions of Wyong Shire, and positive visitor experiences translated to increased visitation and spending. This will be measured through the biennial perception surveys, marketing strategy outcomes and drawing on reporting from external tourism partners about visitor numbers and expenditure.
- Successful outcomes for Council's sponsorship program, events strategy and sports tourism focus will be measured through **positive economic returns** for Wyong Shire and contributions to a vibrant destination. This will be measured by number of out-of-area event participants, visitor expenditure and positive perceptions. Shire rejuvenation projects and Tourism Product Development will support this outcome.
- Visitors feel **informed, excited and welcomed** in the Wyong Shire, recommending it as place to visit. Easy and accessible visitor services are available and satisfaction and perceptions are measured through the biennial survey and drawing on information from external tourism partners.

Delivery

Council will deliver a range of projects and activities through the following themes to support the visitor economy and CC DMP strategic priorities:

1. Planning
2. Development
3. Destinations
4. Activities
5. Promotion

The detailed actions are contained in page 12.

Measure and Indicators

Tourism outcomes are long range and cumulative and therefore challenging to measure value in real time or in direct outcomes from specific activities.

The following indicators can help inform Council on the value and return of investment in tourism for the Wyong Shire. These indicators together with visitor numbers and expenditure provided by Central Coast Tourism will be what Council's tourism contribution will be measured on.

Indicator	Measure	Data source	Responsibility
Ability of a destination to deliver quality and competitive tourism services			
1. Number of jobs in tourism industries in Wyong LGA	Percentage increase	ABS Census (every 4 years)	CCTI
Attractiveness of a destination			
2. Increase in recognised new, or improved tourism products and attractions in Wyong LGA	Percentage increase	Tourism operators	CCTI
3. Increased awareness of Central Coast region within the target audience (<i>out-of-market ie: non-residents</i>)	Positive outcomes from CCTI destination marketing campaigns and measured investment results of campaign activity for Wyong specifically eg: overnight bookings	CC DMP Marketing metrics eg: online statistics, brochure requests Bookings / Visitor expenditure	CCTI
4. Increased community value placed on the benefits of tourism (<i>in-market ie: community and businesses</i>)	Awareness measured through local campaign and increased awareness demonstrated through activity	CC DMP Marketing metrics CCT membership acquisition	CCTI
5. Increased recognition of Wyong Shire and its attractions (<i>out-of-market eg: Sydney residents</i>)	Awareness levels measured through surveys	Reputation survey	WSC
6. Visitor satisfaction rating for Wyong products <i>Collate existing research from key tourism operators</i>	Positive experiences demonstrated over a variety of tourism products	Operators' existing research	CCTI / WSC

Tourism Framework

Central Coast Destination Management Plan

Outlines objectives and priorities for the development of tourism on Central Coast with specific Council actions to support delivery.

Third party Funding Agreements

Outline deliverables for third parties to support tourism and promotion of Wyong LGA. Current agreements with Central Coast Tourism, The Entrance Town Centre Management, Greater Toukley Vision and Wyong Chamber of Commerce.

WSC Tourism Plan

Outlines Council's commitment to tourism and provides direction for staff and Councillors.

Components

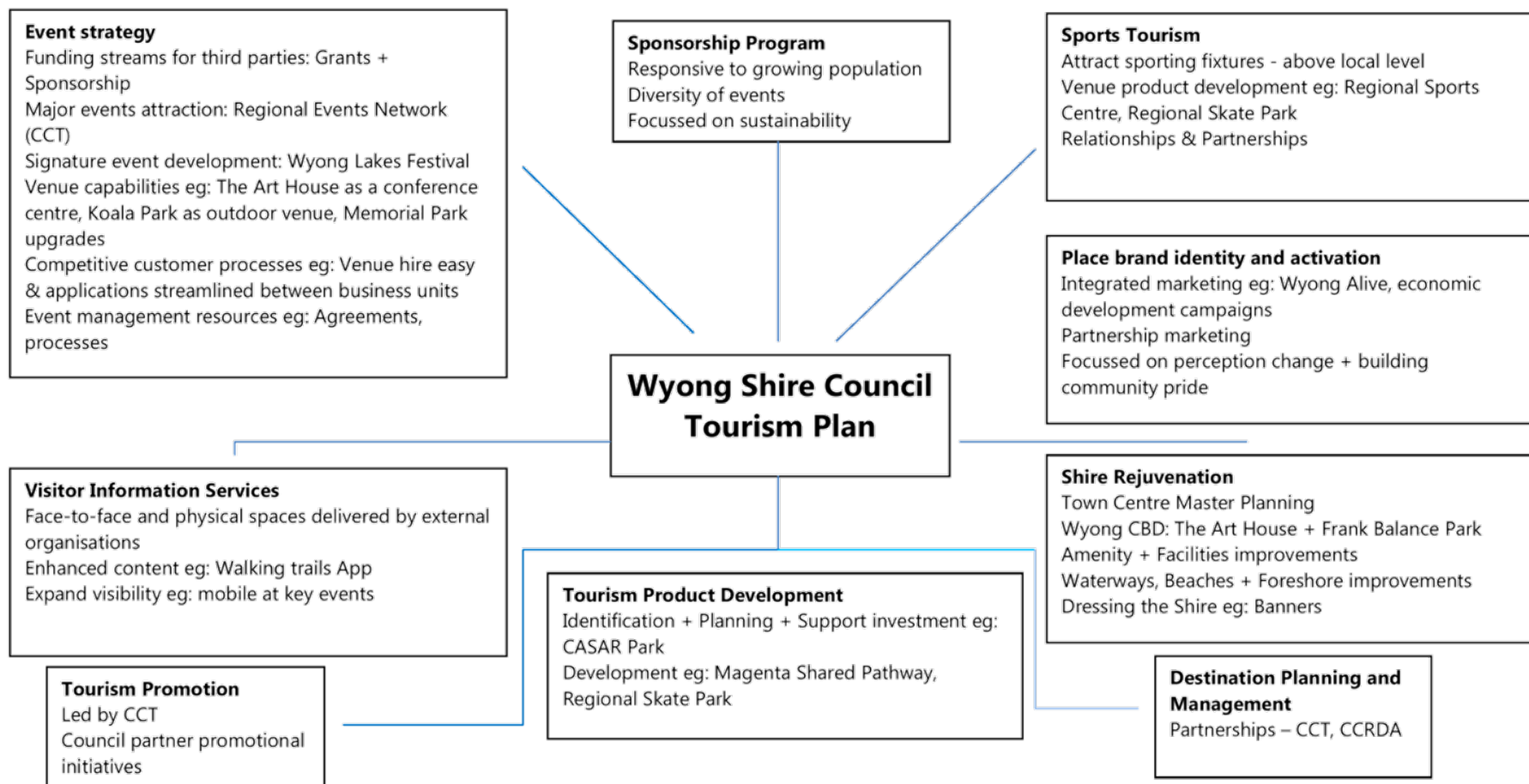
- Event strategy
- Sponsorship
- Sports Tourism
- Place brand identity and activation
- Shire Rejuvenation
- Visitor Information Services
- Tourism promotion
- Tourism product development,
- Destination planning and management

Resources

Council staff

- Manager Customer and Community Relations
- Section Manager Marketing, Tourism & Communications
- Tourism Officer
- Events Manager & Sports Development and Events Officer
- Website, Content Development

Relationships and Partnerships



Tourism Plan Actions 2015-17

Action	Time Frame	Responsibility	Budget
1. Council continue to support Central Coast Tourism Incorporated to deliver tourism promotion and the tourism associated deliverables for the Central Coast region and Wyong Shire until June 2016. And at that time Council review the deliverables and agreement in line with the development of Council's four year strategic plan.	Immediate-Long Term (2015-17)	CCR / Marketing, Tourism & Corporate Communications	\$150,000 annually
2. Council investigate the options for the establishment of a Shire wide events and promotions body.	Immediate – Short Term (2015-16)	CCR & PM	not required
3. Council support CC DMP strategic priorities with the Council actions outlined in Section 4	Immediate – Long Term (2015-17)	CCR-Comms & CPP OST, PED	per activity
4. That Council deliver a range of projects and activities through the following themes to support the visitor economy and CC DMP strategic priorities: 4.1 Planning 4.2 Development 4.3 Destinations 4.4 Activities 4.5 Promotion			
4.1 Planning			
a. Council to encourage tourism operations through the Local Environment Plan or the Development Control Plans	Mid-Long Term (2016-17)	PED	not required
b. Facilitate local business improvements through Masterplans: - Masterplan calendar for priority areas: Ourimbah, Wyong	Short-Long Term (2015-17)	PED	not required
c. Ensure linkages to Council's strategic plans and activities for all tourism activities: - Strategic Plan, Local Community Plan, Skate Park strategy, Community Facilities Strategy, Playground Strategy, Disability Action Plan, Economic Development Strategy.	Short-Long Term (2015-17)	CCR-Comms	not required

4.2 Development			
<p>a. Deliver the short term priority actions in Council's Economic Development strategy (s. 4.4):</p> <ul style="list-style-type: none"> - Develop a Wyong Tourism Opportunity Plan and better facilitate delivery of Wyong's priorities in Central Coast Tourism Opportunity Plan - Establish the Tuggerah Regional Sporting and Recreation Complex at Pioneer Dairy - Develop a Wyong Shire Events strategy - Work with private sector to ensure provision of adequate facilities (conference halls, recreation opportunities) - Develop The Art House - Support proposed tourist developments such as Chinese Theme Park and CASAR Park, motorsports precinct 	Mid – Long Term (2016-18)	PED / CCR - Comms OSR CCR-Events PED CCP PED	as required
<p>b. Integration of investment and tourism promotion:</p> <ul style="list-style-type: none"> - Develop investment prospectus outlining new product development opportunities identified in TOP and aligning with identified market needs eg: mountain biking, ecotourism - Positive messaging from Council through media relations and other activities to encourage investment 	Short-Mid Term (2016-17) Immediate-Long Term (2015-17)	CCR – OSR & Comms CCR-Comms	TBC
<p>c. Support CC Regional Development Australia on content for investcentralcoast.com.au.</p>	Short-Long Term (2016-17)	PED & CCR Comms	not required
4.3 Destinations			
<p>a. Deliver key initiatives to support tourism:</p> <ul style="list-style-type: none"> - Magenta Shared Pathway - Regional Skate Park - Tuggerah Regional Sports Centre 	Short-Mid Term (2015-16) Short-Mid Term (2015-16) Mid- Long Term (2016-17)	OSR OSR OSR	As per project budgets

<p>b. Brand destination and promotion strategy:</p> <ul style="list-style-type: none"> - Welcome signage at key locations - Place signage to distinguish villages and link sites 	Mid-Long Term (2016-17)	PED	As per project budgets
<p>c. Council continue to develop and support a diverse calendar of events:</p> <ul style="list-style-type: none"> - Review region's events calendar and identify gaps and opportunities - Review Council Sponsorship Grant categories to address any gaps or opportunities and better integrate tourism outcomes into criteria; or develop new category of sponsorship. 	Complete Mid-term (2016-17)	CCR-Comms CCR-Comms	not required
4.4 Activities			
<p>a. In collaboration with Central Coast Tourism facilitate better relationships with the Wyong tourism industry:</p> <ul style="list-style-type: none"> - Undertake an annual Wyong tourism forum to identify the opportunities and challenges for the Wyong Shire tourism operators - Investigate applying for a Regional Visitor Economy Fund to support a specific marketing campaign for Wyong LGA 	Short-Mid Term (2015-16)	CCR-Comms	\$10,000 (est)
<p>b. Improve visitor information services in the Shire by:</p> <ul style="list-style-type: none"> - Provide more information at Ourimbah rest stop through a pop-up style stand, coinciding with peak tourism seasons - Deliver mobile visitor services at a key regional events together with The Entrance official Visitor Information Centre - Support the volunteers at Toukley Gallery with some training and improving facilities eg: TV screen, brochure stand 	Short term (2016) Short-Mid Term (2016) Short Term (2016)	CCR - Comms TETCM CCR-Comms	\$10,000
<p>c. Collaborate with CCTI to determine signage needs in the area and support lobbying to State Government for funding</p>	Mid-Long Term (2016-17)	CCR-Comms	not required

4.5 Promotion			
<p>a. Council to improve the focus of tourism information in existing communications channels to promote the value and benefits of tourism to the community and businesses:</p> <ul style="list-style-type: none"> - Council website - Welcome letters to new residents with introductory pack to tourism - Shirewide: share information on initiatives - Extend The Entrance visitors guide to incorporate profile and information about the areas north of Tuggerah Lakes 	<p>Immediate Immediate Immediate Immediate</p>	<p>CCR-Comms CCR-Comms CCR-Comms CCR-Comms & TETCM</p>	<p>not required</p>
<p>b. Council to improve the delivery of timely and relevant content to CCTI to support DMP marketing initiatives:</p> <ul style="list-style-type: none"> - Wedding venue promotion: provide a summary of special interest places - Conferences, meetings - Regular updates on new Council initiatives relevant to tourism - Imagery and Footage: To fit the CCTI key themes for promotion 	<p>Short term (2016) Short term (2016) Immediate Short-ongoing</p>	<p>CCR-Comms</p>	<p>\$10,000</p>
<p>c. Council to leverage promotion of existing Council activities that improve the experience and attractiveness of the region for visitors:</p> <ul style="list-style-type: none"> - Spring Clean annual day with bonus kerbside collection - Anti-graffiti initiative - Library visitor membership promotion/partnership with accommodation - Free WiFi in parks and libraries 	<p>Short Term</p>	<p>CCR-Comms</p>	<p>not required</p>
<p>d. Council to activate WSC sponsored regional events with innovative promotional initiatives.</p>	<p>Immediate</p>	<p>CCR-Comms</p>	<p>\$10,000</p>

Attachment 1

Summary of Council Actions for Central Coast Destination Management Plan for the Visitor Economy (2013 – 2017)

Strategic Priorities from CC DMP	Actions from CC DMP <i>Includes only actions where WSC has a role; excludes CCTI only actions</i>	Council Action <i>Links to Council actions in section 2</i>	Council time frame	Council Resource
1. Build a sustainable visitor economy to support future investment	Adopt a more co-ordinated approach across council and the RTO to attract and deliver major sporting events as well as Meetings, Incentives, Conferences, Events and the Education market by expanding the role of the Central Coast Regional Events Alliance to include an event attraction sub-committee. <i>Central Coast Regional Events Alliance is one of the five priority projects of CC DMP: Enhance and promote the sporting and recreational benefits of the Central Coast and Attract and grow major sporting, cultural and lifestyle events are two of the four strategic priorities for TOP.</i>	Participate in the Regional Events Alliance Support applications for large events to be held on the Central Coast where appropriate <i>Linked to Council Action 4.3c</i>	Immediate – Long Term (2015-17) Immediate – Long Term (2015 – 17)	CCR - Events CCR Comms, Events & OSR
	Leverage events that have the potential to have a greater economic impact by engaging other parts of the economy including performing and visual arts, educational, entertainment, cultural and heritage experiences	Participate in the Regional Events Alliance <i>Linked to Council Action 4.3c</i>	Immediate – Long Term (2015 – 17)	CCR Comms, Events & OSR
	Support Councils and private investors to create new places for visitors and locals to experience the natural assets of the region including projects identified in the Tourism Opportunity Plan <i>The 5 TOP Catalyst Projects are one of the priority projects of CC DMP and three of these are in the Wyong LGA.</i>	Construction of the Magenta Shared Pathway Support Motorsport Precinct through CASAR project Construction of Tuggerah Regional Sporting Complex Support TETCM in future planning of the tourism Hub at The Entrance <i>Linked to Council Action 4.2a</i>	Short-Long Term (2015-19) Short-Long Term (2015-17) Mid-Long Term (2015-17)	OSR Sponsorship & Grant CCP PED
	Build local pride through a local awareness campaign and familiarisation program with the tourism industry	Council web page updates Develop an annual marketing plan to	Immediate – Long Term (2015-17)	CCR-Comms

Strategic Priorities from CC DMP	Actions from CC DMP <i>Includes only actions where WSC has a role; excludes CCTI only actions</i>	Council Action <i>Links to Council actions in section 2</i>	Council time frame	Council Resource
		<p>promote the benefits of tourism to Wyong LGA</p> <p>Conduct an annual Tourism Forum with Wyong LGA operators and CCTI</p> <p>Facilitate local business improvements through masterplans</p> <p>Review and reduce 'red-tape' barriers to stimulate visitor business through tourism friendly laws eg: waive fees for businesses for street furniture during key tourist season; create space for RVs particularly in non-peak times</p> <p><i>Linked to Council action 4.5</i></p>	<p>Short-Long Term (2015-2017)</p> <p>Short-Long Term (2015-2017)</p> <p>Mid-Long Term (2016-2017)</p> <p>Mid-Long Term (2017-18)</p>	<p>PED</p> <p>PED</p>
	<p>Councils and the Tourism Organisations to identify and promote a suite of investment incentives to encourage new product development and investment</p> <p><i>Actively encourage product development and enhancement is one of the five priority projects of the CC DMP</i></p>	<p>Support the development of an investment prospectus outlining new product development opportunities that align with identified market needs eg: Tourism Hub at the Entrance, Motorsport Precinct</p> <p><i>Linked to Council Action 4.2b</i></p>	<p>Long Term (2017)</p>	<p>CCR-Comms & PED</p>
2. Connect People and Places	<p>Build the links throughout the region by the development of improved infrastructure connecting villages, products and experiences supported with better public/private transport options</p> <p><i>Make the region more accessible is one of the four strategic priorities for TOP</i></p>	<p>Lobby for government funding for improved transport links</p> <p>Place signage to distinguish different 'villages' within Wyong LGA</p> <p>Construction of the Magenta Shared Pathway, if grant funding secured</p> <p><i>Linked to Council Action 4.5</i></p>	<p>Immediate-Long Term (2015-17)</p> <p>Short-Long Term (2015-17)</p> <p>Short-Long Term (2015-19)</p>	<p>GM office</p> <p>CCR-Comms facilitate</p> <p>OSR</p>
	<p>Take a more flexible approach to placemaking utilising the NBN and 'pop up' style infrastructure</p>	<p>Recognition of tourists with temporary Welcome signs in high traffic areas during peak times</p>	<p>Immediate-Mid Term (2016-17)</p>	<p>CCR – Comms & TETCM</p>

Strategic Priorities from CC DMP	Actions from CC DMP <i>Includes only actions where WSC has a role; excludes CCTI only actions</i>	Council Action <i>Links to Council actions in section 2</i>	Council time frame	Council Resource
		<p>Provide more information at Ourimbah rest stop through a pop-up style stand, coinciding with peak tourism seasons</p> <p>Deliver mobile visitor services at a key regional events together with The Entrance official Visitor Information Centre</p> <p><i>Linked to Council Action 4.5</i></p>	Immediate-Long Term (2016-17)	CCR-Comms facilitate
	<p>Take a lead in active engagement in social media and other integrated marketing initiatives to reach 'tribes' and influencers of travel to grow niche visitation</p> <p><i>Integrated social media strategy is one of the five priority projects of CC DMP</i></p>	<p>Participate in relevant CCTI joint marketing initiatives as part of Council's annual marketing plan</p> <p>Provide regular updates to CCTI on Council initiatives on content relevant to visitor initiatives</p> <p>Activate WSC sponsored regional events with innovative digital initiatives</p> <p><i>Linked to Council Action 4.5</i></p>	<p>Short-Long Term (2015-17)</p> <p>Immediate-Long Term (2015-2017)</p> <p>Immediate-Long Term</p>	<p>CCR-Comms</p> <p>CCR-Comms</p> <p>CCR-Comms</p>
	<p>Create new scenic iconic Hinterland and Coastal Drives with spectacular lookouts, interpretive signage and new nature walks</p> <p><i>Create and promote iconic trails is a one of the five priority projects of CC DMP</i></p>	<p>Support development of a prospectus outlining new product development opportunity</p> <p><i>Linked to Council Action 4.2b</i></p>	Mid-Long Term (2016-17)	PED
	<p>Develop new iconic water trails to show visitors new places and showcase the open and natural spaces. eg: canoe/kayaking, motorised boat trails etc.</p> <p><i>Create and promote iconic trails is a one of the five priority projects of CC DMP</i></p>	<p>Support development of a prospectus outlining new product development opportunity</p> <p><i>Linked to Council Action 4.2b</i></p>	Mid-Long Term (2016-17)	PED
	Leverage Council's investment in WiFi and innovative technologies to create immediate response campaigns for	Participate in relevant CCTI joint marketing initiatives as part of Council's annual	Short-Long Term (2015-17)	CCR-Comms & Libraries

Strategic Priorities from CC DMP	Actions from CC DMP <i>Includes only actions where WSC has a role; excludes CCTI only actions</i>	Council Action <i>Links to Council actions in section 2</i>	Council time frame	Council Resource
	visitors	marketing plan Promotion of Council's libraries & parks for free WiFi in regions' tourism guides and website tourism pages. Promotion of Council libraries visitor membership with accommodation <i>Linked to Council Action 4.5</i>	Short-Long Term (2015-2017) Short-Long Term (2015-17)	CCR-Comms & Libraries & OSR CCR-Comms & Libraries
3. Target more active travellers	Utilise the success of the Mariners to promote the destination for sports tourism to capitalise on our extensive sports infrastructure.	Participate in Regional Events Alliance and support applications for sporting events where appropriate <i>Linked to Council Action 4.3c</i>	Immediate-Long Term (2015-2017)	CCR-Comms & CPP-Events
	Create a strong events calendar that drives off-peak and mid-week visitation	Review events calendar for Wyong LGA and identify gaps and opportunities. Results to inform Council Sponsorship Grants categories Participate in Regional Events Alliance <i>Linked to Council Action 4.3c</i>	Short-Long Term (2015-17)	CCR-Comms
4. Activate the Destination and Natural Assets	Develop an investment prospectus for ecotourism opportunities including accommodation and attractions	Support development of eco-tourism product <i>Linked to Council Action 4.2b</i>	Mid-Long Term (2016-17)	PED
	Further develop amenities for mountain biking such as a mountain bike park working with State level partners including Forestry and National Parks	Develop a framework for mountain biking industry <i>Linked to Council Action 4.2b</i>	Long Term (2017)	OSR

5.3 Regional Roll-out of Council Skate Park Facilities

TRIM REFERENCE: F2014/01266 - D12065495

MANAGER: Maxine Kenyon, Director

AUTHOR: Brett Sherar; Manager

SUMMARY

This report is in response to a Notice of Motion provides a recommendation for a preferred site and budget to construct a new skate park in the north of Wyong Shire.

RECOMMENDATION

- 1** *That Council receive this report on a preferred site and budget to construct a new skate park in the North of Wyong Shire.*
- 2** *That Council consider allocating funds for investigation, planning and design budget of \$120,000.00 in the 2016/17 CAPEX budget.*
- 3** *That Council consider, in conjunction with Recommendation 2, to fund Option 1 in this report in the 2017/18 CAPEX budget to the value of \$1,000,000.00.*
- 4** *That Council request the Chief Executive Officer report back to Council on the findings from the investigation, planning and design works.*

BACKGROUND

Council, at its meeting held on 13 May 2015;

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

- 493/15 That Council note the recent welcomed response to Council's announcement to significantly expand its regional skate park facilities rollout.*
- 494/15 That Council recognise the need to balance the rollout of such facilities as equitably as possible across the shire.*
- 495/15 That Council note that the asset life of the current Lake Munmorah skate facility has now reached its end and that this location is no longer Council's preferred option.*
- 496/15 That Council request the General Manager to investigate and consult with the local community and key stakeholders to identify the most suitable location for this facility.*

497/15 *That arising from the Council's recent adoption of the skate strategy 2014, Council further request the General Manager to report on proposals and options that will provide improved resource equity to the shire's northern skate facilities. The report should also address the possibility of installing CCTV cameras to provide improved safety to users and reduce the incidents of antisocial behaviour in and around such facilities."*

Council owns and operates 17 skate facilities across Wyong Shire. They range from precast concrete elements on hard courts at Chain Valley Bay or simple slabs at San Remo, to the larger modular type skate park at Picnic Point and the skate park at the Wadalba Sports Complex.

Usage levels at our facility vary largely dependent on size, placement, quality and accessibility of the skate park. Skate parks such as Wadalba, Berkeley Vale and Picnic Point are highly utilized and meet the needs of a multitude of users. Smaller, older or incomplete facilities such as Toukley or Lake Munmorah skate parks do not have a high utilisation but this is being addressed through the adoption of the skate strategy and the long term funding model to upgrade the facilities. Both Toukley and San Remo Skate Parks have funds allocated in 2015/16 to construct incomplete stages of the original designs at these parks. There is currently \$50,000.00 allocated in the 2016/17 draft CAPEX budget for renewal works on Lake Munmorah Skate Park

A Skate Strategy was adopted by Council in December 2015 that gave direction for future development of skate places in Wyong Shire. One of the strategic actions identified in the Skate Strategy was to provide a district level skate park in the north of the Shire. Investigation to date has led to the identification of the preferred site in this report as being the most appropriate site for a district level skate park in the north of the Shire.

District Level Skate Park

Based on information collated during the development of the Skate Strategy and case studies provided by the contractor constructing the Regional Skate Park, a district level skate park costs between \$300,000.00 and \$500,000.00 to construct. This price estimate allows for both bowl and street skating and varies dependent on latent site condition, size and selected elements. Ancillary, supporting infrastructure such as design and approvals, car parking, toilets, drinking fountains, Closed Circuit Television (CCTV) and shade shelters are not included in the price of construction. Such a facility provides a setting capable of supporting organized events and coaching.

Demand

Globally, skate, scooter and BMX facilities are becoming more diverse in terms of their style and size. A visit to any skate park or shared pathway in Wyong Shire will show that skating is no longer the domain of teenage males. Families enjoy scooters together, young and old skaters ride longboards and BMXers continue to enjoy the sport well into their thirties.

Facilities that consider the needs of a broader range of people (e.g. seating, shade, art elements and community and events infrastructure) can increase their attractiveness to more young people and the wider community. Activation of skate and BMX facilities as event spaces is also a growing trend that makes these facilities more accessible to the broader community, which in turn offers economic benefits from skate based tourism. Active sports are increasingly popular options for school sport with both females and males.

Using the community's response to the Regional Skate Park being built at Bateau Bay as a guide, this type of development will be supported by a community familiar and involved in a range of sports such as surfing, mountain biking and park based active sports.

CURRENT STATUS

Currently there is no district level skate park in the north of the Shire and this report provides information on a recommended area that has been derived using the same key criteria that was used to determine the placement of the Regional Skate Park at The Entrance District Sporting and Community Centre (EDSACC).

Numerous sites owned by Council were considered, but due to reasons such as alternate uses for the land, size, zoning, flora and fauna, the number that were measured against the skate park placement selection criteria was reduced to nine sites.

During the preparation of the Skate Strategy and in preparation of the Regional Skate Park, staff conducted community consultation on the requirements for the selection of locations for skate parks. Published Guidelines, along with the outcomes of the community consultation, were used to set up key criteria for the selection of a site for the skate park. Issues such as visibility, distance from residential housing, accessibility, distance from public transport, co-location with other assets and safety by design principals were some of the key criteria. The following nine sites within the north of the Shire were selected for analysis against the criteria and are in order of preference:

1. Corner of Pacific Highway and Colongra Bay Road, Lake Munmorah
2. Corner Pacific Hwy and Elizabeth Bay Drive, Lake Munmorah
3. Koala Park, Colongra
4. Colongra Sports, Budgewoi
5. Slade Park, Budgewoi
6. Current site of Lake Munmorah Skate Park
7. Tunkawallin Oval, Gwandalan
8. Extreme Sports Park, San Remo
9. Lake Haven Oval, Lake Haven

The Corner of Pacific Highway and Colongra Bay Road, Lake Munmorah was identified as the most appropriate site based on the determined criteria. It is on a high volume road, has shared pathway connections and is away from housing. The vehicle access to the preferred site would be from Colongra Bay Road.

The preferred site is identified as part of Lake Munmorah Recreation Reserve Trust under Council's care and control, is over 73,000m³ and is zoned RE1. The skate park would require less than 4,000m³. The nearest residential house is more than 200m away with thick bushland between the housing and the preferred site.

The reasons the preferred site rated higher than others listed above included distance to residential housing in the cases of Corner Pacific Hwy and Elizabeth Bay Drive, Lake Munmorah, Slade Park, Budgewoi and Lake Haven Oval with passive surveillance at Extreme Sports Park and Koala Park being another factor.

5.3 Regional Roll-out of Council Skate Park Facilities (contd)

If funding is approved for investigation, planning and design, extensive community consultation will be undertaken to verify the preferred site prior to gaining approvals and designs. Without Council approval and funding to move forward with this project, any further consultation would raise expectations and be seen as a commitment from Council to fund the project.

If Lake Munmorah is the final site for the construction of the district skate park in the north, then the old Lake Munmorah skate park will be decommissioned.

See picture below:



THE PROPOSAL

It is proposed that a separate design/approvals and construction process be undertaken in separate financial years to ensure a successful outcome.

Investigation, approvals, consultation and design are estimated at \$120,000.00 and are to be undertaken in 2016/17. This is the first stage and it will confirm the site is suitable before allocating funds and creating expectations in the community.

Once undertaken, a report will be provided to Council to consider the suitability of the site and confirm the construction budget amount and source. Construction will take 12 months and is proposed for 2017/18.

5.3 Regional Roll-out of Council Skate Park Facilities (contd)

It is envisaged construction of this type of facility would include both a bowl and street section with a selection of elements. Ancillary supporting infrastructure such as car parking, toilets, drinking fountains, Closed Circuit Television (CCTV) and shade shelters would be included.

By staging the project over the 2016/17 and 2017/18 financial years would provide an opportunity for staff to learn from the planning, design, construction of the Regional Skate Park underway in Bateau Bay. Also, this project has not been included in the 2015/16 work program for staff.

OPTIONS

1. Undertake investigations, approvals, consultation and design for recommended site in 2016/17 year at a cost of \$120,000.000. A report would then be provided to Council to consider construction of a \$1,000,000.00 skate park suggested for the Corner of Colongra Bay Road and Pacific Highway, Lake Munmorah if site is suitable.
Recommended
2. Undertake design this financial year and plan for construction in 2016/17
Not Recommended due to the current work program and it would be wise to learn from the Regional Skate Park planning, design and activation to ensure the success of the project.
3. Identify a different site.
Not recommended. The preferred site has been identified using criteria established to achieve the optimum site selection.
4. Do nothing.
Not recommended. The Skate Strategy identified the need for a district level facility in the north of the Shire.

STRATEGIC LINKS

Wyong Shire Council Strategic/ Annual Plan

<i>Principal Activity</i>	<i>Service</i>	<i>Key Action and Objectives</i>	<i>Funding Source and Description</i>	<i>Impact on Key Performance Indicators/ Service Performance Indicators</i>
Social	Open Space and Recreation	Communities will have access to a diverse range of affordable and coordinated facilities, programs and services	Revenue	Design, approvals and construction of district level skate park

Contribution of Proposal to the Principal Activity

It would provide a quality, affordable facility for the community to use for recreation.

Long Term Financial Strategy

There is no allocation for this project in the CAPEX long term financial plan. Increases in maintenance and depreciation would need to be included in the operational long term financial plan.

Asset Management Strategy

Any asset created will be new assets and will require them to be managed in line with Council's Asset Management Strategy.

Workforce Management Strategy

The construction and maintenance of this asset will not require an increase to the workforce.

Link to Community Strategic Plan (2030)

This report addresses Objective 3 of the Community Strategic Plan: Communities will have access to a diverse range of affordable and coordinated facilities, programs and services. Providing and maintaining local and regional community facilities for recreation, culture, health and education.

Budget Impact

There is currently \$50,000.000 funding for skate park upgrades in Lake Munmorah in the 2016/17 draft CAPEX budget. A further \$70,000.00 would be required in the 2016/17 if the above recommendation is adopted, with construction funding being allocated in the 2017/18 financial year.

CONSULTATION

Extensive community consultation was undertaken in the preparation of the adopted Skate Strategy which has highlighted the need for a district level facility in the north of the Shire, which this report recommends. This consultation also set the criteria for site selection which was used to identify the recommended site in this report.

Further consultation directly related to this facility has been undertaken with Lake Munmorah Netball Club, Lake Munmorah Progress Association and the Lake Munmorah Bowling Club. While supportive of the need to provide a facility of this size in the area, the general consensus is that the current site for the Lake Munmorah skate park is not the ideal site based on size, impact on surrounds and passive surveillance.

If funding is approved for investigation, planning and design, extensive community consultation will be undertaken to verify the preferred site prior to gaining approvals and designs. Without Council approval and funding and to move forward with this project, any further consultation would raise expectations and be seen as a commitment from Council to fund the project.

GOVERNANCE AND POLICY IMPLICATIONS

Nil impact

MATERIAL RISKS AND ISSUES

Although an initial review of environmental issues was conducted using Council's Dehko system, a full investigation and approvals to clear the site have not been undertaken meaning there is a risk that the site may be restricted due to environmental issues. The western portion of the site is identified as being very likely for the occurrence of angophora inopina also known as the Charmhaven Apple which is a rare dwarf tree listed as vulnerable under the Threatened Species Conservation Act 1995 (NSW). This would need to be confirmed during the investigation by staff.

CONCLUSION

To meet the requirement of this resolution *“That Council recognise the need to balance the rollout of such facilities as equitably as possible across the Shire.”* and noting the further resolution of *“That Council note that the asset life of the current Lake Munmorah skate facility has now reached its end and that this location is no longer Council’s preferred option.”* staff have investigated and identified a preferred site to place a district level skate park in the north of the Shire. An estimated budget for the planning and construction of a district level skate park, including ancillaries, has been included in this report.

ATTACHMENTS

Nil.

5.4 Casual Vacancy in Civic Office - Wyong Shire Council

TRIM REFERENCE: F2014/00009 - D12084875
MANAGER: Rob Noble, Chief Executive Officer
AUTHOR: Brian Glendenning; General Counsel

SUMMARY

A report on matters arising from the resignation of Cr Luke Nayna, a recommendation that Council apply to the Minister for Local Government for an order that no by-election is to be held to fill the vacancy resulting from that resignation, and related matters.

RECOMMENDATION

- 1** *That the Council apply to the Minister for Local Government for the issue of an order under s. 294(2)(a) of the Local Government Act 1993 that the casual vacancy in the civic office last held by Cr Nayna not be filled by a by-election.*
- 2** *That the Council request the Chief Executive Officer make that application to the Minister.*
- 3** *That the Council resolve that, in the event the Minister does not issue an order under s. 294(2)(a) of the Local Government Act 1993, that:*
 - a.** *the by-election be administered by the NSW Electoral Commissioner;*
 - and*
 - b.** *The Council enter in to an electoral arrangement with the NSW Electoral Commissioner.*
- 4** *That the Council determine that, for the purpose of s. 11(3) of the Local Government Act 1993, the confidential attachment 1 to this business paper remain confidential as that document includes personal matters concerning a person who is no longer a councillor and other persons who are not councillors, being matters of the kind set out in s. 10A(2)(a) of the Local Government Act 1993.*

BACKGROUND

On 11 September 2015 the then General Manager, Michael Whittaker, received a letter from Cr Nayna. That letter includes notice from Cr Nayna that he resigned from his civic office as a councillor. A copy of that letter is a confidential attachment (attachment 1) to this business paper.

Sub-section 234(1)(b) of the Local Government Act 1993 ("LG Act") states:

"234 When does a vacancy occur in a civic office?

(1) A civic office becomes vacant if the holder...

(b) resigns the office by writing addressed to the general manager..."

The civic office held by Cr Nayna has been vacant since 11 September 2015.

CURRENT STATUS

Sections 291, 292 and 294 of the LG Act relevantly state:

291 By-elections

If a casual vacancy occurs in a civic office, the office is to be filled by a by-election, subject to this Part.

292 When is a by-election to be held?

A by-election to fill a casual vacancy in the office of a councillor... is to be held on a Saturday that:

- (a) falls not later than 3 months after the vacancy occurs, and*
- (b) is fixed by the general manager (in relation to an election administered by the general manager) or the Electoral Commissioner (in relation to an election administered by the Electoral Commissioner).*

294 Dispensing with by-elections

- (1) This section applies if a casual vacancy occurs in the office of a councillor...within 18 months before the date specified for the next ordinary election of the councillors for the area.*
- (2) If such a casual vacancy occurs in the office of a councillor...the Minister may, on the application of the council:*
 - (a) order that the vacancy not be filled, or*
 - (b) order the holding on a stated day of a by-election to fill the vacancy and revoke any earlier order made under paragraph (a).*

Applying those sections of the LG Act, the current status is:

- A by-election must be held on or prior to Saturday 5 December 2015 to fill the vacant civic office *unless* the Minister for Local Government issues an order (under s. 294(2)(a) of the LG Act) that the vacancy not be filled by a by-election.
- The Minister can only make such an order on the application of the Council. If the Council does not make that application the Minister has no power to make an order that the vacant civic office not be filled.
- If the Council makes that application, the Minister then has discretion whether or not he makes the order.

If a by-election is required (either because the Council resolves that it will not apply to the Minister for an order, or if an application is made to the Minister and the Minister then refuses to issue an order) the Council must resolve whether the by-election is administered by its CEO or by the NSW Electoral Commissioner.

APPLICATION TO THE MINISTER FOR LOCAL GOVERNMENT

The Council must determine whether or not an application is made to the Minister for Local Government for the issue of an order under s. 294(2)(a) of the LG Act that the vacant civic office not be filled by a by-election. That application cannot be made under delegation: s. 377(1)(s) of the LG Act.

Relevant considerations for the Council include:

- The effect of the Minister making an order under s. 294(2)(a) of the LG Act would be that the civic office will be vacant for an additional period which commences on the date on which the civic office would have been filled by a by-election to 10 September 2016 (which is the date on which all civic offices will be declared vacant, pursuant to s. 233(2)(b) of the LG Act). Any such order will not alter the periods of vacancy that precede the date on which the civic office would have been filled by a by-election or after the vacation of all civic offices on 10 September 2016.
- The impact on the functioning of the Council.

One of the statutory roles of a councillor is as a member of the governing body of the Council: s. 232(1) of the LG Act. The additional period of vacancy that would result from the issue of an order by the Minister will result in there being one less councillor at relevant meetings. Those relevant meetings include the following:

- Ordinary meetings of the governing body of the Council. Clause 2.15 of the Council's adopted *Code of Meeting Practice* provides that there are 17 ordinary meetings of the Council between 9 December 2015 and 7 September 2016 (inclusive).
- Extraordinary meetings of the governing body of the Council. There are no extraordinary meetings of the Council currently scheduled. Extraordinary meetings associated with CCROC meetings are held "as required", which is generally quarterly.
- Meetings of Committees of the Council.

Further, the quorum for any meeting of the Council is a majority of the councillors of the Council that hold office: s. 368(1) of the LG Act. Whilst the civic office remains vacant the number of councillors is 9, and so 5 councillors are required for a quorum. If the civic office is filled by a by-election the number of councillors will be 10, and so 6 councillors will be required for a quorum.

- The other statutory role of a councillor, as an elected person, is prescribed by s. 232(2) of the LG Act as:
 - *"to represent the interests of the residents and ratepayers*
 - *to provide leadership and guidance to the community*
 - *to facilitate communication between the community and the council"*.
- The likely costs that Council will incur if there is a by-election.

If the NSW Electoral Commissioner administers the by-election the likely cost is estimated to be \$720,000, comprising an estimated \$680,000 for the Electoral

Commissioner's services and an estimated \$30,000 for internal Council staff costs. The costs would be similar if Council's CEO were to administer the by-election.

Further, if the vacant civic office is filled by a by-election, the person elected to that position will be entitled to be paid a fee pursuant to s. 248 of the LG Act as well to be reimbursed for expenses in accordance with s. 252 of the LG Act. The fee is \$1947.50 per month, paid in arrears. The average quantum of expenses that are reimbursed to councillors is \$906.50 per month per councillor.

Council has the following options:

1. Resolve that the Council make application to the Minister for the issue of an order the vacant civic office not be filled by way of a by-election. *This is the recommended option.*
2. Alternatively, the Council can resolve that it will not make application to the Minister for the issue of an order, which will result in a requirement for a by-election to fill the vacant office on or before Saturday 5 December 2015. *This is not the recommended option.*

WHO IS TO ADMINISTER ANY REQUIRED BY-ELECTION?

If a by-election is required (either because the Council resolves that it will not apply to the Minister for an order under s. 294(2)(a) of the LG Act that the vacancy not be filled by way of a by-election, or the Council resolves that it will apply to the Minister for an order and the Minister declines to make such an order) the Council must resolve whether the by-election is to be administered by the CEO or by the NSW Electoral Commissioner.

If a by-election is to be held, it is recommended that the NSW Electoral Commissioner administer that by-election. This will minimise the diversion of internal staff resources and so minimise the impact of the by-election on current programmed projects (which include preparation for the 2016 election) and any matters arising from the NSW Government's *Fit for the Future* program. It is recommended that the Council resolve that the NSW Electoral Commissioner administer any required by-election now, rather than waiting until the Minister determines any application from Council for the issue of an order under s. 294(2)(a) of the LG Act.

If the NSW Electoral Commissioner is to administer any required by-election, the Council must resolve to enter in to an electoral arrangement with the Commissioner: s. 296(4) of the LG Act. It is recommended that the Council resolve to enter in to an electoral arrangement with the NSW Electoral Commissioner in those circumstances.

STRATEGIC LINKS

Nil

FINANCIAL IMPLICATIONS

If a by-election is conducted Council will need adjustment its 2015/16 budget to accommodate the estimated external cost of \$680,000.

CONSULTATION

Nil

GOVERNANCE AND POLICY IMPLICATIONS

Mr Nayna's letter to the then General Manager of 11 September 2015 is a confidential attachment to this business paper. It contains personal information about Mr Nayna and others. Mr Nayna is no longer a councillor, and some of those he identifies in that letter are not councillors. Sub-section 10A(2)(a) of the LG Act applies to that letter.

It is appropriate for that letter to remain confidential and so it is recommended that Council resolve, pursuant to s. 11(3) of the LG Act, that the letter remain confidential.

The relevant parts of ss. 10A(2)(a) and 11(3) of the LG Act are set out below:

10A Which parts of a meeting can be closed to the public?

(2) The matters and information are the following:

(a) personnel matters concerning particular individuals (other than councillors)...

11 Public access to correspondence and reports

(3) This section does not apply if the council...resolves at the meeting, when open to the public, that the correspondence or reports, because they relate to a matter specified in section 10A (2), are to be treated as confidential.

MATERIAL RISKS AND ISSUES

Nil

CONCLUSION

Council must determine whether to make application to the Minister to make an order that the casual vacancy not be filled. If such an application is made the Minister may or may not issue the order. If the application is not made a by-election to fill the vacant office must be held not later than Saturday 5 December 2015. It is recommended that the Council resolve make that request to the Minister.

It is also recommended that the Council resolve to appoint the NSW Electoral Commissioner to administer any required by-election and to enter in to an electoral arrangement with the NSW Electoral Commissioner.

ATTACHMENTS

- 1 Attachment 1 - Letter to Michael Whittaker from Cr Luke Nayna Dated 11 September 2015 - D12085608

6.1 Investment Report for August 2015

TRIM REFERENCE: F2004/06604 - D12071619

MANAGER: Stephen Naven, Chief Financial Officer

AUTHOR: Devini Susindran; Financial Accountant

SUMMARY

This report details Council's investments as at 31 August 2015.

RECOMMENDATION

That Council receive the Investment Report for August 2015.

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 \$11,744k for the month of August. First quarter rates instalments were invested with further inflows expected in early September.

Table 1 - Movement in Cash and Term deposits

Institution	Term (Approx. Months)	Interest Rate %	Maturity	Investment / (Redemption) \$'000
Movement in Term Deposits				
ANZ	12.0	3.74%	Aug 2015	(\$4,000)
ING	8.5	3.51%	Aug 2015	(\$5,000)
NAB	10.0	2.82%	Jun 2016	10,000
Bendigo	11.0	2.85%	Jul 2016	5,000
Bendigo	12.0	2.85%	Aug 2016	5,000
Total Term Deposit Movement				\$11,000

6.1 Investment Report for August 2015 (contd)

Movement in cash at call				
AMP		2.55%		-
Westpac		2.10%		720
ANZ		2.00%		-
Interest earned on all call accounts				24
Total Cash at Call Movement				\$744
Total Cash & Term Deposit Movement				\$11,744

Total Portfolio

Total net return in interest earnings for August 2015 was \$435k.

Table 2 - Net Return

	Full Year 2013-14 \$'000	Full Year 2014-15 \$'000	July 2015 \$'000	August 2015 '000	Year To Date 2015-16
Net Capital Gain/(Loss) Realised	(197)	-	-	-	-
Income Distribution on Managed Funds	321	25	-	-	-
Net Earnings From Managed Funds *	124	25	-	-	-
Interest Earnings on Call Deposits Received	402	431	68	24	92
Interest Earnings on Term Deposits received at Maturity	5,999	5,189	351	411	762
Total Interest Earnings	6,401	5,620	419	435	854
Total return for the period	6,525	5,645	419	435	854

* Until October 2013, Council's portfolio included investments in managed funds (Blackrock Care and Maintenance Fund) held under the "grandfather" provisions of the current Ministers Order. A further distribution made in 2013 was deposited with ASIC and received in April 2015

Financial Year to Date (YTD) returns to August of 3.43% is favourable compared to benchmark bank bill swap (BBSW) *financial year to date* Bank Bill Index of 2.32% and Council guidelines of BBSW + 10 basis points.

Table 3 - Investment Returns

Investment Class	Closing August 2015 Portfolio \$ '000	Financial YTD Return \$ '000	Financial YTD Return %
Cash at Call	12,886	92	2.82
Term Deposits	146,000	762	3.52
Total Investments	158,886	854	3.43

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	12,886
Term Deposits		
0 - 3 months	Nov 2015	30,000
4 - 6 months	Feb 2015	36,000
7 - 12 months	Aug 2016	61,000
1 - 2 years	Aug 2017	14,000
2 - 3 years	Aug 2018	-
3 - 4 years	Aug 2019	5,000
Total Term Deposits		146,000
Total Portfolio		158,886

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 are (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%	55.31%
A2	75.0%	41.54%
A3	10.0%	2.52%
Unrated	15.0%	0.63%
TOTAL		100.00%

6.1 Investment Report for August 2015 (contd)

The Investment Guidelines allow the Chief Executive Officer to approve a variation to the investment Strategy if the investment is to the Council's advantage. The Chief Executive Officer has approved the variations listed in Table 6 as they presented the best investment return relative to risk at the time of investment.

Table 6 – Variations to the Investment Guidelines approved by Chief Executive Officer

Date of Approval	Institution	Value	Return	Maturity	Counter party risk %		
					At Approval	Guide lines	At Current Month End
24/8/15	NAB	\$10m	2.82%	24/06/16	21.71%	20%	18.88%

The Counter party risk percentages fluctuate subject to changes to the value of the portfolio and maturities with investments.

Portfolio Movements

The increase in the value of the portfolio for August 2015 was \$11,744k. Movements are shown in Table 7.

Table 7 – Portfolio Movements for the year

	Full Year 2013-14 \$'000	Full Year 2014-15 \$'000	July 2015 \$'000	August 2015 \$'000	Year to Date 2015-16 \$'000
Movement in Assets					
Opening Balance	154,992	145,394	148,374	147,142	148,374
Net movement in Managed fund to Liquidation in Oct'13	(4,688)	-	-	-	-
Net Cash/Investments (Withdrawals)	(4,910)	2,980	(1,232)	11,744	10,512
Closing Balance	145,394	148,374	147,142	158,886	158,886

Portfolio Interest and Investment Returns compared to budget

Year to date returns as at 31 August 2015 on Council's investment portfolio of deposit accounts and term deposits, show a \$94k or 12.31% favourable variance when compared to the year to date budget.

Table 8 - Annual Investment Portfolio Performance as at 31 August 2015

Investment Source	Financial YTD Actual Interest Income \$ '000	Financial YTD Budget \$ '000	Financial YTD Variance to Budget \$ '000
	A	B	C=A-B
General	504	445	59
Water	171	124	47
Sewerage	179	191	-12
Total	854	760	94

6.1 Investment Report for August 2015 (contd)

Interest rates in the month, ranged from 2.82% 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 2.06%.

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 9 below.

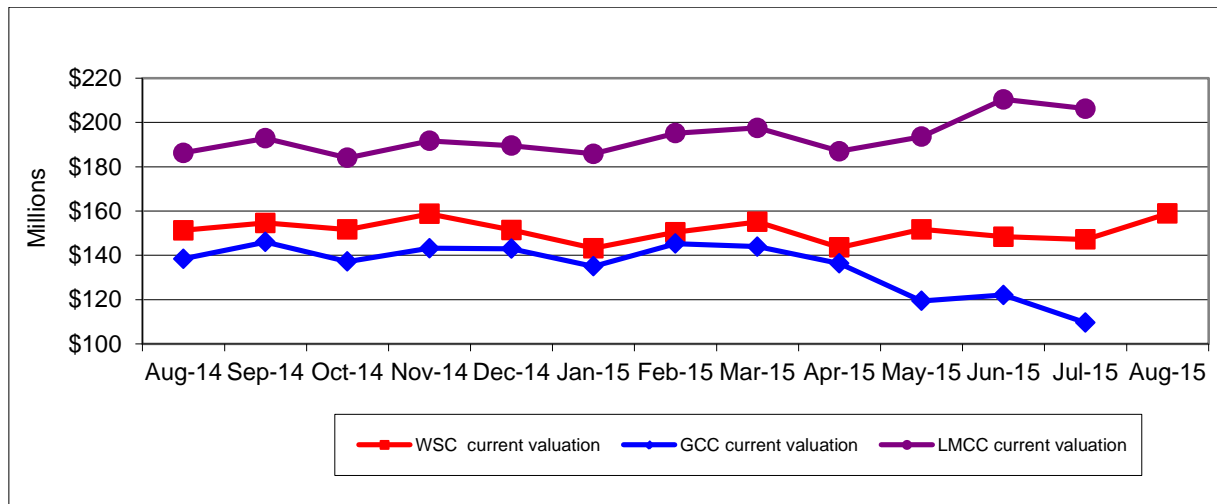
There is a lag in the information available for neighbouring Councils and reports for August were not available at the time of writing this report.

Table 9 – Summary of Investment Portfolio Balances

Month / Council	Wyong Shire Council \$'000	Gosford City Council \$'000	Lake Macquarie Council \$'000
Feb 2015	\$150,398	\$145,317	\$195,167
Mar 2015	\$155,147	\$143,904	\$197,531
Apr 2015	\$143,519	\$136,326	\$186,993
May 2015	\$151,698	\$119,426	\$193,612
Jun 2015	\$148,374	\$122,104	\$210,429
Jul 2015	\$147,142	\$109,590	\$206,208
Aug 2015	\$158,886	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)

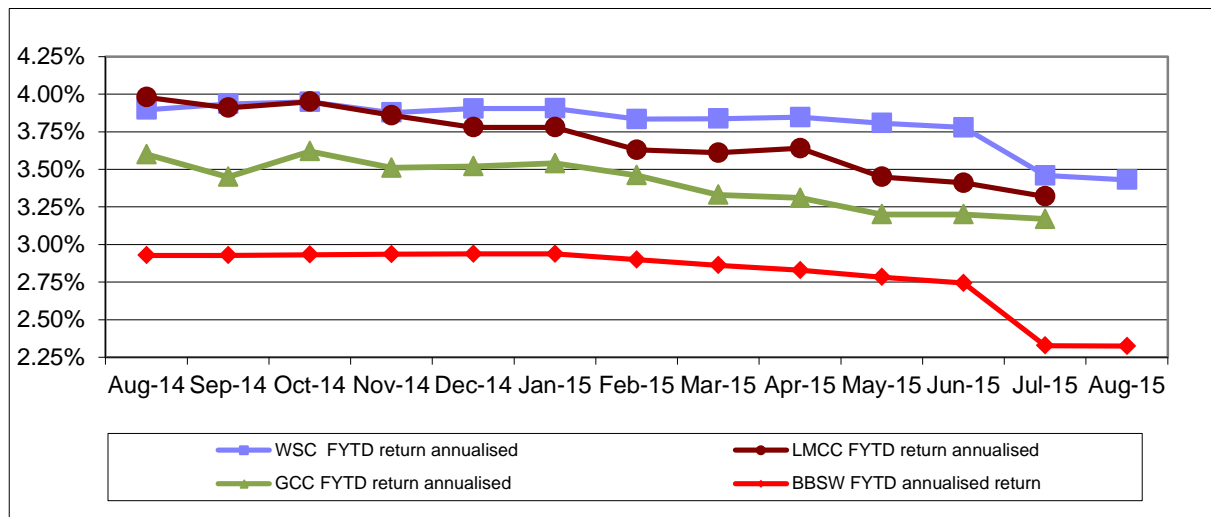
WSC's investment yield compares favourably to neighbouring Councils as outlined in table 10 below.

Table 10 – Summary of Investment Portfolio Returns

Month	BBSW	Wyong Shire Council	Gosford City Council	Lake Macquarie Council
Feb 2015	2.90%	3.83%	3.46%	3.63%
Mar 2015	2.86%	3.84%	3.33%	3.61%
Apr 2015	2.83%	3.85%	3.31%	3.64%
May 2015	2.78%	3.81%	3.20%	3.45%
Jun 2015	2.74%	3.78%	3.20%	3.41%
Jul 2015	2.33%	3.46%	3.17%	3.32%
Aug 2015	2.32%	3.43%	Not available	Not available

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 31 August 2015 have been made in accordance with the Act, the Regulations and Council's Investment Policies.

ATTACHMENTS

- 1 Summary of Investment by Type - August 2015 D12072295

Wyong Shire Council Summary of Investments - By Type As at 31 August 2015										
FUND MANAGER	TYPE OF INVESTMENT	RATINGS		MATURITY	PORTFOLIO BALANCE		AS A % OF TOTAL PORTFOLIO	INCOME FOR MONTH OF AUGUST	INTEREST RATES %	
		Short Term	Long Term		31.7.15 \$	31.8.15 \$				
CASH AT CALL:										
Westpac	Corporate Investment Account	A1	AA	Daily	7,606,430	8,340,462		14,033	2.05	
CBA	At Call Deposit	A1	AA	Daily	-	-		-		
ANZ	11am Call Account	A1	AA	Daily	-	-		-	2.00	
AMP	Business Saver Account	A1	A	Daily	4,535,636	4,545,459		9,823	2.55	
Total Cash At Call					12,142,066	12,885,921	8.11%	23,856		
TERM DEPOSITS & BONDS										
<u>Short term deposits & bills (less than 90 days)</u>										
ING	Term Deposit	A1	A	13/08/2015	5,000,000			5,770	3.51	
ANZ	Term Deposit	A1	AA	25/08/2015	4,000,000			9,837	3.74	
NAB	Term Deposit	A1	AA	8/09/2015	5,000,000	5,000,000		15,033	3.54	
NAB	Term Deposit	A1	AA	22/09/2015	5,000,000	5,000,000		15,075	3.55	
CBA	Term Deposit	A1	AA	4/10/2015	5,000,000	5,000,000		13,801	3.25	
CBA	Term Deposit	A1	AA	22/10/2015	5,000,000	5,000,000		13,716	3.23	
CUA	Term Deposit	A2	BBB	17/11/2015		5,000,000		15,288	3.60	
Bank of Queensland	Term Deposit	A2	BBB	25/11/2015		5,000,000		17,199	4.05	
					29,000,000	30,000,000	18.88%	105,719		
<u>Medium Term Deposits (up to 365 days)</u>										
CUA	Term Deposit	A2	BBB	17/11/2015	5,000,000					
Bank of Queensland	Term Deposit	A2	BBB	25/11/2015	5,000,000					
ING	Term Deposit	A1	A	26/11/2015	5,000,000	5,000,000		16,986	4.00	
CUA	Term Deposit	A2	BBB	16/12/2015	5,000,000	5,000,000		15,288	3.60	
CBA	Term Deposit	A1	AA	23/12/2015	5,000,000	5,000,000		13,207	3.11	
NAB	Term Deposit	A1	AA	10/01/2016	5,000,000	5,000,000		13,334	3.14	
CBA	Term Deposit	A1	AA	18/01/2016	5,000,000	5,000,000		13,079	3.08	
WSCU	Term Deposit	UNRATED	UNRATED	31/01/2016	1,000,000	1,000,000		2,803	3.30	
CBA	Term Deposit	A1	AA	10/02/2016	5,000,000	5,000,000		13,079	3.08	
CBA	Term Deposit	A1	AA	22/02/2016	5,000,000	5,000,000		13,079	3.08	
NAB	Term Deposit	A1	AA	7/03/2016	5,000,000	5,000,000		13,292	3.13	
Rural Bank	Term Deposit	A2	A	24/03/2016	5,000,000	5,000,000		12,315	2.90	
Rural Bank	Term Deposit	A2	A	13/04/2016	5,000,000	5,000,000		12,315	2.90	
Bankwest	Term Deposit	A1	AA	20/04/2016	5,000,000	5,000,000		12,315	2.90	
Bankwest	Term Deposit	A1	AA	11/05/2016	5,000,000	5,000,000		12,315	2.90	
Bendigo Adelaide Bank	Term Deposit	A2	BBB	27/05/2016	5,000,000	5,000,000		12,527	2.95	
Bendigo Adelaide Bank	Term Deposit	A2	BBB	15/06/2016	5,000,000	5,000,000		12,527	2.95	
NAB	Term Deposit	A1	AA	24/06/2016		10,000,000		6,180	2.82	
Bendigo Adelaide Bank	Term Deposit	A2	BBB	26/07/2016		5,000,000		3,123	2.85	
Bank of Queensland	Term Deposit	A2	BBB	2/08/2016	6,000,000	6,000,000		26,499	5.20	
Bendigo Adelaide Bank	Term Deposit	A2	BBB	25/08/2016		5,000,000		3,123	2.85	
					87,000,000	97,000,000	61.05%	227,387		
<u>Non - Current</u>										
Bank of Queensland	Term Deposit	A2	BBB	8/09/2016	5,000,000	5,000,000		15,712	3.70	
Heritage	Senior Bond	A3	BBB	20/06/2017	4,000,000	4,000,000		24,630	7.25	
ME Bank	Term Deposit	A2	BBB	25/08/2017	5,000,000	5,000,000		16,562	3.90	
ANZ	Term Deposit	A1	AA	30/10/2018	5,000,000	5,000,000		20,681	4.87	
					19,000,000	19,000,000	11.96%	77,585		
Total Term Deposit & Bonds:					135,000,000	146,000,000	91.89%	410,691		
TOTAL PORTFOLIO					147,142,066	158,885,921	100.00%	434,547		
Current					128,142,066	139,885,921	88.04%			
Non-Current					19,000,000	19,000,000	11.96%			
TOTAL PORTFOLIO					147,142,066	158,885,921	100.00%			

6.2 Draft Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee - 3 September 2015

TRIM REFERENCE: F2004/07986 - D12070960

MANAGER: Greg McDonald, Director

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 September 2015.

RECOMMENDATION

That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 3 September 2015.

BACKGROUND

A meeting of the Tuggerah Lakes Estuary Management, Coastal and Floodplain Management Committee was held on Thursday 3 September 2015. The agenda for the meeting is available at the following link: [Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee Agenda - 3 September 2015](#).

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.

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | MINUTES - Tuggerah Lakes Estuary, Coastal & Floodplain Management Committee Meeting - 3 September 2015 | D12069855 |
|---|--|-----------|

WYONG SHIRE COUNCIL

**MINUTES OF THE
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN
MANAGEMENT COMMITTEE OF COUNCIL**

**HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 03 SEPTEMBER 2015
COMMENCING AT 5.00PM**

PRESENT

Mayor D Eaton (Wyong Shire Council)
Councillor L Taylor (Wyong Shire Council) – Co-Chairperson
Councillor L Webster (Wyong Shire Council) – Left at 5.53pm
Mr Bob Davies (Community Member)
Ms Marlene Pennings (Community Member)
Mr Ken Derry (Community Member) – Arrived at 5.02pm

IN ATTENDANCE

Mr Greg McDonald (Wyong Shire Council)
Mr Peter Ham (Wyong Shire Council)
Mr Luke Sulkowski (Wyong Shire Council)
Mr Neil Kelleher (Office of Environment and Heritage)
Ms Jade Maskiewicz (Wyong Shire Council)

APOLOGIES

Councillor A Troy (Wyong Shire Council) – Co-Chairperson
Ms Lara Davis (Office of Environment and Heritage)

The meeting was declared open by Councillor Taylor at 5.00pm.

1.1 Disclosure of Interest

RESOLVED unanimously on the motion of Councillor WEBSTER and seconded by Ms M PENNING:

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 Mr B DAVIES and seconded by Councillor EATON:

That the Committee confirm the minutes of the previous Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 6 August 2015.

BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

1.3 Address by invited Speakers

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Mr B DAVIES:

That the Committee receive the report on Invited Speakers.

2.1 Report on Lake Management Operations

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

That the Committee receive the report on Report on Lake Management Operations.

2.2 Gross Pollutant Trap Capital Works

RESOLVED unanimously on the motion of Mr B DAVIES and seconded by Mr K DERRY:

- 1 That the Committee receive the report on Gross Pollutant Trap Capital Works.**
- 2 That the Committee request Council to provide a methodology for demonstrating the performance of GPT devices by measuring improvements in water quality, including physical chemical and biological composition.**

2.3 Floodplain Risk Management

Councillor Webster left the meeting at 5.27pm and returned to the meeting at 5.29pm during consideration of this item.

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

That the Committee receive and note the Floodplain Risk Management Report.

2.4 Coastal Zone Management

RESOLVED unanimously on the motion of Councillor WEBSTER and seconded by Ms M PENNINGS:

That the Committee receive the report on Coastal Zone Management .

2.5 Commercial Fishing on Tuggerah Lakes - Response from NSW Department of Primary Industries (Fisheries)

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Mr B DAVIES:

- 1 *That the Committee receive the report on Commercial Fishing on Tuggerah Lakes - Response from NSW Department of Primary Industries (Fisheries).***
- 2 *That the Committee note that staff will review the NSW Marine Estate Reform Process and prepare a suitable draft submission to express Council's opposition to over fishing in Tuggerah Lake.***

2.6 Black Ooze Removal Feasibility Study

Councillor Webster left the meeting at 5.53pm to attend another meeting and did not return.

RESOLVED unanimously on the motion of Councillor TAYLOR and seconded by Mr K DERRY:

- 1 *That the Committee receive the report on Black Ooze Removal Feasibility Study.***
- 2 *That the Committee request Council investigate treatment options for the removal of black ooze as well as improving access to the lakes with the possible building of physical structures.***

2.7 Status Report on Outstanding Actions

RESOLVED unanimously on the motion of Mr B DAVIES 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
GB14/15	6 August 2015	GPT Maintenance at Killarney Vale	<p><i>Mr Peter Ham raised on behalf of Councillor Taylor a resident's concerns regarding the maintenance of the GPT and surrounds at the intersection of Yangoora and Tasman Avenues Killarney Vale.</i></p> <p><i>Mr Greg McDonald advised that this site may in fact be Crown Land. Peter will investigate this and follow up.</i></p>	Peter Ham Manager Waterways and Asset Management	<p>Mr Greg McDonald provided an update and advised that staff arranged for cleaning of the GPT and a general tidy up of the immediate surrounds on 19 August 2015.</p> <p>He also confirmed that the large parcel of land between Tasman Ave and Bateau Bay Village is Crown Land, not under the control of Council and as such, staff have not undertaken any maintenance activities on the Crown Land parcel.</p>

**WYONG SHIRE COUNCIL
TUGGERAH LAKES ESTUARY, COASTAL AND FLOODPLAIN MANAGEMENT COMMITTEE
COMPLETED SINCE 6 AUGUST 2015**

Item #	Meeting Date	Report Title	Status/ Notes
GB10/15	5 March 2015	Dead Trees in the Lake at Lake Munmorah	Darryl Lennox representing NSW Roads and Maritime Services addressed the Committee at the 6 August 2015 meeting on concerns relating to: <ul style="list-style-type: none"> • Noise from powerboat races • Navigational hazards from trees fallen from National Park Land at Colongra Bay

3.0 GENERAL BUSINESS

GB15/15 Ourimbah Creek Contamination Councillor Lloyd Taylor

Councillor Taylor requested an update on the contamination of Ourimbah Creek.

Mr Greg McDonald advised that the likely source of the contamination was identified as the landfill at Mangrove Mountain. The Environment Protection Authority (EPA) are still investigating the incident and no report has been received relating to their findings nor advice on if they intend to prosecute.

THE MEETING terminated at 6.15pm.

6.3 Draft Minutes of the Employment and Economic Development Committee Meeting - 2 September 2015

TRIM REFERENCE: F2012/01905 - D12077424

MANAGER: Mike Dowling, Director

AUTHOR: Jacquie Elvidge; Councillor Services Officer

SUMMARY

The draft minutes of the Employment and Economic Development Committee meeting of 2 September 2015 are submitted to Council for consideration.

RECOMMENDATION

That Council receive the report on Draft Minutes of the Employment and Economic Development Committee Meeting - 2 September 2015.

BACKGROUND

A meeting of the Employment and Economic Committee was held on 2 September 2015. 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.

ATTACHMENTS

- | | |
|--|-----------|
| 1 MINUTES - Employment and Economic Development Committee Meeting - 2 September 2015 | D12070426 |
|--|-----------|

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 SEPTEMBER 2015
COMMENCING AT 4.00 PM

PRESENT

Councillors G P Best (Chairperson), D J Eaton, K G Greenwald (*arrived at 4.12pm*) and L D Webster

IN ATTENDANCE

Director Development and Building, Director Property and Economic Development and Councillor Services Officer.

OBSERVERS

Nil

APOLOGIES

Councillor A Troy

All reports were dealt with in the correct agenda sequence.

The Chairperson, Councillor Greg Best, declared the meeting open at 4.02 pm.

1.1 Disclosures of Interest

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

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 EATON and seconded by Councillor WEBSTER:

That the Committee receive the report on Invited Speakers.

3.1 Confirmation of the adopted Minutes of the Employment and Economic Development Committee Meeting - 1 July 2015

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

That the Committee note that Council received the minutes of the previous meeting of the Employment and Economic Development Committee held on the 1 July 2015.

4.1 RZ/2/2013 Revision of Planning Proposal for East Wadalba Urban Land release area (Precincts 2A and 2B in the North Wyong Shire Structure Plan)

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

That the Committee note the revised WELOG project boundary which with the reduced area is anticipated to yield 1,200 residential lots in addition to Environmental Protection Lands.

5.1 Value of Development Assessments

Councillor Greenwald entered the meeting at 4.12 pm.

RESOLVED unanimously on the motion of Councillor WEBSTER and seconded by Councillor GREENWALD

That the Committee receive the report and the contents be noted.

5.2 Iconic Sites Status Report

RESOLVED unanimously on the motion of Councillor WEBSTER and seconded by Councillor GREENWALD

That the Committee receive the report on Iconic Sites Status Report.

5.3 Major Project Status Report

RESOLVED unanimously on the motion of Councillor WEBSTER and seconded by Councillor GREENWALD

That the Committee receive the report on Major Project Status Report.

THE MEETING closed at 5.13 pm.

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

TRIM REFERENCE: F2004/06822 - D12064744

MANAGER: Jamie Loader, Manager Building Certification and Health

AUTHOR: Tabitha Kuypers; Environmental Assurance Protection Officer

SUMMARY

Reporting on the results of bacteriological tests for primary recreation water quality for the beaches in Wyong Shire and lake swimming sites in the Tuggerah Lakes catchment for August 2015.

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 (OEH) 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 continues through the cooler months (April to September) with samples collected monthly rather than weekly to provide an insight into water quality trends.

The indicator organism used to determine microbial water quality is Enterococci - a subgroup of Fecal Streptococci that has been used as an indicator of fecal 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.

The 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).

6.4 Results of Water Quality Testing for Beaches and Lake Swimming Locations (contd)

Whilst historic 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.

Summary of results for August 2015

Samples were collected on 20th and 25th of August 2015. All 22 sites achieved a “good” star rating (see Table 1) – indicating that all sites were considered generally safe for swimming at the time of sampling.

While these results provide only a “snapshot” into water quality, they feed into a larger data set. Long term water quality trends and rainfall forecasts allow the likelihood of bacterial contamination to be predicted on a daily basis – see the Central Coast Ocean Beaches Bulletin on the OEH website <http://www.environment.nsw.gov.au>.

Table 1: 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	Good	****
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	Ocean Beach	Good	****
Gravelly Beach	Ocean Beach	Good	****
Soldiers Beach	Ocean Beach	Good	****

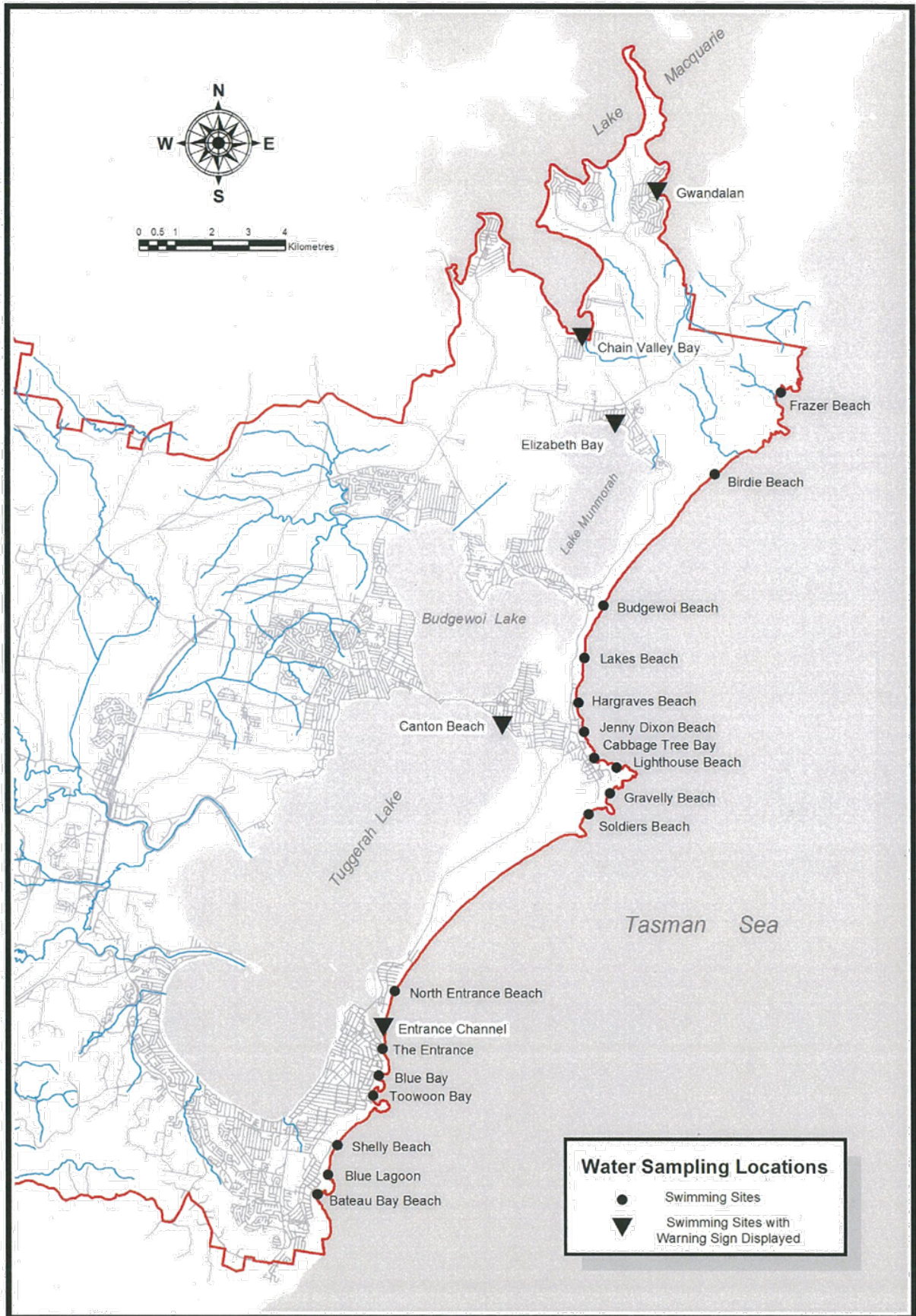
- The Star Rating for July is based on one monthly sample only.

Table 2: NHMRC Star Rating Interpretation

Star Rating		Enterococci (cfu/100mL)	Interpretation
*****	Good	≤ 40	Bacterial levels are generally safe for bathing according to the NHMRC guidelines.
***	Fair	41 – 200	Bacterial levels are generally safe for bathing according to the NHMRC guidelines although there is an increased risk of contracting illness when levels are close to the upper range.
**	Poor	201- 500	NHMRC indicates swimming at site is not recommended.
*	Bad	>500	NHMRC indicates swimming at site is not recommended.

ATTACHMENTS

- 1 Water Sampling Sites D03238043



6.5 Activities of the Development and Rezoning and Building Certification Compliance and Health Units

TRIM REFERENCE: F2004/07830 - D12064778

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 **August 2015**.

Further the report includes information related to job creation based on Council's adopted employment indice of 10 jobs per \$1 million invested.

RECOMMENDATION

That Council receive the report on Activities of the Development and Rezoning and Building Certification Compliance and Health Units for the month of August 2015 and related job creation.

Development Applications Received and Determined – Development and Rezoning Unit- August 2015.

Type:	Number Received:	Estimated Value \$:	Number Determined:	Estimated Value \$:
Commercial	6	351,348	13	20,366,348
Industrial	-	-	4	178,000
Residential (Multiple Dwellings/Dual Occupancy)	9	2,943,560	6	14,101,770
Other Applications	5	200,200	-	-
Subdivisions	6	600,000	3	11,465,000
Section 96 Applications	4	-	6	-
Total	30	4,095,108	31	46,111,118

Note: Included in the determined categories "Commercial" was the Oasis Development located at Wyong valued at \$19M, "Residential" was a residential flat building located at the Entrance valued at \$11M, and included in the Subdivision was a 155 lot subdivision located at Hamlyn Terrace valued at \$11M.

**Development Applications Received and Determined – Building Certification
Compliance and Health Unit – August 2015.**

Type:	Number Received:	Estimated Value: \$	Number Determined:	Estimated Value: \$
Commercial	-	-	-	-
Industrial	-	-	-	-
-Residential- Multiple Dwellings (Dwellings)	39	11,933,487	52	14,165,301
Residential (Alterations and Additions)	57	3,215,770	48	3,996,337
Other Applications	3	301,955	5	421,385
Section 96 Applications	9	-	11	-
Total	108	15,451,212	116	18,583,023

Jobs created during reporting period

During **August 2015**, 164 DA's were approved representing approximately \$64M 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)
February	35,839,564	350	unknown	79
March	13,555,491	130	58	79
April	15,479,929	150	65	79
May	23,414,861	230	43	79
June	29,081,083	290	71	79
July	27,840,069	270	13	79
August	64,694,141	640	49	79

6.5 Activities of the Development and Rezoning and Building Certification Compliance and Health Units (contd)

Subdivision Applications Received and Determined August 2015

Type:	Number Received:	Number of Lots:	Number Determined:	Number of Lots:
Commercial	1	2	1	0
Industrial	1	-	-	-
Residential	4	20	2	192
Rural	-	-	-	-
Total	6	22	3	192

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	73	172	42	1288

Net Median Turn-around Time – August 2015

The net median turn-around time in working days for development applications determined within the Development Assessment Unit during **August 2015** was 19 days. The net median turnaround time in working days for Section 96 applications was 20 days.

The net median turn-around time in working days for development applications determined in the Building Certification Compliance and Health for **August 2015** was 13 days. The net median turn-around time in working days for Section 96 applications was 11 days.

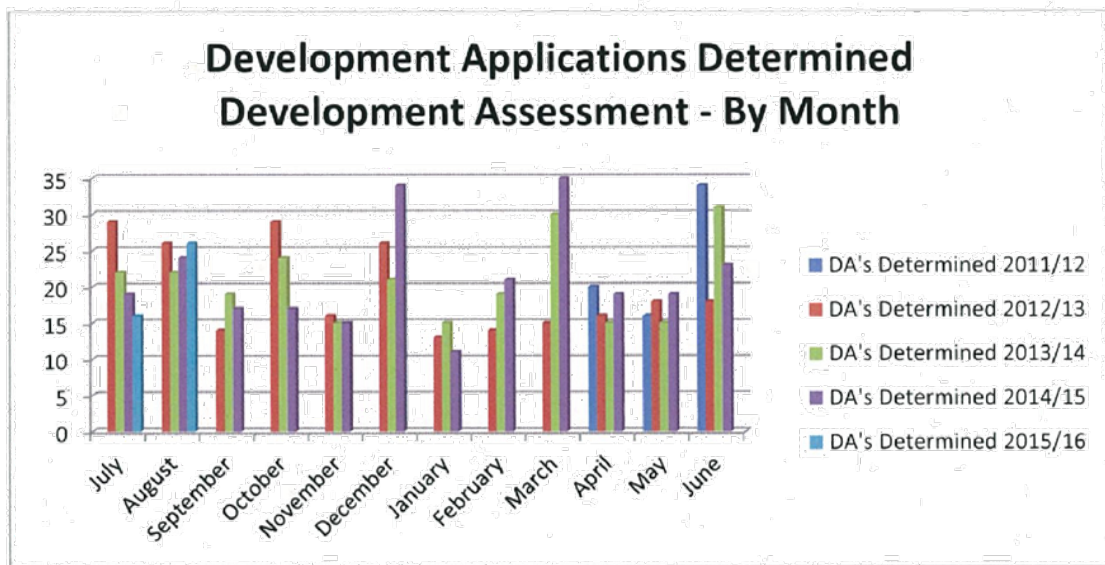
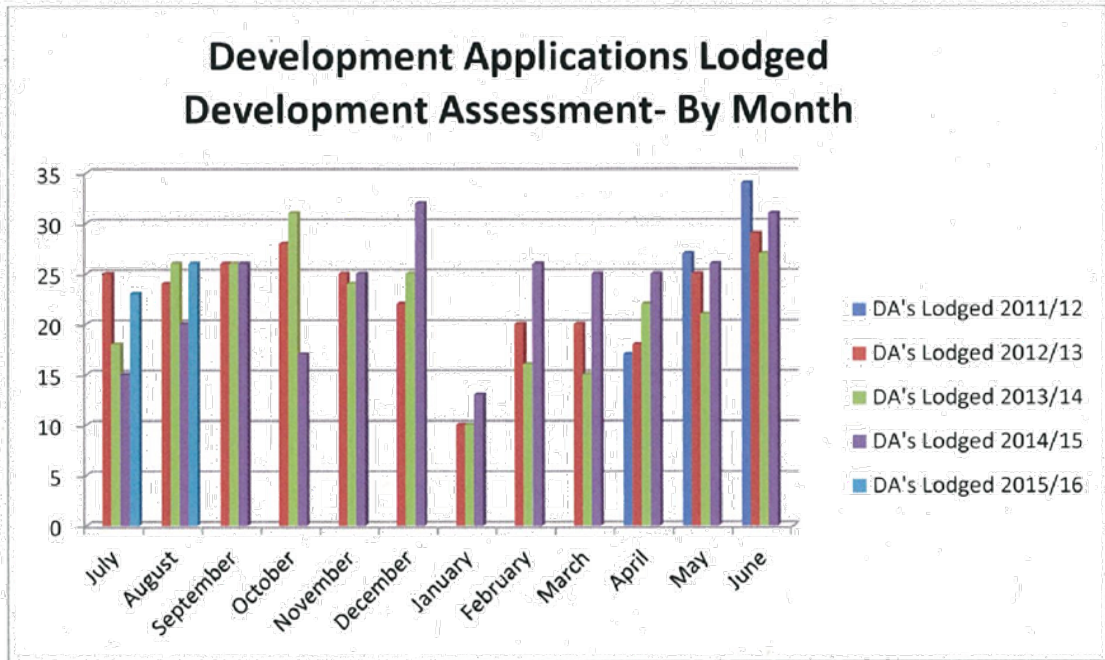
The net median turn-around time in working days for all development applications determined in the Building Certification Compliance and Development Assessment units for **August 2015** was 14 days.

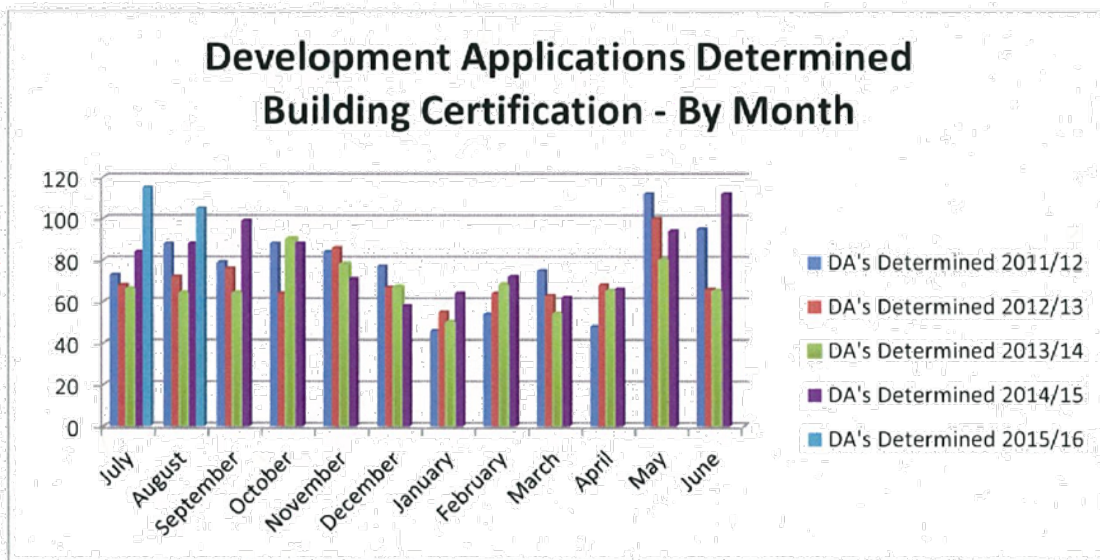
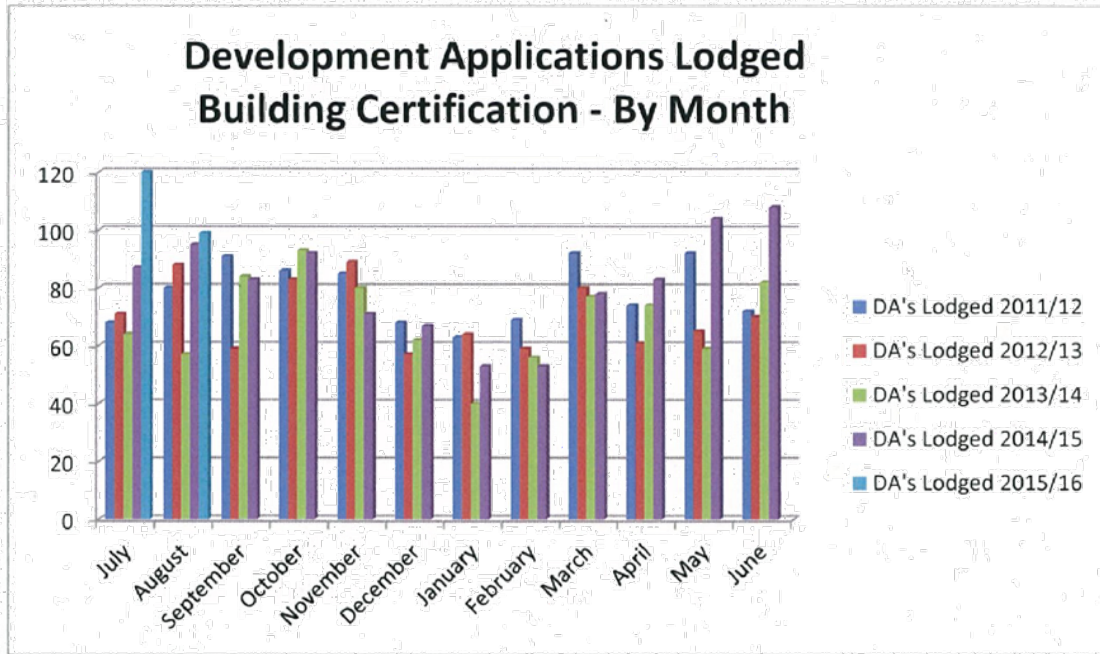
Other Approvals and Certificates

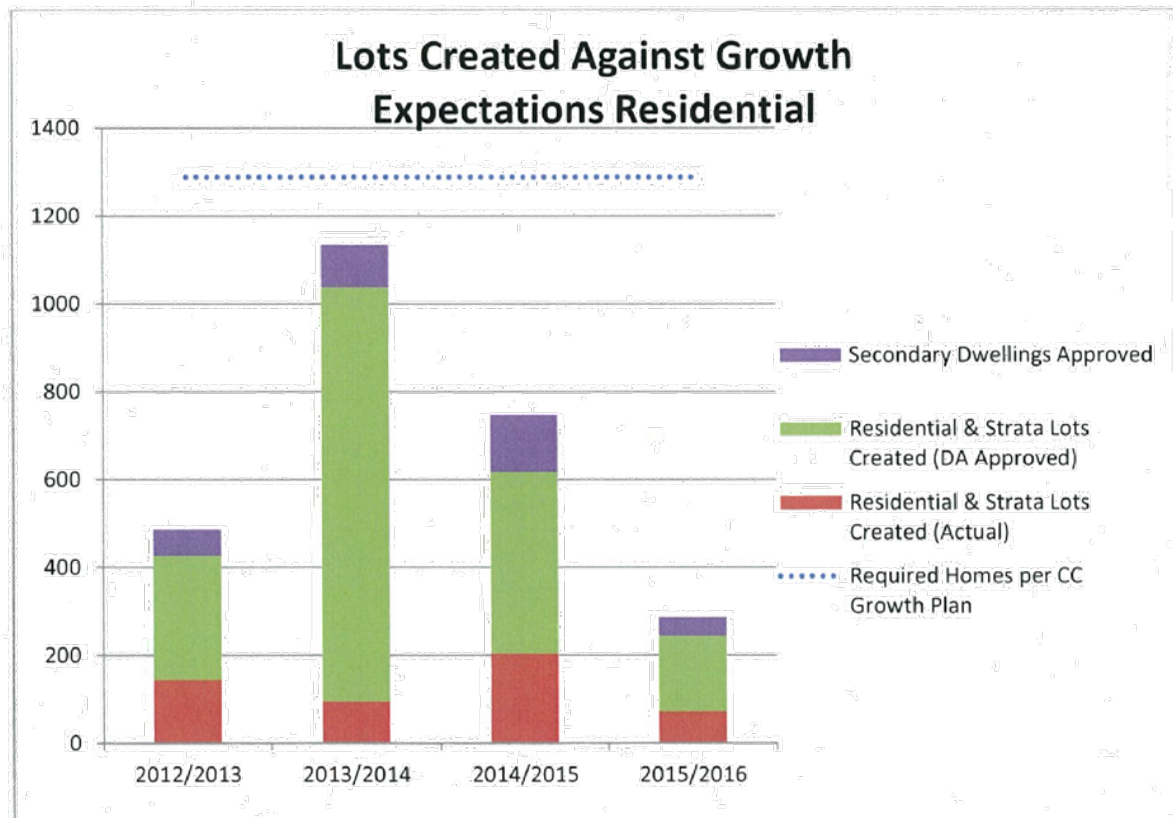
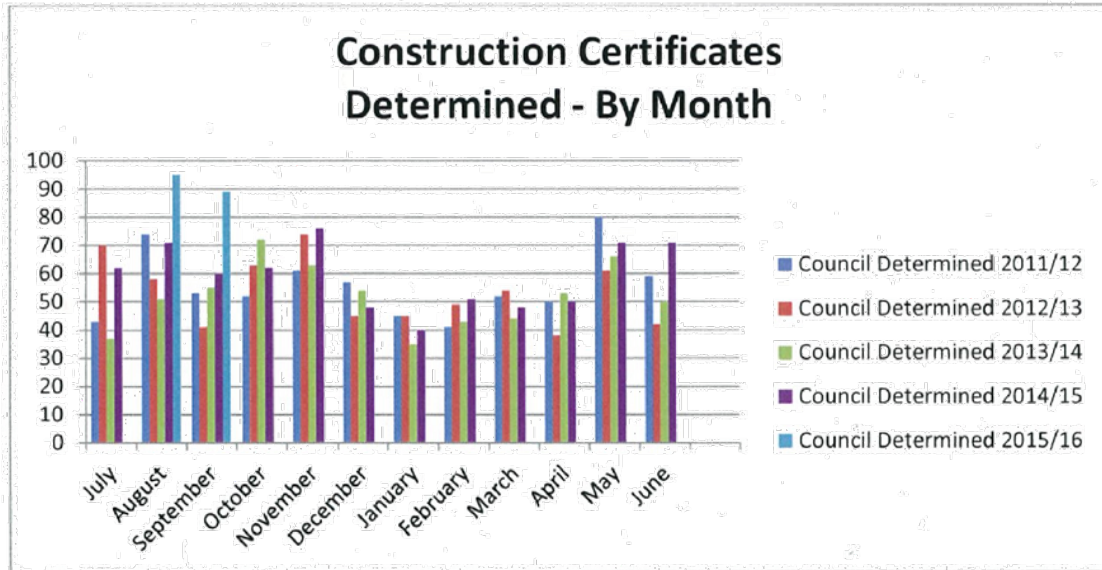
Type	Determined August 2015
Section 149 D Certificates (<i>Building Certificates</i>)	8
Construction Certificates	89
Complying Development Certificates	20

ATTACHMENTS

- 1 GRPAHS: Development Applications Lodged, Determined, Construction Certificates Determined and Lots Created Against Regional Growth Expectations D12075948







6.6 Wyong Water - Works in Progress

TRIM REFERENCE: F2004/07830 - D12070437
 MANAGER: Greg Cashin, Manager
 AUTHORS: Vanessa Trzcinka; Network Operations Engineer
 Melissa Greer; Management Support Officer
 Luke Drury; Section Manager

SUMMARY

Water supply and wastewater works in progress and completed for August 2015.

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	2%	5%	May 2016	Tender evaluation has been completed with a professional services contract to commence in September for water age and chlorine residual and disinfection by-product modelling, within the Wyong Water Distribution Network.
Treelands Reservoir Roof Upgrade	\$55,000	May 2015	10%	15%	December 2015	A design and construct tender has been awarded for roof upgrades to Treelands Reservoir with the Contractor currently finalising designs. The reservoir is currently offline for the required renewal works which will improve the long term water quality performance of the reservoir.

WASTEWATER SYSTEM

The table below is a status report of current major new and upgrade wastewater projects.

Location	Est Cost \$	Start Date	% Spent	% Comp	Est Comp Date	Comments
Wastewater Pumping Station BB05 and BB06 (Blue Bay / Toowoan Bay)	\$3.3M	April 2015 (construction)	28%	28%	April 2016	Construction activities at BB06 are progressing, with the station under bypass. However site works at BB05 remain on hold until the revised site layout is finalised, which is due early September.
Charmhaven and Toukley Chemical Closet and Septic Receiving Stations	\$490,000	May 2015	7%	10%	June 2016	Tenders have been received for the design and construction of upgrades of existing chemical closet and septic receiving stations at Charmhaven and Toukley Wastewater Treatment Plants. Tender evaluation will be completed during September with a report to Council in October.
Wyong South Wastewater Treatment Plant Augmentation	\$15.8M	Dec 2014 (construction)	28%	28%	June 2016	Upgrade of the first of four aeration tanks is now complete and the tank has been brought back into operation. The second tank is now offline for upgrade and the concrete works associated with the construction of the new inlet works are ongoing.
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	15%	15%	Jun 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.

PROCESS**Water Treatment**

All treated water produced by Mardi Water Treatment Plant met the health requirements of the Australian Drinking Water Guidelines (ADWG) produced by the National Health and Medical Research Council.

Wastewater Treatment

The effluent discharged from Toukley Sewage Treatment Plant and Bateau Bay Sewage Treatment Plant met the Environmental Protection Authority Licence requirements.

Sewage Overflows

There were 8 sewer overflow incidents reported to the Council's Environmental Hotline for the period 1 to 31 August 2015, most were related to minor tree root blockages where the normal clean up and reporting were completed. Of these 8 incidents 3 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.

WATER STORAGE

Sunday, 30 August 2015				
DAM STORAGES				
Storage	Capacity Full [ML]	Volume in Storage [ML]	Percent Full [%]	Storage Change over last week[ML]
Mangrove Dam	190,000	132,691	69.8	Unchanged
Mardi Dam	7,400	4,861	65.7	Up 133
Mooney Dam	4,600	4,472	97.2	Down 2
Total	202,000	142,023	70.3	Up 131
Total Dam Storage this time last month was			70.5 Percent	
Total Dam Storage this time last year was			59.2 Percent	
GROUNDWATER & HUNTER TRANSFERS (ML)				
Period	Groundwater	From Hunter	To Hunter	
Week to Date	0.1	13.1	0.0	
This year to date	4.0	259.3	162.7	
RAINFALL(mm)				
Period	Somersby WTP	Mardi WTP	Mangrove Dam	
Week to Date	26	30	21	
Previous Week	11	7	5	
Current week last year	76	59	55	
This year to date	1,315	1,162	919	
Same period last year	783	666	559	
Water Usage (ML)				
Period	Usage			
Week to Date	498			
Previous Week	547			
Percent change from previous week	9 % less			
Current week last year	498			
Percent change from same week last year	No Change			
This year to date	18,665			
Same period last year	19,231			
Percent change from same period last year	2.9 % less			
MARDI- MANGROVE DAM TRANSFERS (ML)				
Period	To Mangrove Dam		From Mangrove Dam	
	From Mardi Dam	To Mangrove Creek	To Mangrove Creek	To Mardi Dam / WTP
Last week	0	0	0	0
This year to date	6,317	354	354	2,656
Total to date *	40,543	10,293	10,293	12,443

* Post M2M Commissioning

ATTACHMENTS

Nil.

6.7 Support of Youth Services in Wyong

TRIM REFERENCE: F2004/06905 - D12065267

MANAGER: Maxine Kenyon, Director

AUTHOR: Justin Kelaher; Section Manager

SUMMARY

An investigation into the options to support youth services being located in the Wyong town centre and surrounds into the future was conducted. It was concluded that there is adequate current service delivery and future possible facilities to accommodate youth services as required.

RECOMMENDATION

That Council receive and note the report on the Support of Youth Services in Wyong.

BACKGROUND

At Council's ordinary meeting on 13 May 2015 the following was resolved as a matter arising from Item 5.1 - DA/875/2014 - Staged Mixed Use Development, Concept Proposal and Stage 1, 15-23 Hely Street, Wyong:

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

477/15 That Council direct the General Manager to investigate options to support youth services being located in the Wyong town centre and surrounds into the future and report back to Council."

Council has adopted a Community Facilities Strategy in June 2012. This provides an overarching framework for the development and management of Council community facilities. In this document, the Wyong Social Planning district has been identified as having a large range of facilities suitable for many purposes.

Council regularly receives requests from community groups for access to community facilities and in the majority of situations Council can meet their needs or know of other service providers that may be more suitable.

CURRENT STATUS

A number of youth services currently operate from Council facilities within the Wyong town centre and surrounds including:

- Oasis Youth Centre Wyong (Salvation Army) on Hely Street, Wyong (Council is working with the Salvation Army regarding their future tenure at the Hely Street site, discussions are continuing)
- Next Step at Watanobbi Community Centre
- Phoenix Youth Support Service at Watanobbi Community Centre

There are also other youth service providers in the area not located in Council facilities including:

- Interrelate Connect program in Alison Road
- A number of other youth service organisations operate within local high schools

In addition, Council has a number of existing facilities suitable for the delivery of new youth services within the town centre itself that have available space for a variety of uses:

- Wyong Grove Community and Cultural Hub on North Road
- Wyong Community Centre on Rankens Court
- Council cottage on Margaret Street.

Council works with a large number of community groups in supporting their accommodation needs in a Council owned facilities or through facilitation with other providers. In addition, more services are using an outreach model to enable the flexibility of service in the areas of highest need. Council has not received any requests for accommodation for youth services in the Wyong town centre or surrounds that has not been met.

With the current mix of service delivery and available community assets, Council is well placed at this time to support the provision of youth services within Wyong and the surrounding area, now and into the future. Council will continue to consider the need for spaces to deliver youth and community services as the Community Facilities Strategy is reviewed and as the use and needs of users changes over time.

ATTACHMENTS

Nil.

6.8 Outstanding Questions on Notice and Notices of Motion

TRIM REFERENCE: F2015/00040-02 - D12070173

MANAGER: Sonia Witt, TL Governance and Councillor Services

AUTHOR: Jade Maskiewicz; Councillor Services Officer

SUMMARY

Report on Outstanding Questions on Notice and Notices of Motion.

RECOMMENDATION

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

ATTACHMENTS

- | | | |
|---|--|-----------|
| 1 | Table of Outstanding Questions and Notice of Motions - 23 September 2015 | D12071141 |
|---|--|-----------|

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 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. 51/15 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. 52/15 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. 53/15 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. 54/15 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.	28 January 2015 Cr Best	Response to be provided October 2015.
133	Property and Economic Development	John Willey	7.2 - Notice of Motion - Tuggerah Station Parking and Safety Shambles 236/15 That Council <u>reiterate</u> the total inadequacy of parking at and around the Tuggerah Rail Station, and that the provision of such parking is the sole responsibility of Transport NSW and State Government. 237/15 That Council <u>explore</u> all land options in the Tuggerah Rail Station precinct, in partnership with Transport NSW and State Government, to address this issue. 238/15 That Council <u>note</u> the urgent need to immediately deal with this matter and therefore the prospect of interim/temporary parking should also be considered.	11 March 2015 Cr Best Cr Matthews	Response to be provided at a future meeting.
148	Community and Recreation Services	Brett Sherar	7.1 Notice of Motion - Regional Rollout of Council's Skate Park Facilities 493/15 That Council <u>note</u> the recent welcomed response to Council's announcement to significantly expand its regional skate park facilities rollout. 494/15 That Council <u>recognise</u> the need to balance the	Cr Best 13 May 2015	Response to be provided October 2015.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>rollout of such facilities as equitably as possible across the shire.</p> <p>495/15 That Council <u>note</u> that the asset life of the current Lake Munmorah skate facility has now reached its end and that this location is no longer Council's preferred option.</p> <p>496/15 That Council <u>request</u> the General Manager to investigate and consult with the local community and key stakeholders to identify the most suitable location for this facility.</p> <p>497/15 That arising from the Council's recent adoption of the skate strategy 2014, Council further <u>request</u> the General Manager to report on proposals and options that will provide improved resource equity to the shire's northern skate facilities. The report should also address the possibility of installing CCTV cameras to provide improved safety to users and reduce the incidents of antisocial behaviour in and around such facilities.</p>		
150	Development and Building	Jamie Loader	<p>6.1 Notice of Motion - Council's Animal Care Facility</p> <p>539/15 That Council recognise the outstanding work over the past few years by staff and more recently by the current animal care contractor and that this management team has delivered an outcome of near zero euthanising of stray and abandoned pets.</p> <p>540/15 That Council recognise that the current Charmhaven Animal Care Facility is approaching end of its asset life.</p> <p>541/15 That Council take a more strategic and regional approach through opening dialogue with Gosford City Council and the current animal care contractors both at Charmhaven and Erina, with the view to establishing a regional, Central Coast animal care facility that will service the future needs of the Coast as a whole.</p> <p>542/15 That Council consider any such centrally located regional facility in tandem with innovative satellite offices in the region's north and far south to assist residents in outer areas to access these important services.</p> <p>543/15 That Council request the General Manager to provide a report back to Council.</p>	Cr Best 27 May 2015	Investigations are underway, with a response to be provided October 2015.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
152	Infrastructure and Operations	Peter Murray	<p>6.1 Notice of Motion – End Gridlock Pacific Highway, Wyong</p> <p>627/15 <i>That Council <u>recognises</u> the urgent need to work with the RMS to deliver the Wyong Town leg of the Pacific Hwy, an economically vital transport corridor, relied upon by thousands of local residents as they daily commute.</i></p> <p>628/15 <i>That further Council <u>recognises</u>, the inordinate delays plaguing this multimillion dollar Highway project as it seeks to accommodate the demand of a small number of property owners must now end.</i></p> <p>629/15 <i>That Council <u>applauds</u> the timely turnaround of the RMS's final and progressive draft plans currently on exhibition.</i></p> <p>630/15 <i>That Council <u>encourages</u> all interested parties to make responsible submissions and Council recognises through community representations and submissions there may very well be some adjustments and amendments to the draft plan.</i></p> <p>631/15 <i>That Council again <u>reiterates</u> that irrespective of any further representation to call for this highway project to bypass through residential back streets will not be entertained by Council.</i></p> <p>632/15 <i>That, due to the urgent need to construct this important transport corridor, Council, on behalf of our local residents, <u>make funding representations</u> to the State Government seeking to tap into the 6 billion dollar state government regional funding pool.</i></p> <p>633/15 <i>That the General Manager <u>liaise</u> with the Minister for Roads and RMS in regards to designing a more direct and easier disabled access to Wyong Railway Station, other than that proposed off Howarth Street.</i></p>	Cr Best & Troy 10 June 2015	<p>Resolutions were presented to the Regional Manager of Roads and Maritime Services (RMS) at Council/RMS meeting held 22 July 2015. The Regional Manager advised that \$3M has been allocated in 2015/16 to continue with the preconstruction activities, including environmental approval for this important project.</p> <p>The heavily revised concept appears to have addressed concerns regarding disability access with direct access the station from Wyong CBD via a level overhead walkway and lifts.</p> <p>The environmental approval process requires further community consultation with stakeholders afforded a further opportunity to comment later in 2015.</p> <p>Once the environmental approval process is completed, the detailed design and further land acquisition still needs to be completed prior to construction being able to commence.</p>
153	Infrastructure and Operations	Peter Murray	<p>Q22/15 Link Road Intersection at Blue Haven</p> <p><i>“Mr Mayor,</i></p> <p><i>As the local Councillor for the Blue Haven area it has been drawn to my attention by many residents of Blue Haven that the intersection of Blue Haven Way and the Motorway link is a high risk intersection.</i></p>	Cr Best	Response to be provided at Ordinary Meeting to be held 14 October 2015.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>I appreciate the Motor Way Link is not a Council road, however can you appeal to advocate on behalf of our local Community to the RMS, to provide an improved intersection works on this arterial road with a closing speed at the intersection of some 200km/hr, of particular concern is the almost non-existent acceleration lane heading to the M1. With the huge residential influx in the area this issue can no longer be ignored any response to our representation from the RMS would be appreciated in your reply to this question and indeed the good folk of Blue Haven?"</i>		
161	Community and Recreations Services	Brett Sherar	<p>7.1 Notice of Motion - Establishment of New Extreme Bike and Skate Facility in our Shire's North</p> <p>753/15 <i>That Council welcome the community's recent drive to establishment a steering committee to activate a Northern area competition BMX Track based at San Remo.</i></p> <p>754/15 <i>That Council request the General Manager to provide a report on the Committee's initiative to activate a new competition standard version of the Extreme Bike and Skate Facility at San Remo and that committee representatives be invited to brief Council on their vision.</i></p> <p>755/15 <i>That further to Council's recent announcement to construct a major regional Skate Facility in the Shires South, Council recognise the need to equitability distribute resources across the Shire, to this end Council welcomes this community driven initiative.</i></p>	Cr Best 22 July 2015	Initial meetings with the community have been held. A report will be provided to the Ordinary Meeting of Council in October 2015.
162	Property and Economic Development	Mike Dowling	<p>7.2 Notice of Motion - Shire Wide Events and Promotions Board</p> <p>758/15 <i>That Council reaffirm its' principal direction from the February workshop to investigate options for management and promotion of tourism, employment and investment within the shire including forming a shire wide events and promotions body.</i></p> <p>759/15 <i>That Council negotiate changes to the existing agreements to give effect to Council's new direction with:</i></p> <p>a) <i>The Entrance Centre Management</i> b) <i>Greater Toukley Vision</i> c) <i>Central Coast Tourism</i></p>	Cr Taylor 22 July 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			d) <i>Wyong Regional Chamber of Commerce</i> 760/15 <i>That Council request the General Manager to provide a report back to Council.</i>		
165	Community and Recreations Services	Julie Vaughan	7.2 - Notice of Motion - Formation of Council's Disability Supports Committee (DSC) 812/15 <i>That Council <u>request</u> the General Manager provide a report, in partnership with key stakeholder groups, around the formation of a broad based disability needs support committee that would seek to assist, guide and provide our ageing population, the temporally injured and the profoundly disabled with the necessary levels of community care.</i> 813/15 <i>That Council <u>recognise</u> the importance of such a committee in assisting Council in crafting it's Disability Inclusion Plan (DIP) & to assist in ushering in the National Disability Insurance Scheme (NDIS), however the committee's role should be seen more holistically & beyond the DIP & the NDIS.</i> 814/15 <i>That, while Council notes the important of providing suitable traditional disability access, Council also <u>recognise</u> the complexity and far reaching nature of modern disabilities beyond physical access issues.</i>	Cr Best 12 August 2015	Meeting to be held with stakeholders during September 2015 and a report to be tabled at an Ordinary Meeting in November 2015.
166	Community and Recreations Services	Sue Ledingham	7.3 - Notice of Motion - Nude Tourism Trend 815/15 <i>That Council <u>note</u> Wyong Shire's Beautiful Birdie Beach is reportedly one of only three 'official' Nude Beaches on the north coast of NSW and the only one on the Central Coast. Despite this facility being in easy day access to a population catchment in the millions, Birdie Beach free bathing is not mentioned in any Central Coast Tourism promotions / Web material.</i> 816/15 <i>That Council <u>recognise</u> Tourism is one of our major employers & the increasing popularity of Nude Bathing / Nude Tourism such as the recent phenomena of P&O's, Pacific and Orient's, Nude Cruises. It is with this understanding that Council in partnership with Central Coast Tourism and National Parks explore opportunities to better promote our region to this most lucrative tourism market.</i> 817/15 <i>That further Council <u>request</u> an options report to the Employment and Economic Development Committee (EEDC) from Central Coast Tourism (CCT) including</i>	Cr Best 12 August 2015	Report will be tabled at the Employment and Economic Development Committee meeting 4 November 2015.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<i>the prospect of holding a unique community event to showcase and market our beautiful beaches including free bathing at Birdie Beach.</i>		
167	Mayor's Office	Jean Pooley	<p>Q29/15 Toukley Graffiti Epidemic</p> <p><i>"Mr Mayor,</i></p> <p><i>My question is on behalf of the business community, the local GTV and indeed the broader local Toukley community on the issue of the outrageous graffiti/vandalism attacks that are now running at epidemic proportions in the Toukley business district. The utter frustration of the business community is in the knowledge that the perpetrators in question are known and taunt shop keepers by day only to graffiti their businesses at night. This information has been provided to the police yet the attacks continue. I fully appreciate the good work our local police do and how busy they are, however Mr Mayor, this must stop. Could you please formally raise this with Superintendent/ Local Area Commander, David Swilks at your next meeting and advise council of what actions will now be taken. Thank you?"</i></p>	<p>Cr Best</p> <p>12 August 2015</p>	<p>Letter was sent from the Mayor's office to Superintendent Swilks 27 August 2015. A response to be provided to Council at a future meeting.</p> <p>Response letter received from NSW Police and Mayor requested report to Council as Answer to Question on Notice on 11/9/2015.</p>
168	Infrastructure and Operations	Peter Murray	<p>Q30/15 Flooding Tuggerah Business District</p> <p><i>"Mr Mayor,</i></p> <p><i>I have repeatedly raised the issue of the Tuggerah creek/storm water drain as almost each time a major rain event occurs, the business district floods. I have been advised by local business owners that again substantial debris is blocking the drain. Could you please have staff look into this as a matter of urgency, thank you?"</i></p>	<p>Cr Best</p> <p>12 August 2015</p>	<p>Response to be provided at Ordinary Meeting to be held 28 October 2015.</p>
170	Community and Recreations Services	Sue Ledingham	<p>1.6 Mayoral Minute - Vandalism Reward Doubling</p> <p>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></p> <p>838/15 <i>That Council <u>publicise</u> this increased reward extensively through Council's media and communication channels.</i></p> <p>839/15 <i>That Council <u>publicise</u> the names of those convicted, subject to any prosecution.</i></p>	<p>Cr Eaton</p> <p>26 August 2015</p>	<p>Response to be provided at a future meeting.</p>

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
171	Property and Economic Development	Mike Dowling	6.1 Notice of Motion - Free Wi-Fi The Entrance Memorial Park Precinct 869/15 <i>That Council, in principle, seek to install free Wi-Fi in the Entrance Memorial Park Precinct as part of the multimillion dollar refurbishment starting next month.</i> 870/15 <i>That Council request the General Manager to report on the cost of such an installation, ongoing operating costs, benefits to the local retailers and the wider community and any other relevant issues.</i>	Cr Webster 26 August 2015	Response to be provided at a future meeting.
172	Property and Economic Development	Andrew Pearce	6.2 Notice of Motion - \$3.4million Litter Land 871/15 <i>That Council note with concern, despite the excellent efforts of Staff, the escalation of roadside litter on our main corridors and particularly on our beach road accesses.</i> 872/15 <i>That Council recognise the unacceptable cost to our ratepayers of this deliberate litter that is now exceeds more than \$3,400,000 in this term of Council alone.</i> 873/15 <i>That Council consider far more strident enforcement options including publishing those offenders prosecuted to combat the emerging tag of 'Litter Land'.</i> 874/15 <i>That Council request the General Manager, in the lead up to the summer litter season, to provide a litter reduction report exploring education and enforcement options, with a view to limiting the outrageous cost of deliberate litter to our ratepayers.</i> 875/15 <i>That Council request the General Manager to make representations to Mr Harris, Ms Catley, Mr Mehan the Local State Members and call on them to gain Local State support for this initiative.</i>	Cr Best 26 August 2015	Response to be provided at a future meeting.
173	Community and Recreation Services	Brett Sherar	Q32/15 Disabled Fishing Platform <i>"Are Council staff aware of the community project to install a disabled fishing platform and hoist proposed for the Josh Porter reserve at Chain Valley Bay South.</i> <i>Are staff supportive of this project applying for state government funding?"</i>	Cr Vincent 26 August 2015	Response to be provided at a future meeting.
174	Chief Executive Officer's Unit	Steve Naven	Q33/15 Rates for Parks <i>"Could staff please advise what rates residential parks pay?"</i>	Cr Vincent 26 August 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
175	Property and Economic Development	Andrew Pearce	Q34/15 Community Litter Statistics and Education <i>"Does Council have any demographic statistics on what age groups maybe causing litter in Wyong Shire and what options may be used to target and educate the community on littering. Can the General Manager please advise how such statistics can be used?"</i>	Cr Greenwald 26 August 2015	Response to be provided at a future meeting.
176	Community and Recreation Services	Maxine Kenyon	Q35/15 Osbourne Park <i>"Mr Mayor,</i> <i>As the local Independent Councillor for Toukley, I've been approached by the Leonard Avenue community, who were quite frustrated with anti-social behaviour in and around their park. Clearly this is a police matter, however, as often is the case it falls back to Council to try and assist.</i> <i>In this particular case, as you can see by the memo below, the community is very satisfied with Council and indeed staff's efforts in assisting them, in particularly the efforts of our Manager for Open Space, Mr Brett Sherar.</i> <i>Would you please pass on to all those involved our appreciation in assisting the Toukley community?</i> <i>"For and on behalf of the Residents of Leonard Ave.</i> <i>Congratulations to Wyong Council.</i> <i>For years we have had a problem with hoons and antisocial behaviour in Osbourne Park. We arranged a meeting with Councillor Greg Best and Mr Brett Sherar to find a solution to this problem. Within days we had answers. A big thank you to Wyong Council who operated in a professional and courteous manner."</i>	Cr Best 26 August 2015	Response to be provided at a future meeting. Action completed in info council on 3/9/2015, no further actions noted.
177	Chief Executive Officer's Unit	Bob Platt	Q36/15 Video Conferencing Facilities <i>"Mr General Manager,</i> <i>Council is at the forefront of upgrading IT processes and has been working actively to bring the IT up to 2015 standards. Part of this process has been a full review and upgrade of software</i>	Cr Taylor 26 August 2015	Response to be provided at a future meeting.

No	Department	Responsible Officer	Question Asked / Resolution	Meeting Asked/ Councillor	Status
			<p>and hardware systems.</p> <p>Council have just completed a rigorous process of recruiting an Acting General Manager for Wyong Shire Council. Part of the recruitment process has been to interview the prospective General Managers by Skype video conference interview.</p> <p>Could the General Manager please advise if Council has the ability to currently utilise this technology in house and if not what is the cost for Council to setup this technology at Council?"</p>		
178	Property and Economic Development	Mike Dowling	<p>Q37/15 Threatened, Vulnerable and Endangered Trees</p> <p>"Could Staff please advise if there is a list of threatened species relevant to Wyong Shire which can be easily accessed by the Community?</p> <p>If not, could staff please make a list available on the Council web site as removal of some of these trees with knowing their listing could expose residents to a substantial fine."</p>	Cr Vincent 9 September 2015	Response to be provided at a future meeting.
179	Property and Economic Development	Mike Dowling	<p>Q38/15 Council Appointed Tree Officer</p> <p>"Could staff please advise if any Council Officers are allocated to provide advice to residents who are unsure if a tree is listed as threatened, vulnerable or endangered?</p> <p>If a staff member is available. Could their contact details be made available to the community on the Council website?"</p>	Cr Vincent 9 September 2015	Response to be provided at a future meeting.

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE
9 SEPTEMBER 2015**

No#	Department	Question on Notice / Notice of Motion	Date Asked/ Councillor	Status
164	Development and Building	Q28/15 Gateway To Toukley	Cr Best 22 July 2015	Response provided at 23 September 2015 Ordinary Meeting.
169	Community and Recreations Services	Q31/15 Council's Cycleway Rollout	Cr Troy 12 August 2015	Response provided at 23 September 2015 Ordinary Meeting.

7.1 Answers to Question on Notice

TRIM REFERENCE: F2008/02128 - D12058913
AUTHOR: Michael Ross, Section Manager

Q31/15 Answer to Question on Notice - Q31/15 - Council's Cycleway Rollout

The following question was asked by Councillor Adam Troy at the Ordinary Meeting on 12 August 2015:

"My question is on behalf of the local Tuggerawong community. The feedback I have received on our cycle way rollout is extremely positive with Council delivering 7.8 kilometres over the past 4 years at a cost of \$1.9million. The plan seeks to circumnavigate the lakes at some future stage. What I seek is guidance around the rollout of such works through the Tuggerawong area and the timing around that, thank you?"

BACKGROUND AND CURRENT STATUS

Council's On-Road Bicycle and Shared Pathway Strategy, adopted by Council in December 2010 has been significantly completed and is pending review in the 2015-2017 financial years. The existing strategy focussed primarily on shorter connections between existing shared pathways in an attempt to create the maximum community benefit for the available annual funding.

The provision of a new shared pathway along the foreshore at Tuggerawong and surrounding suburbs was not identified as a priority in the original strategy, and as such the project was never developed.

The pending review of the On-Road Bicycle and Shared Pathway Strategy will involve extensive engagement with the community identifying new priorities for endorsement by Council.

Based on recent requests from the community, a shared path in Tuggerawong will be considered in the review of the Strategy.

ATTACHMENTS

Nil.

23 September 2015

To the Ordinary Council Meeting

Councillor

8.1 Notice of Motion - Shark Summit

TRIM REFERENCE: F2010/00500 - D12081702

AUTHORS: Greg Best; Councillor
Adam Troy; Councillor

Councillors Best and Troy have given notice that at the Ordinary Council Meeting to be held on 23 September 2015 he will move the following Motion:

- "1 That Council note the increased number of shark attacks in and around our coastal waters due to the rise in shark numbers.*
- 2 That Council take proactive and pre-emptive steps to mitigate further local attacks.*
- 3 That Council recognise 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.*
- 4 That having regard to the far reaching potential of these events Council convene a Shark Summit that includes all key stakeholder groups, rescue organisations, applicable agencies, tourism representatives and specialist marine experts.*
- 6 That Council request the Chief Executive Officer to report on the feasibility of auditing our ocean coast line with a view to identifying suitable sites to create shark proof ocean bathing areas/enclosures.*
- 5 That staff investigate the effectiveness and practicality of making available to bathers, technology such as the shark shield devices on a short term hire basis."*

RESOURCES

Preparation of a report can be undertaken within the present staffing resources. Depending on the location, stakeholders and duration of the summit, additional resources that are presently unbudgeted may be required. The report will identify these for Council consideration.

COUNCILLOR NOTE

Councillors, clearly the escalation of shark attacks in and around our coastal waters has alarmed our community. What, in my view, is even more sobering are the high number of often unreported near misses and beach sightings of sharks.

It is my view that to address this escalating threat we will need to engage the whole of community/industry approach. This issue cannot be effectively managed by any one organisation/agency. The prospect of beachgoers voting with their feet and abandoning the

beaches is a real possibility over the next 10 to 15 years if we do not manage the situation wisely.

In my view one of three things are likely to occur:

- 1 Effective technology and safe swimming enclosures will be deployed,
- 2 Attacks will escalate, creating a swimming climate akin to the crocodile issue in Queensland and the Northern Territory.
- 3 More controversially, it may be recommended that culling be recommenced.

As a surfer with more than 40 years, I fully appreciate there is little more frightening than being chased from the ocean by a large, apex predator. The psychological impact on the individual and community cannot be underscored. The environment we have now created for these amazing creatures is to fish out most of their food stocks, hunt them and wonder why they are beginning to engage in opportunistic attacks on humans.

This is being exacerbated by the growing and highly successful whale migration that occurs bi-annually along our very coastline. Particularly the great whites shadow these whale pods. This is compounded through the great white shark community having one of its largest breeding habitats in the world just north of us in Port Stephens. Also, North Entrance/Magenta has been identified as a popular habitat for Whites.

So unfortunately if we do not take this changing environmental threat seriously, we are going to lose many more bathers. A similar debate ensued decades ago with the protection of crocodiles and now the outcome is that it is extremely unwise to bathe in northern ocean and estuary waters. One does not need to be a visionary to recognise this ultimately may become the same situation here on our scenic Central Coast, unless we provide suitable protected swimming environments. Such protections need not necessarily be physical structures as technology may be able to be deployed.

One only has to look back to the large number of bathing enclosures that existed in our estuaries and ocean water ways in the 30's 40's and 50's, before shark culling was undertaken. So what was may ultimately need to become the future again.

ATTACHMENTS

- | | | |
|---|-------------------------------|-----------|
| 1 | Shark Photo at Lake Macquarie | D12084469 |
| 2 | Mick Fanning Shark Photo | D12084807 |





8.2 Notice of Motion - \$10million Rate Relief

TRIM REFERENCE: F2010/00500 - D12083327

AUTHOR: Greg Best; Councillor

Councillor Best has given notice that at the Ordinary Council Meeting to be held on 23 September 2015 he will move the following Motion:

- “1 That Council congratulate all staff for their excellent team efforts in addressing the \$30million deficit.
- 2 That Council recognise that these efforts have now resulted in a \$10.6million surplus, this reflects a \$41million total turn around in just 5 years
- 3 That Council note the key initiatives deployed to achieve this extraordinary turn around are:
 - “Right-sizing” the organisation – aligning inputs to priority outputs
 - Service Delivery Review removing \$8m from the cost base
 - Using our own resource, not consultants
 - Benchmarking and testing alternate service delivery models
 - Better budgeting – focusing on community priorities
 - Better discipline in meeting budgets
 - More effective measurement. Closer monitoring of spend
 - Better procurement practices and outcomes.
- 4 That, as a consequence of this excellent financial management, Council now extinguish the last approved special rate variation (SRV) and revert to a maximum increase of 3% (the assumed standard rate pegging), thereby saving our rate payers \$10.7 million dollars.
- 5 That Council now continues to work through the identified infrastructure backlog using the current unallocated surplus of \$10.6million and future year surpluses.
- 6 That the Mayor, through the Council column, publically thank our community for their support, patience and understanding throughout this difficult period of restructure.”

RESOURCES

The matter will be actioned using existing resources.

COUNCILLORS NOTE

Councillors, I'm sure you will join me in recognising the Staff's excellent efforts in this extraordinary financial turnaround. Only 5 years ago this Council was hemorrhaging under a \$30million loss. However, under the stewardship of former General Manager Michael Whittaker, his new management team and the new Mayoral team, Council, through good management, has now delivered a \$10.6million surplus for its Ratepayers.

Also, I believe we should pass on our sincere thanks to our Ratepayers for their understanding and patience, as without their genuine support of the SRV over 4 years, we would have had little chance of arriving at such a sound economic position.

I would like to take this opportunity to thank Mayor Eaton, the Mayor of the day, who lead the difficult debate around the need for the SRV. As elected representatives we all appreciated the potential strain this decision may have on many of our residents.

Unfortunately at that time, the difficult decision to seek a SRV was not unanimous. As a Councillor of 20 years, I was extremely disappointed that there were those that chose the popularity path versus genuine leadership. Despite this, the Council has steered a fiscal responsible course that can now provide the opportunity to give back. ie: Through not levying the last State Government approved special rate variation 2016/17.

As outlined above, this initiative will relieve the Ratepayer purse to the tune of \$10.7million; with such success it is time to share.

Nevertheless, as responsible leaders, we must maintain a clear focus on dealing with the remaining infrastructure backlog. This I believe can be achieved through good governance, wisely using the \$10million surplus that we have generated over and above this year's proposed SRV levying.

As outlined in the recent comprehensive Fit For The Future audit, Wyong Council is now in an extraordinarily strong financial position with economic growth across the shire now at an all-time high boosting much needed local employment. Wyong is now financially the strongest LGA in the region. This is highlighted in the below CFO's briefing documents to Council.

Again I'd like to thank our staff, former General Manager and indeed our community for this tremendous outcome.

Preliminary Unaudited 2014/15 End of Year Financial Results

Stephen Naven
CFO Finance
9 September 2015



Headline – 2014/15 Unaudited Result

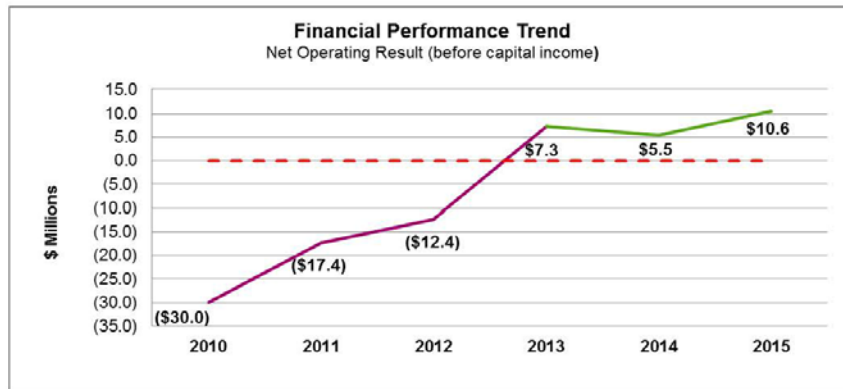
- **Surplus of \$10.6 million** (excluding Capital Grants and Contributions).
- Improvement of \$5.1m on prior year result
- Third successive year in surplus
- \$10 million favourable compared to original budget
- When capital grants and contributions (Capital Income) is added, the preliminary 2014/15 result is a surplus of \$36.8 million.

Ratios – Fit on all Measures

Fit For The Future Targets	Draft 2014/15	FFTF Target	Fitness
Operating Performance Ratio	4.59%	Higher than 0	✓
Own Source Revenue	92.30%	Over 60%	✓
Debt Service Ratio	9.97%	Between 0% and 20%	✓
Building & Infrastructure Asset Renewal	101.00%	Over 100%	✓
Infrastructure Backlog Ratio	0.02	less than 2%	✓
Asset Maintenance Ratio	107.00%	Over 100%	✓
Real Operating Expenditure* per Capita	Moved from \$1,510 in 2011/12 to \$1,290 in 2014/15	Decreasing over time	✓

Other OLG Targets	Draft 2014/15	OLG Target	Meet Target
Unrestricted current ratio	1.65	Over 1.5	✓
Rates, annual charges, interest and extra charges outstanding percentage	4.66%	Less than 5%	✓
Cash expense cover ratio	8.57	over 3	✓
Capital expenditure ratio	1.63	Higher than 1	✓
Debt Service Cover Ratio	3.51	Between 0% and 20%	✓

Financial Performance Trend



- Third successive year in surplus.
- Prior to 2012/13.... 8 successive years in deficit....\$120 million of accumulated losses over that time.

Major drivers for the turn-around

Optimising Revenue

- More commercial focus. For example:
 - Deals with major tippers to attract higher volumes and revenue.
 - Adjusting fees to align with true cost
- SRV – contribution from our ratepayers (6.9% annual rate increase)
- Development starting to pick up.

Major reform of our cost base

- "Right-sizing" the organisation – aligning inputs to priority outputs
- Service Delivery Review removing \$8m from the cost base
- Using our own resource, not consultants
- Benchmarking and testing alternate service delivery models
- Better budgeting – focusing on community priorities
- Better discipline in meeting budgets
- More effective measurement. Closer monitoring of spend
- Better procurement practices and outcomes.

Fund Specific Results

Net Operating Result By Fund	Actual 2014-15 \$M	Actual 2013-14 \$m	Movement Fav/(unfav) \$M
General Fund	20.1	15.5	4.7
Wyong Water	(9.5)	(10.0)	0.5
Total consolidated net operating result	10.6	5.5	5.1

- General Fund \$20 million surplus
- Wyong Water \$9.5 million deficit. Hampered by lower than budget water usage. Full benefit of reforms will be realised in future years

Capital Expenditure Highlights

- 2014/15 Capital Spend of **\$86.3 million** on essential infrastructure.
- 86% of original budget of \$100 million

- \$10.4 million of spend on projects to reduce backlog. Meeting target of \$10 million
- 86% of original budget of \$100 million

- Capital spend on roads of \$xx million

Consolidated Balance Sheet

Statement of Financial Position	Actual 2014-15 \$M	Actual 2013-14 \$M	Movement Fav/(unfav) \$M
Assets			
Current assets	165.2	156.2	9.0
Non-current assets	3,071.3	2,602.1	469.2
Total assets	3,236.5	2,758.3	478.2
Liabilities			
Current liabilities	73.6	68.9	(4.7)
Non-current liabilities	233.5	239.5	6.0
Total liabilities	307.1	308.4	1.3
Net assets	2,929.4	2,449.9	479.5
Retained earnings	1,584.6	1,364.7	219.9
Revaluation reserve	1,344.8	1,085.2	259.6
Net equity	2,929.4	2,449.9	479.5

- Cash increase compared to prior year.
- Roads and Drainage Revaluation (per OLG cycle) has increased our non-current assets by \$469m

ATTACHMENTS

Nil.