

4.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

*Wyong Local Environmental Plan 1991 ('the LEP')*

Clause 10 Zone and zone objectives - the subject lands are zoned 2(g) Residential Tourist under the LEP. As noted in Section 3.1 above, the majority of proposed uses are permitted within this zone however, the Planning Proposal seeks to make additional uses permitted including recreation facilities and shops.

Further they are considered to be supportive of the objectives of the zone which are:

*"(a) to encourage residential development of various types primarily intended to accommodate tourists and visitors and not exceeding a height of 3 storeys (except as otherwise provided for in clause 42B), and  
(b) to accommodate other types of development which complement tourist uses, and  
(c) to ensure that tourist development does not significantly adversely impact on the amenity of residential areas in adjacent zones, and  
(d) to ensure that the scale and function of tourist development is appropriate in the context of the form of development which might occur in the zone for tourist purposes."*

In regard to (a), the proposed accommodation will provide for both tourists and permanent residents, albeit in buildings higher than 3 storeys.

In regard to (b), the other proposed uses will complement the tourist uses.

In regard to (c), as indicated in the submitted shadow diagrams, the indicative scheme will not unreasonably impact on the adjacent residential zones (see Appendix A).

In regard to (d), the scale of the development and its tourist function is reflective of the delivery of a world class mixed use tourism and residential development.

Clause 15 Acid sulfate soils – the site is not in a high risk area in this regard and this matter will be addressed in detail as part of any future DA.

Clause 19 Development near lakes, rivers and creeks – the site is within 100m of MHWM of Tuggerah Lake however the proposal will not have any impacts on the marine environment subject to appropriate control of stormwater which will be detailed with the DA.

Clause 23 Flood prone land – as noted above the indicative scheme shows that the development can be protected from flooding now and into the future.

Clause 29 Services – we understand that adequate services are available for the proposal.

Clause 32 Development of Heritage Items - it is intended to undertake alterations and additions to the existing Thai restaurant building located at the south-west corner of The Entrance Road and Oakland Avenue, which is identified as a heritage item of local significance in Schedule 1 of the LEP. These will be consistent with the works that formed part of the previous DA approval and more detailed assessment will form part of the draft DCP process.

Clause 34 Development of known or potential archaeological sites – the site is not a known archaeological site. Appropriate conditions of consent can address any potential relics that may be discovered through the construction process.

Clause 35 Development in the Vicinity of Heritage Items - Proposed new buildings and facilities are located near the curtilage of The Entrance Hotel, located on the eastern side of Wilfred Barrett Drive. The development site is separated from this building by the road ramp leading up to The Entrance bridge and a car park. Accordingly, there is substantial physical separation between The Entrance Hotel heritage item and the development site. It is considered that the proposed development is outside both the curtilage and the visual catchment of this heritage item and hence will have no adverse impacts on the heritage significance of The Entrance Hotel.

Clause 42B Development in Zones Nos 2(c) and 2 (g) at The Entrance – this clause limits building heights and would not facilitate the development or the achievement of Council’s visions for The Entrance Town Centre as detailed in the Entrance Peninsula Planning Strategy, the Master Plan and draft Iconic Sites DCP/LEP provisions. Accordingly it is proposed to ‘switch off’ this clause in respect to the subject lands.

Clause 42CA Setbacks for certain buildings fronting The Entrance Road – the proposal does not comply with these setbacks which are not considered appropriate in the context of recent strategic planning for the area. . Accordingly it is proposed to ‘switch off’ this clause in respect to the subject lands.

Clause 68 Managed resort facilities—The Entrance – whilst the indicative scheme provides a substantial proportion of tourist accommodation, the requirements of this clause are overly restrictive and would reduce the financial viability of the redevelopment of the site. Accordingly it is proposed to ‘switch off’ this clause in respect to the subject lands.

*Wyong Development Control Plan (DCP) 2005: Development Controls for Wyong Shire*

Any development application on the subject lands will be required to comply with the relevant controls of Wyong Development Control Plan 2005, in particular, Chapters 60 The Entrance, 61 Car parking, 64 Multiple Dwelling Residential, 67 Engineering Requirements for Development, 69 Waste Management, 76 Conservation of the Built Environment and 77 Coastal Hazards.

The provisions of the DCP will be considered in further detail as part of the site specific DCP process.

4.2.3 Is the planning proposal consistent with applicable state environmental planning policies?

*State Environmental Planning Policies*

The only State Environmental Planning Policies (SEPPs) relevant to this planning proposal are:

SEPP	Consistency
<b>SEPP 55 – Remediation of [contaminated] Land</b> This SEPP aims to promote the remediation of contaminated land for the purposes of reducing risk to human health and/or the environment.	Given the historical use of the land, it is unlikely to contain contaminated material and reports prepared for the previous DA's indicated that the land was suitable for the proposed retail/residential use.
<b>SEPP 64 – Advertising and Signage</b> Aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish. The SEPP also regulates outdoor advertising in transport corridors. The SEPP also aims to ensure that public benefits may be derived from advertising along and adjacent to transport corridors.	This matter will be addressed as part of the site specific DCP.
<b>SEPP 65 - Design Quality of Residential Flat Development</b>	The proposal has been designed to have regard to the provisions of this SEPP and the related Design Code (see <b>Appendix A</b> ). However full consideration of the detailed provisions of the Residential Flat Design Code will be undertaken at DA stage.
<b>SEPP 71 – Coastal Protection</b> The policy has been made under the Environmental Planning and Assessment Act 1979 to ensure that development in the NSW coastal zone is appropriate and suitably located, to ensure that there is a consistent and strategic approach to coastal planning and management and to ensure there is a clear development assessment framework for the coastal zone.	The site is within a sensitive coastal location (being within 100m of MHW of Tuggerah Lake) and at some point subdivision of the site will be required. Under SEPP 71 this necessitates the preparation of a Masterplan. However in this case, as a detailed planning exercise is being undertaken it is requested that the Minister waive this requirement subject to gazettal of the draft LEP outlined in this planning proposal.
<b>SEPP (BASIX) 2004</b>	This SEPP will apply to the proposed dwellings and appropriate documentation will be submitted with the DA.

#### *Regional Environmental Plans*

There are no Regional Environmental Plans that are relevant to the Planning Proposal.

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

This planning proposal has been assessed having regard for the Section 117 Directions [issued to Councils under s117(2) of the *Environmental Planning & Assessment Act 1979* (EP&A Act)], relevant to this planning proposal. The findings were as follows:

Direction	Consistency
<b>2.2 Coastal Protection</b> The objective of this direction is to implement the principles in the NSW Coastal Policy.	The proposal is consistent with the following relevant documents: <ul style="list-style-type: none"> <li>the <i>NSW Coastal Policy: A Sustainable Future for the New South Wales Coast 1997</i>;</li> <li>the <i>Coastal Design Guidelines 2003</i>; and</li> <li>the manual relating to the management of the coastline for the purposes of section 733 of the <i>Local Government Act 1993</i> (the <i>NSW Coastline Management Manual 1990</i>).</li> </ul>

Direction	Consistency
	In this regard it utilises existing urban land in a town centre location, has negligible impact on the environment and provides a development that will assist in revitalising this coastal town consistent with the recent strategic planning undertaken for the area.
<p><b>2.3 Heritage conservation</b> The objection of this direction is "to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance."</p>	The Planning Proposal does not affect the heritage status of the item on the land and it is intended that it be retained and incorporated into any future development.
<p><b>3.1 Residential zones</b> The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs, (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and (c) to minimise the impact of residential development on the environment and resource lands.</p>	<p>The proposal is consistent with these objectives as it will:</p> <ul style="list-style-type: none"> <li>• to allow for increased dwelling numbers to assist in meeting the State government targets for growth in Wyong LGA, as detailed in the Central Coast Regional Strategy;</li> <li>• provide for high quality accommodation not readily available in the area;</li> <li>• is located within a town centre with excellent access to services, infrastructure and transport;</li> <li>• not have any significant environmental impact.</li> </ul>
<p><b>3.4 Integrating Land Use and Transport</b> (1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives: (a) improving access to housing, jobs and services by walking, cycling and public transport, and (b) increasing the choice of available transport and reducing dependence on cars, and (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and (d) supporting the efficient and viable operation of public transport services, and (e) providing for the efficient movement of freight.</p>	<p>The proposal is consistent with these objectives as it will:</p> <ul style="list-style-type: none"> <li>• provide housing and jobs within walking distance of services and transport;</li> <li>• facilitate pedestrian and cycle access through the site;</li> <li>• it will reduce dependency on cars as it is within walking distance of all daily amenities;</li> <li>• it will increase the demand for public transport services and therefore the viability and efficiency of services.</li> </ul>
<p><b>4.1 Acid Sulfate soils</b> The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	As noted above the site is not high risk in this regard and as such this issue will be detailed with as part of the DA.
<p><b>4.3 Flood Prone Land</b> The objectives of this direction are to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy, the principles of the Floodplain Development Manual 2005, and to ensure that the provisions of an LEP on flood prone land is commensurate with the flood hazard.</p>	As noted above the indicative scheme shows that the development can be protected from flooding now and into the future.
<p><b>5.1 Implementation of Regional Strategies</b> The objective of this Direction is to ensure that</p>	As noted above, the planning proposal is considered consistent with the Central Coast Regional Strategy (CCRS).

Direction	Consistency
draft LEPs are consistent with regional strategies, such as the Central Coast Regional Strategy.	

*Department of Planning's Criteria for Spot Rezoning*

This planning proposal has been assessed having regard for the Department of Planning's *LEP Pro-forma Evaluation Criteria-Category 1: Spot Rezoning LEP*, which provides criteria for consideration for any draft LEP. This LEP Amendment request is assessed against these criteria in the table below.

Criteria	Consistency
Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	This planning proposal will not reduce employment lands and will facilitate employment generating activities.
Will the LEP be compatible with agreed State and regional strategic direction for development in the area (eg, land release, strategic corridors, development within 800m of a transit node)?	As noted above, this planning proposal is compatible with the Central Coast Regional Strategy. It is ideally located in an existing town centre and will play a crucial role in the revitalisation of the area.
Will the LEP implement studies and strategic work consistent with State and regional policies and Ministerial (s.117) directions?	As mentioned above this planning proposal will support the objectives of the Central Coast Regional Strategy and also the more detailed work that has recently been undertaken for The Entrance. As detailed above it is consistent with the relevant s117 directions.
Is the LEP located in a global / regional city, strategic centre or corridor nominated within the metropolitan Strategy or other regional / sub-regional strategy?	No, but it is located in an important town centre.
Will the LEP deal with a deferred matter in an existing LEP?	No.
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Yes. There are other proposals similar to this proposal in The Entrance town centre. Council has considered the cumulative impacts these proposals as part of the recent The Entrance Peninsula Planning Strategy, Master Plan and Iconic Sites DCP/draft LEP process and remain supportive of the proposals.
Is the LEP likely to create a precedent, or create or change in the expectations of the landowner or other landowners?	No. The site has been specifically identified for increased development as part of The Entrance Peninsula Planning Strategy, the recent Master Plan and Iconic Sites DCP/LEP process. The feedback from this process is that the community understands that in order to achieve the desired outcome for The Entrance that appropriate key sites should be permitted to provide 'iconic' development that may allow for greater development potential than on other sites.
Will the LEP be compatible / complementary with surrounding land uses?	Yes. The proposal does not fundamentally change the existing zoning of the land and it will remain a compatible part of the fabric of the town centre.

#### 4.3 Environmental, Social and Economic Impact

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

No.

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

The following issues have been identified as being relevant to this planning proposal.

*Hazard Issues*

The only hazard issue of any significance is water inundation related to climate change. As previously noted the indicative scheme shows that the development can be protected from flooding now and into the future.

Acid sulfate soils are a potential hazard that will be investigated in further detail as part of the DA process, in accordance with the requirements of Clause 15, Wyong LEP 1991.

*Environmental Issues*

*Significant vegetation*

There is minimal vegetation on the site and nothing of significance.

*Visual Amenity*

The site is presently developed with low scale residential and tourist development and as such any redevelopment will have a visual impact. However the Planning Proposal will facilitate a development of far greater visual quality than is likely to occur under the existing controls. The quality of existing development approved under these controls can be seen in the surrounding area (refer to images in the Urban Design Report at Appendix A). Whilst higher in form than existing development, the iconic quality that Council is attempting to achieve in its Iconic Sites DCP and Town Centre Master Plan is demonstrated in the montages of the proposal. In terms of height, the proposed building is consistent with the overall vision for The Entrance that is described in these recent strategic plans and with other Iconic Sites in the town centre, where buildings of similar height are being proposed. The appropriateness of the proposed height in this context is shown in Figure 11 above and is discussed in greater detail in the Urban Design Report (see Appendix A).

*Impacts on surrounding properties*

The indicative scheme has been designed with the higher buildings in the northern part of the site where there is less potential for impact. The southern part of the site will contain the water park which will be a lower scale structure with lesser potential for impact. The main impacts on adjoining development will be visual impacts, overlooking and overshadowing. Whilst these impacts have been considered in the preparation of the Planning Proposal (see Appendix A which includes shadow diagrams), a more detailed analysis of these impacts will be undertaken as part of the draft DCP process.

4.3.3 How has the planning proposal adequately addressed any social and economic effects?

*Social Issues*

The proposal will not result in any unexpected social issues as the proposed development remains consistent with the existing zoning of the land. The proposal forms part of the

overall revitalisation strategy of Wyong Council for The Entrance Town Centre that has been widely workshopped and discussed with the local community, business owners and other relevant stakeholders. The proposal is seen as a major catalyst in this revitalisation and therefore it will be of great social benefit.

#### *Economic Issues*

The proposal will not result in any unexpected economic issues as the proposed development remains consistent with the existing zoning of the land. No major retail space will be provided ensuring that the development will not compete with the role of the more central precincts of the town centre. The proposal will result in significant creation of local jobs both during construction and in the longer term. Bringing in more permanent residents and catering for tourists will increase the amount of spending in the town centre.

The proposed development has an estimated construction cost in the order of \$350 million. Using the Australian National Accounts Input-Output data, this construction investment would generate direct employment of 1,934 full-time and part time jobs for one year. These construction jobs would be spread over the development timeframe for the subject site. It would also generate a additional jobs in supporting industries and other businesses servicing the expenditure by the employed workers. This is the indirect employment generated by the construction phase of the subject site.

The proposal is estimated to generate over 1000 full-time and part-time jobs during operation phase from the proposed retail areas, tavern, retail uses, regional water park and 5 star hotel accommodation. New residents and visitors will also increase demand for goods and services in the local area and thus create indirect employment.

#### 4.4 State and Commonwealth Interests

##### 4.4.1 Is there adequate public infrastructure for the planning proposal?

#### *Services (Water, Sewer and Drainage)*

The site is located within an existing developed area that is well catered for in terms of infrastructure. We understand that there is capacity within existing systems for the proposal subject to appropriate augmentation as necessary.

#### *Roads, Traffic and Transport*

A detailed analysis of traffic impacts will be undertaken as part of the draft DCP process.

In relation to the cumulative impacts of other iconic site development, we understand that Council has already considered this and is continuing to do further analysis based on changes to the road network envisaged in the Town Centre Master Plan.

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

Under the Gateway process the views of State and Commonwealth public authorities are not known until after the initial Gateway determination. This section of the planning

proposal will be completed following consultation with those public authorities nominated by the Gateway Determination.

**4.5 Community Consultation**

Under the Gateway process the level of community consultation is tailored for each planning proposal by the initial Gateway determination.



## 5 Conclusion

This Planning Proposal can be seen as a key part in the next step in the planning process that aims to achieve the revitalisation of The Entrance town centre. It follows considerable work by Council with the preparation of The Entrance Peninsula Study, the Iconic Sites DCP/draft LEP and The Entrance Town Centre Master Plan. This work has involved significant community, business owner and other stakeholder consultation. As discussed in detail in this report, the Planning Proposal is fully consistent with these documents and also the relevant regional planning strategies and state policies.

Whilst the overall intent is to facilitate the necessary planning changes through Council's draft Composite LEP, this is a complex process that may take a long time to resolve. As all the key players in the process, being the land owner, Council and the local community, want to see positive and real action to implement the stated vision for The Entrance, it is considered that it would be more certain to meet the desired timeframes if this Planning Proposal to amend Wyong LEP 1991 were lodged and processed prior to the draft Composite LEP process. The land owner's genuine commitment to the development of this vacant site (which has been unused for around 20 years), is demonstrated by the intention to prepare a site specific DCP and VPA so that they can be exhibited concurrently with the Planning Proposal.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
1	Environment and Planning Services/General Counsel	9.5 - Notice of Motion – Sea Level Rise Notification  1 <u>Write</u> to all property owners affected by the State Governments sea level rise policies.  2 Text of the letter be <u>endorsed</u> by Council.	24 February 2010  Cr Eaton / Cr Graham	F2009/00067  A report will be submitted to Council once additional information has been provided by the General Counsel.
2	General Manager's Department - Major Projects	7.6 - Notice of Motion – Warnervale Town Centre Viability  <i>Staff report on the viability of developing the 1,100 units proposed for Warnervale Town Centre and possible variation of proposed densities to ensure viable town centre development.</i>	12 May 2010  Cr Eaton / Cr Best	F2004/00535-07 D02226279  Once the Development Control Plan and Section 94 Contribution Plan have been endorsed by the appropriate authority a report will be provided to Council.
3	Environment and Planning Services	8.1 - Notice of Motion – Clause 14 Fund Improving Conservation Outcomes  <u>Investigate</u> and report back to Council on the best use of the Clause 14 (3) (b), funds for improving conservation outcomes.	14 July 2010  Cr Wynn / Cr Eaton	F2004/12208  Report drafted and being reviewed taking into account the CLEP template and proposed CLEP clauses.  A report is being prepared for late 2012.
4	Corporate Services	Q109/10 – Regional Hospital Cutbacks  <i>“It has been reported in the media that the Federal Government has redirected hospital funding into the regions, reportedly resulting in substantial cutbacks to our regional hospital at Gosford. As the Central Coast is a region and that the Federal Government funding adjustment was indicated to favour the regions how is it that this region appears to have suffered a health funding cutback?”</i>	13 October 2010  Cr Best	F2004/11290  A response will be submitted to a future meeting of Council.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
5	Environment and Planning Services	<p>6.5 - Notice of Motion - Destruction of Natural Environment and Indigenous Heritage at Norah Head</p> <p>1 <i>Acknowledge the community groups that contribute to the highly successful phenomena of whale watching at Norah Head.</i></p> <p>2 <i>Request the General Manager to provide a staff report on the resultant human impact on the natural environment around Soldiers Beach at Norah Head and the report should cover preliminary details of current and proposed initiatives available for Council's consideration in managing the escalating damage to the natural and indigenous heritage.</i></p> <p>3 <i>Request the report be prepared in partnership with the appropriate agencies and indigenous community.</i></p> <p>4 <i>That, upon consideration of the requested report, the local land council be invited to address the Council meeting.</i></p>	<p>13 July 2011</p> <p>Cr Best / Cr Vincent</p>	<p>F2004/00580</p> <p>Advice is being sought from the General Counsel.</p> <p>Councillor Inspection scheduled for 1<sup>st</sup> August with a report will follow to the 8<sup>th</sup> August meeting.</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
6	Environment and Planning Services	<p>8.2 - Notice of Motion - Development Applications for Retail Liquor Outlets &amp; 8.6 Notice of Motion - Proliferation of Alcohol Outlets</p> <p>1 <u>Make representation to the Crime Prevention Partnership Committee to establish a working party of this group to provide advice on any Development Application submitted for a Retail Liquor Outlet.</u></p> <p>2 <u>If the crime prevention partnership Committee group can not form a working party then Council will establish a licensed premises reference group comprising of:</u></p> <p>a) Council Officers, including Rangers</p> <p>b) NSW Police Local Area Commander</p> <p>c) A NSW Office of Liquor and Gaming Representative</p> <p>d) Central Coast Area Health Representative</p> <p>3 <u>Reject the further proliferation of alcohol availabilities through the recent push by the Australian Association of Convenience Stores to sell alcohol in local petrol stations.</u></p> <p>4 <u>Make formal representation on behalf of its residents and ratepayers to the current Productivity Commission's Inquiry into the industry's proposal with the grounds for objection to include but not limited to:</u></p> <p>.....(Please see minutes for complete resolution.)</p>	<p>12 October 2011</p> <p>Cr Wynn / Cr Best</p>	<p>F2004/07052</p> <p>Meeting held to establish reference group. Councillor Business Update being prepared</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
7	Environment and Planning Services	<p>Q34/11 – Purchase of Sections of Remaining Undeveloped Land at Wadalba Hill</p> <p><i>“Could staff please advise on any State or Federal funding schemes that may be available to purchase sections of the remaining undeveloped land at Wadalba Hill for conservation purposes?”</i></p>	<p>14 December 2011</p> <p>Cr Vincent</p>	<p>F2005/00562</p> <p>A report is being prepared for submission to a Council meeting late 2012.</p>
8	Environment and Planning Services	<p>8.5 - Notice of Motion - Granny Flat, Second Dwelling Contribution Waiver</p> <ol style="list-style-type: none"> <li>1 <u>Reaffirm</u> its commitment to the principles of affordable housing and its importance in assisting a broad cross section of our community and recognise that Section 94 contributions may be prohibitive to many affordable housing projects.</li> <li>2 <u>Note</u> the decision of Gosford City Council to assist in facilitating affordable housing through the trial waiver of Section 94 contributions for granny flats.</li> <li>3 <u>Support</u> this initiative thereby establishing a regional approach to affordable housing.</li> <li>4 <u>Waive</u> Section 94 contributions for granny flats on a trial basis till September 2012, concurrent with Gosford City Council and that the outcome of this be reported to Council.</li> <li>5 <u>Receive</u> the report in a timeframe for inclusion in the 2012-13 Annual Plan.</li> <li>6 <u>Implement</u> the trial by way of reporting those relevant development applications to Council for determination.</li> </ol>	<p>8 February 2012</p> <p>Cr Best / Cr Symington</p>	<p>F2004/00552</p> <p>Report on outcomes of trial to be prepared for October/November meeting of Council.</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
9	Environment and Planning Services	<p>8.6 - Notice of Motion - Ongoing Approval from State Government for Part 5 Assessments for Maintenance Works</p> <p>1 <u>Request</u> the General Manager to investigate options contained within relevant legislation to enable longer term approvals (including licences) to be issued for annual and repeat activities undertaken by Council within, on the foreshore and adjacent to the Shire's lakes, and other locations in relation to Part 5 Assessments.</p> <p>2 <u>Request</u> the General Manager to report back on the current costs borne by Council due to the need to apply for approvals and licences on an individual basis, with a view to minimising and/or avoiding any unnecessary waste of staff resources and ratepayer funds.</p>	8 February 2012 Cr Symington / Cr Eaton	<p>F2004/07773</p> <p>Input being sought from Council's Legal Counsel. Letters will then be prepared to various State Government Departments.</p> <p>A report will be prepared once advices are received.</p>
10	Environment and Planning Services	<p>8.7 - Notice of Motion - Tree Vandalism Norah Head</p> <p>1 <u>Note</u> with concern acts of environmental vandalism in relation to the poisoning of several mature trees in Mazlin Reserve at Norah Head.</p> <p>2 <u>Direct</u> the General Manager to urgently prepare a report regarding the actions and responses available to Council concerning acts of environmental vandalism in general, and specifically in relation to the poisoning of several mature trees in Mazlin Reserve at Norah Head.</p> <p>3 <u>Direct</u> the General Manager to discuss the possibility and capacity of Council to erect and maintain a "view blocking" barrier in the report.</p>	8 February 2012 Cr Symington / Cr Wynn	<p>F2012/00194</p> <p>A report on this item will be included in the 8 August Business Paper.</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
11	Community and Recreation Services	<p>7.2 – Notice of Motion – Completion of Lake Cycleway</p> <p>1 <i>Reiterate</i> its support for the missing link cycleway connection through Wyrabalong National Park at North Entrance, as a priority project.</p> <p>2 <i>Seek</i> to convene a working group, consisting of the members for The Entrance and Wyong and representatives of the Premiers Office, the National Parks and Wildlife Service, Councillors and Council staff, to progress this key initiative.</p> <p>3 <i>Seek</i> additional funding resources for the project.</p>	<p>14 March 2012 Cr Eaton / Cr Best</p>	<p>F2004/07891</p> <p>A stakeholders meeting was held on 4 June 2012 which included Federal and State Representatives for the Wyong Shire. It was agreed at this meeting that a working group would be formed which would include National Parks, Central Coast Tourism, Roads and Maritime Services, the Department of Premier and Cabinet and Council staff to move this initiative forward.</p> <p>Once a decision is made with regard to the cycleway, a grant will be sought for the construction.</p>





No	Department	Question Asked / Resolution	Meeting Councillor	Asked/ Status
13	Environment and Planning Services	<p>Q18/12 - Sea Level Rise Outrage</p> <p><i>“Madam Acting General Manager, as reported in the local media the coast community is outraged at the prospect and impact of proposed sea level rise policy particularly as it will affect in Wyong Shire alone some 20 local suburbs and up to 10,000 individual homes. As this draft policy is having a profound affect on insurance and property value issues, planning, building and site usages, I respectfully request this matter now be reported urgently to Council. Could staff please advise when this would be?”</i></p>	<p>9 May 2012 Cr Best</p>	<p>F2009/00067 - D03003223</p> <p>Investigations will take place and response will be submitted to a future meeting of Council.</p> <p>↓</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
14	Environment and Planning Services	<p>9.2 Notice of Motion – Ausgrid</p> <p><i>Request the General Manager to invite Ausgrid to attend a briefing with Councillors and Senior staff to discuss the following topics:</i></p> <ul style="list-style-type: none"> <li>a <i>Masterplanning of future urban precincts to achieve improved coordination of the location of Ausgrid infrastructure with Council landscaping and street tree planting programs.</i></li> <li>b <i>Enhanced engagement and communication with the community regarding Ausgrid tree maintenance programs and schedules.</i></li> <li>c <i>Request Ausgrid to formally commit to the undergrounding of power lines whenever upgrading and/or relocating existing power lines within urban areas.</i></li> <li>d <i>Invite Ausgrid to be involved in the review of Council's Landscaping Chapter of Development Control Plan 2012 with respect to the selection of appropriate species for street planting.</i></li> <li>e <i>Request Ausgrid to agree that in circumstances where it carries out significant vegetation maintenance on a major road/visually prominent location (such as Wyong Road), Ausgrid will replace the existing vegetation with more appropriate species that will not require significant future maintenance.</i></li> </ul>	<p>9 May 2012</p> <p>Cr Wynn/Symington</p>	<p>Briefing is currently being arranged. Date and time to be advised.</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
15	Environment and Planning Services	<p>9.3 Notice of Motion - Assisting Housing Affordability</p> <p>1 <i>agree in principle to vary its policy to allow collection of s94 contributions for the contributions to be deferred until later in the development process.</i></p> <p>2 <i>request the General Manager to report on possible implementation procedures and benefits and disbenefits back to Council for approval prior to adoption.</i></p>	<p>9 May 2012 Cr Eaton/Cr Best</p>	<p>Investigations will take place and outcome will be submitted to a future meeting of Council.</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
16	Infrastructure Management	<p>7.1 Notice of Motion - Reduce Single Use Plastic Bag Use in Wyong Shire</p> <p>1 <i>That Council <u>acknowledge</u> the efforts taken by some local businesses, residents and environmental groups to reduce the number of single-use plastic shopping bags used throughout the Shire.</i></p> <p>2 <i>That Council <u>acknowledge</u> that single-use plastic bags in the waste stream cause pollution, lasting many hundreds of years as they photo degrade rather than biodegrade into ever smaller pieces. The bags are a major litter problem in our parks, bush land and waterways and can result in the injury and death of many animal species both inside and outside of Wyong Shire such as turtles, cetaceans and birds.</i></p> <p>3 <i>That Council <u>write</u> to State and Federal Government Ministers urging them to introduce legislation that would ban or impose a levy on free single use plastic shopping bags as a timely measure that:</i></p> <ul style="list-style-type: none"> <li>▪ <i>shows solidarity with the stated position of the LGSA in supporting extender producer responsibility by retailers and waste reduction at the source,</i></li> <li>▪ <i>notes the lack of legislation to impose a levy on free single-use plastic bags</i></li> <li>▪ <i>reinforces a levy or ban as an important NSW state and national measure to decrease packaging litter, already successfully modeled by national retailers, Target, Aldi and Bunnings; by legislation passed in the states of South Australia, Northern Territory and ACT; by towns such as Coles Bay (Tasmania) and Mogo (southern NSW) in 2003, and planned by the City of Freemantle Council in 2012.</i></li> </ul> <p>4 <i>That Council contact major retailers to</i></p>	23 May 2012- Cr Wynn/Cr Vincent	<p>Waste staff met with Cr Wynn on 4 July to clarify the scope and scale of actions required as part of this NOM. A plan and timeline to complete these actions is currently being developed.</p> <p>Addressing the environmental, social and economic impacts of plastic bags forms part of a broader Litter and Illegal Dumping program being developed in collaboration with staff across Council.</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
17	Environment and Planning Services	<p>7.3 Notice of Motion - Enhancing Planning Flexibility and Business Viability</p> <p>1 That Council <u>proceed</u>, as soon as practicable, to place on public exhibition its draft Settlement Strategy, subject to Department of Planning and Infrastructure concurrence.</p> <p>2 That Council <u>proceed</u>, as soon as practicable to place on public exhibition those parts of the draft DCP, that can be adopted prior to the DLEP, which would increase planning flexibility and/or development viability, including but not limited to the car parking and engineering chapters.</p> <p>3 That Council <u>authorise</u> the General Manager to determine which parts of the DCP to proceed to exhibition.</p> <p>4 That Council <u>nominate</u> an exhibition period of two months.</p> <p>5 That Council <u>receive</u> a further report on the results of the exhibition including consideration of adoption of these policies.</p>	23 May 2012 Crs Eaton/Webster	<p>Point 1 - Council is awaiting concurrence from Dept of Planning and Infrastructure</p> <p>Point 2 - Exhibition will commence 25 July 2012.</p>

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
18	Corporate Services – Economic & Property Development	5.1 Notice of Motion - Hunter Link Opportunities  1 <i>That Council <u>note</u> that the F3 freeway extension to Branxton is due for completion in about 1 year.</i>  2 <i>That Council <u>note</u> that the link will reduce travel time from Wyong Shire to the Hunter mines to around 1 hour in comparison to travel from Newcastle to the mines of around 90 minutes.</i>  3 <i>That Council <u>investigate</u> the opportunities for employment and economic development that the completion of this link will provide.</i>	13 June 2012-06-18 Crs Eaton/Graham	F2004/07086  Investigations will take place and response will be submitted to a future meeting of Council.
19	Community and Recreation Services	5.3 Notice of Motion - Cabbage Tree Bay, Norah Head Spearfishing Closure  1 <i>That Council <u>recognise</u> the potential risks associated with the confined and conflicting recreational usages within Cabbage Tree Bay, Norah Head, as a consequence of the increased popularity of family bathing, spear fishing and recreational boating.</i>  2 <i>That Council <u>proactively commence dialogue</u> with Fisheries and Waterways (RMS) to better manage the environs and reduce risks associated with conflicting usages and with a view to establishing a spear fishing closure within the Cabbage Tree Bay.</i>	13 June 2012 Crs Best/Webster	F2009/02390  A letter has been issued to Fisheries and Waterways (RMS) to initiate dialogue.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
20	Community and Recreation Services	<p>5.4 Notice of Motion - Whale Dreamers Festival 2012</p> <p>1 That Council <u>recognise</u> the outstanding conservational and educational efforts of our local community and council staff in the delivery of the seventh annual Whale dreamers festival scheduled for 1 July 2012.</p> <p>2 That Council <u>actively promote</u> this important event through its various media/communications mediums.</p> <p>3 That Council <u>reaffirms</u>, as an advocate on behalf of our local community, its strong opposition to the continued commercial whaling within the Antarctic's Marine/Whale Sanctuary.</p>	13 June 2012 Crs Best/Eaton	F2010/01767  An advertisement has been placed in Shirewide News, listed as an event on Council's website during June; detail about the event were registered on Council's Twitter and Facebook in the final week of June advertising the coming event with a link back to Council's website for information.
21	Community & Recreation Facilities	<p>Q24/12 Drainage at Killarney Vale Soccer Club Ground</p> <p>"Could staff please advise when Killarney Vale Soccer Club home ground will have their drainage upgraded?"</p>	13 June 2012 Cr Matthews	F2008/01134  A response to this question will be included in 8 August Business Paper.
22	Corporate Services – Economic & Property Development	<p>Q25/12 Central Coast Mariners</p> <p>"Given the recent disclosure in the print media claiming the Australian Taxation Office is pursuing a former Director of the Central Coast Mariners for the Mariner's \$1.45m taxation bill and the alleged cross claim of the other Directors of the Mariners, how is Wyong Shire Council's governance in relation to our \$100,000 sponsorship of the Mariner's by our ratepayers that gives confidence as to the expenditure of these monies at the running of the Mariners?"</p>	13 June 2012 Cr Wynn	F2011/02504  A letter has been sent to the Mariners seeking clarification around a number of issues relating to our sponsorship.

No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
23	Community & Recreation Facilities	Q27/12 - Warnervale Road Upgrade Works  <i>"Could Council staff please provide an update on the Warnervale Road upgrade works? As part of the update could staff nominate and provide details of the allocated budgets for both the drain</i>	13 June 2012 Cr Vincent	
24	Environment and Planning Services	7.1 Notice of Motion - Housing Jump Start  <i>That Council direct the General Manager to report to Council on the benefits and disbenefits of a short term moratorium on Development Application fees, Construction Certificate fees and Complying Development fees for single detached housing and additions only.</i>	27 June 2012 Crs Eaton/Graham	F2008/02302  A report regarding this item is being prepared and will be submitted to Council late 2012
25	Community & Recreation Facilities	7.2 Notice of Motion - Council Calls to Stop Community Building Partnership Cuts 1 <i>That Council note that Wyong Shire has received in excess of \$2,000,000 for community and infrastructure projects from the State Government's Community Building Partnership program in 2009, 2010 and 2011.</i> 2 <i>That Council note that this funding has assisted the Council and the community to undertake many worthwhile projects such as:</i> a <i>Wyong Shire Council – Baker Park Northern Carpark and Recreational Space - \$22,400.</i> b <i>Wyong Shire Council – Upgrade of Community Reserve - \$30,000.</i> c <i>Soldiers Beach Surf Lifesaving Club – Club fitout - \$59,909.</i> d <i>Toukley and District Senior Citizens Club Inc – replacement of bowls room roof - \$30,000.</i> e <i>San Remo Community Garden - Establishment of a Permaculture Education centre - \$25,000.</i>	27 June 2012 Crs Vincent/Matthews	F2009/02124  Investigations will take place and response will be submitted to a future meeting of Council.



No	Department	Question Asked / Resolution	Meeting Asked/ Councillor	Status
		<p><i>f Northern Lakes Rugby League Sport and Recreation Club – Construction of Clubhouse and Amenities block - \$50,000.</i></p> <p><i>3 That Council <u>note with concern</u> media reports that the NSW Treasurer will cut the funding provided through the Community Building Partnership by one third (from \$400,000 to \$300,000) in the 2012-13 State Budget.</i></p> <p><i>4 That Council <u>note with concern</u> any reduction in funding available to Community groups and the Council from the State Government places financial pressure on the Shire’s ability to invest in infrastructure and deliver quality local services.</i></p> <p><i>5 That Council <u>call on</u> the O’Farrell Government not to cut the funding available through Community Building Partnership in the 2012-13 State Budget, and instead make a full allocation of \$35 million available for community groups and Councils to invest in local infrastructure.</i></p>		

**QUESTIONS ON NOTICE AND NOTICES OF MOTION REMOVED SINCE  
27 JUNE 2012**

	<b>Department</b>	<b>Question on Notice / Notice of Motion</b>	<b>Date Asked/ Councillor</b>	<b>Status</b>
1	Environment and Planning Services	7.4 Notice of Motion - Mardi Old Farm Rezoning	23 May 2012 Crs Eaton/Best	Appropriate resourcing incorporated in Land Use Planning and Policy Unit Business Plan" for 2012/13.
2	Infrastructure Management	Q20/12 Theiss Rubbish Removal	23 May 2012 Cr Best	A response to this question is included in this Business Paper.
3	Community and Recreation Services	Q21/12 Warnervale Hall White Ant Infestation	23 May 2012 Cr Best	A response to this question is included in this Business Paper.
4	General Manager's Department - Major Projects	Q22/12 Regional Development Australia (RDA) Funding	13 June 2012 Cr Eaton	A response to this question is included in this Business Paper.
5	Community Recreation & Facilities	Q24/12 Drainage at Killarney Vale Soccer Club Ground	13 June 2012 Cr Matthews	A response to this question is included in this Business Paper.
6	General Manager's Unit	Q26/12 Warnervale Town Centre Project Update	13 June 2012 Cr Vincent	A response to this question is included in this Business Paper.
7	Infrastructure Management	Q27/12 - Warnervale Road Upgrade Works	13 June 2012 Cr Vincent	A response to this question is included in this Business Paper.