



Central Coast Council
Business Paper
Ordinary Council Meeting
11 November 2019





COMMUNITY STRATEGIC PLAN 2018-2028

ONE – CENTRAL COAST IS THE COMMUNITY STRATEGIC PLAN (CSP) FOR THE CENTRAL COAST LOCAL GOVERNMENT AREA

ONE – CENTRAL COAST DEFINES THE COMMUNITY'S VISION AND IS OUR ROADMAP FOR THE FUTURE

ONE – CENTRAL COAST BRINGS TOGETHER EXTENSIVE COMMUNITY FEEDBACK TO SET KEY DIRECTIONS AND PRIORITIES

One - Central Coast will shape and inform Council's business activities, future plans, services and expenditure. Where actions are the responsibility of other organisations, sectors and groups to deliver, Council will work with key partners to advocate on behalf of our community.

Ultimately, every one of us who live on the Central Coast has an opportunity and responsibility to create a sustainable future from which we can all benefit. Working together we can make a difference.

RESPONSIBLE

WE'RE A RESPONSIBLE COUNCIL AND COMMUNITY, COMMITTED TO BUILDING STRONG RELATIONSHIPS AND DELIVERING A GREAT CUSTOMER EXPERIENCE IN ALL OUR INTERACTIONS.

We value transparent and meaningful communication and use community feedback to drive strategic decision making and expenditure, particularly around the delivery of essential infrastructure projects that increase the safety, liveability and sustainability of our region. We're taking a strategic approach to ensure our planning and development processes are sustainable and accessible and are designed to preserve the unique character of the coast.

 **Good governance and great partnerships**

G2 Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect

There are 5 themes, 12 focus areas and 48 objectives

COMMUNITY STRATEGIC PLAN 2018-2028 FRAMEWORK

All council reports contained within the Business Paper are now aligned to the Community Strategic Plan. Each report will contain a cross reference to a Theme, Focus Area and Objective within the framework of the Plan.

THEMES: BELONGING, SMART, GREEN, RESPONSIBLE, LIVEABLE

FOCUS AREAS: OUR COMMUNITY, QUALITY CONNECTION AND LOCAL IDENTITY, A GROWING AND COMPETITIVE REGION, A PLACE OF OPPORTUNITY FOR PEOPLE, ENVIRONMENTAL RESOURCES FOR THE FUTURE, INCREASED AND PROTECTED NATURAL BEAUTY, GOOD GOVERNANCE AND GREAT PARTNERSHIPS, RELIABLE ESSENTIAL INFRASTRUCTURE, BALANCED AND SUSTAINABLE DEVELOPMENT, RELIABLE PUBLIC TRANSPORT AND ECONOMIC LIVING, SAFE AND SOUND LIVING AND WORKING, HEALTHY PEOPLE FOR A THRIVING COMMUNITY

OBJECTIVES: G1, G2, G3, G4, G5, G6, G7, G8, G9, G10, G11, G12, G13, G14, G15, G16, G17, G18, G19, G20, G21, G22, G23, G24, G25, G26, G27, G28, G29, G30, G31, G32, G33, G34, G35, G36, G37, G38, G39, G40, G41, G42, G43, G44, G45, G46, G47, G48



Meeting Notice

**The Ordinary Council Meeting
of Central Coast Council
will be held in the Council Chamber,
Level 1, 49 Mann Street, Gosford on
Monday, 11 November 2019 at 6.30pm,
for the transaction of the business listed below:**

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(Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn
Terrace 118
- 2.3 DA 55728/2018 - 54 Assisted Care Apartments & Ancillary
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Gary Murphy
Chief Executive Officer

Item No: 1.1
Title: Disclosures of Interest
Department: Governance



11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-02 - D13688541

Chapter 14 of the *Local Government Act 1993* ("LG Act") regulates the way in which the councillors and relevant staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public functions.

Section 451 of the LG Act states:

- "(1) A councillor or a member of a council committee who has a pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.*

- (2) The councillor or member must not be present at, or in sight of, the meeting of the council or committee:*
 - (a) at any time during which the matter is being considered or discussed by the council or committee, or*
 - (b) at any time during which the council or committee is voting on any question in relation to the matter.*

- (3) For the removal of doubt, a councillor or a member of a council committee is not prevented by this section from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or member has an interest in the matter of a kind referred to in section 448.*

- (4) Subsections (1) and (2) do not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting, if:*
 - (a) the matter is a proposal relating to:*
 - (i) the making of a principal environmental planning instrument applying to the whole or a significant part of the council's area, or*
 - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant part of the council's area, and*
 - (a1) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person*

1.1 Disclosures of Interest (contd)

(whose interests are relevant under section 443) in that person's principal place of residence, and

- (b) the councillor made a special disclosure under this section in relation to the interest before the commencement of the meeting.*

- (5) The special disclosure of the pecuniary interest must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and must:*
 - (a) be in the form prescribed by the regulations, and*
 - (b) contain the information required by the regulations."*

Further, the Code of Conduct adopted by Council applies to all councillors and staff. The Code relevantly provides that if a councillor or staff have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed as well as providing for a number of ways in which a non-pecuniary conflicts of interests might be managed.

Recommendation

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

Item No: 1.2
Title: Confirmation of Minutes of Previous Meeting
Department: Governance



11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-02 - D13688542

Author: Kylie Hottes, Councillor and Meeting Support Officer

Manager: Sarah Georgiou, Section Manager, Councillor Support

Executive: Dr Liz Develin, Director Governance

Summary

Confirmation of minutes of the Ordinary Meeting of the Council held on 28 October 2019.

Recommendation

That Council confirm the minutes of the Ordinary Meeting of Council held on 28 October 2019.

Attachments

1 MINUTES - Ordinary Meeting Meeting - 28 October 2019 D13696824



Central Coast Council

Minutes of the
Ordinary Council Meeting of Council
Held in the Council Chamber
49 Mann Street, Gosford
on 28 October 2019

Present

Mayor Lisa Matthews and Councillors Greg Best, Chris Holstein, Jane Smith, Doug Vincent, Jeff Sundstrom, Richard Mehrrens, Jillian Hogan, Kyle MacGregor (arrived 6.36pm), Louise Greenaway, Bruce McLachlan, Rebecca Gale Collins, Jilly Pilon and Troy Marquart.

In Attendance

Gary Murphy (Chief Executive Officer), Boris Bolgoff (Director Roads, Transport, Drainage and Waste), Glenn Cannard (Acting Director Connected Communities), Scott Cox (Director Environment and Planning), Dr Liz Develin (Director Governance), Jamie Loader (Director Water and Sewer), Ricardo Martello (Executive Manager Innovation and Futures) and Craig Norman (Chief Finance Officer).

The Mayor, Lisa Matthews, declared the meeting open at 6.34pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor, Lisa Matthews read an acknowledgement of country statement.

The Mayor, Lisa Matthews also acknowledged the connection that we all have to this land and place, and the shared responsibility that we have to care for and protect this land for future generations.

The reports are recorded in their correct agenda sequence.

Apologies

Moved: **Councillor Pilon**
Seconded: **Councillor Gale Collins**

Resolved

988/19 That the apology received from Councillor Burke be accepted.

For:
Unanimous

1.1 Disclosure of Interest**Item 2.1 - DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application)**

Councillor McLachlan declared a pecuniary interest in the matter on the basis that he manages properties in the location. Councillor McLachlan left the chamber at 7.15pm, returned at 7.16pm and did not participate in discussion or voting.

Item 2.2 - DA 52083/2017 - Review of the Determination of DA - 5-7 Church Street, Terrigal

Councillor Smith declared a less than significant non pecuniary interest in the matter as she has been involved in planning matters in Terrigal before joining Council made various submissions. She also noted that she goes to Terrigal Medical Centre, where the doctor who spoke at the Public form works, although they have never discussed the matter at any of her medical visits. Councillor Smith chose to remain in the chamber and participate in discussion and voting as the conflict is minor.

Mayor Matthews declared a less than significant non pecuniary interest in the matter as she is a member of the F45 Tuggerah studio but she is not a member of The Entrance Studio. Mayor Matthews chose to remain in the chamber and participate in discussion and voting as the conflict is minor.

Item 2.3 - Proposed residential and conservation rezoning for 285-335 Pacific Highway Lake Munmorah

Councillor McLachlan declared a less than significant non pecuniary interest in the matter on the basis of one of the land owners is known to him. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict is minor.

Item 4.4 - Review of submissions and adoption of the Ourimbah Land Use Strategy and Town Centre Masterplan

Boris Bolgoff, Director Roads, Transport, Drainage and Waste declared a pecuniary interest in the matter as he owns property in the area and he will be leaving the Chamber. Boris Bolgoff left the chamber at 8.43pm, returned at 8.52pm and did not participate in discussion.

Moved: **Councillor Gale Collins**

Seconded: **Councillor Sundstrom**

Resolved

989/19 That Council receive the report on Disclosure of Interest and note advice of disclosures.

For:

Unanimous

1.2 Confirmation of Minutes of Previous Meetings

Moved: Councillor Holstein
Seconded: Councillor MacGregor

Resolved

990/19 That Council receive the amended minutes of the Ordinary Meeting of Council held on 8 October 2019.

For:
Unanimous

1.3 Notice of Intention to Deal with Matters in Confidential Session

Moved: Councillor MacGregor
Seconded: Councillor Greenaway

Resolved

991/19 That Council receive the report and note that no matters have been tabled to deal with in a closed session.

For: Mayor Matthews, Councillors Holstein, Smith, Vincent, Sundstrom, Mehrtens, Hogan, MacGregor, Greenaway, McLachlan, Gale Collins, Pilon and Marquart
Abstained: Councillor Best

Procedural Motion – Exception

Moved: Councillor Mehrtens
Seconded: Councillor Best

Resolved

992/19 That Council adopt the following items en-mass and in accordance with the report recommendations:

Item 2.4 - Request to Amend the Gosford Local Environmental Plan 2014 - 302 to 308 Ocean View Road Ettalong Beach
Item 3.1 - CPA/2158 - Banner Upgrade Project
Item 4.7 - Meeting Record of the Heritage Advisory Committee held on 4 September 2019
Item 5.1 - Investment Report for September 2019
Item 5.2 - Pecuniary Interest Disclosure Returns 2018-2019
Item 8.3 - Notice of Motion – Tuggerawong Hall Site

993/19 **That with the exception of the reports listed below, Council adopt the recommendations contained in the reports listed above:**

Item 1.4 - Mayoral Minute – Plan to save our recycling
Item 2.1 - DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application)
Item 2.2 - DA 52083/2017 - Review of the Determination of DA - 5-7 Church Street, Terrigal
Item 2.3 - Proposed residential and conservation rezoning for 285-335 Pacific Highway Lake Munmorah
Item 2.5 - Draft Tuggerah to Wyong Economic Corridor Strategy
Item 4.1 - Council Resolution to Establish an Integrity and Ethical Standards Unit
Item 4.2 - Ordinary Meetings to Recommence at Gosford Chambers
Item 4.3 - Deferred Item - Consideration of Submissions and Adoption of the Central Coast Youth Strategy
Item 4.4 - Review of submissions and adoption of the Ourimbah Land Use Strategy and Town Centre Masterplan
Item 4.5 - Adoption of Wyong River and Ourimbah Creek Floodplain Risk Management Studies and Plans
Item 4.6 - Appointments to the Playspaces Advisory Committee
Item 4.8 - Meeting Record of the Social Inclusion Advisory Committee held on 22 August 2019
Item 4.9 - Policy for Investment Management
Item 8.1 - Deferred Item - Notice of Motion - Central Coast Council QNA Town Hall style public meetings
Item 8.2 - Notice of Motion - Pilot programme to install water tanks across Central Coast LGA at a reduced rate for pensioners and low income earners
Item 8.4 – Notice of Motion – Green Power Blackout

For:

Unanimous

1.4 Mayoral Minute - Plan to save our recycling

Moved: Mayor Matthews

- 1 That Council acknowledges the growing imperative to manage waste and recycling within NSW, and calls for urgent action from the State Government to help build a circular economy in NSW.
- 2 That Council recognises initiatives and projects taken within the Central Coast local government area to help achieve this goal, including the following selection of activities during 2018/19:
 - The provision of a 3-bin domestic waste collection service to 133,000 households incorporating a recycling and garden organics collection service

- *The provision of 200 public place recycling bins at key locations*
 - *The local processing of 29,870 tonnes of household recyclables and around 40,000 tonnes of garden organics.*
 - *Worked with its recycling contractor in the development of a local glass sand processing facility and the reuse of processed glass as a sand replacement in Councils operations.*
 - *Collected and shredded over 15,000 mattresses to recover recyclable products.*
 - *Recovered over 1,000 tonnes of metal for recycling*
 - *Recovered various other resources for recycling at its waste management facilities or nominated drop off points, including timber, e-waste, batteries, mobile phones, tyres, motor oil, cardboard, and concrete.*
 - *Initiated a soft plastic collection service for subsequent processing into an asphalt additive which has been used on a number of projects across the local government area saving the equivalent of 530,000 plastic bags and 12,500 waste toner cartridges per kilometre of road*
 - *Developed policies and implemented actions relating to single use plastics and sustainable events on Council property aimed at avoiding waste and procuring recycled products.*
 - *Delivered waste education programs to over 3,600 residents including 2,847 students from local schools and TAFE.*
 - *Launched a new mobile responsive website (1Coast.com.au) which received around 146,600 visitor and have 6053 followers on the 1Coast Facebook page which provides regular waste and recycling messaging.*
 - *Commenced the development of an overarching waste management strategy for the Central Coast region to define Councils waste management objectives and a resulting suite of actions.*
- 3 *That Council endorses Local Government NSW's sector-wide Save our Recycling campaign, and asks the State Government to reinvest the Waste Levy in:*
- a *Funding councils to collaboratively develop regional-scale plans for the future of waste and recycling in their regions*
 - b *the delivery of the priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified*
 - c *support for the purchase of recycled content by all levels of government, to help create new markets*
 - d *Funding and delivery of a state-wide education campaign on the importance of recycling, including the right way to recycle, the purchase of products with recycled content and the importance of waste avoidance.*
- 4 *That Council write to all the local State Members on the Central Coast - Adam Crouch MP, Member for Terrigal, Liesl Tesch MP, Member for Gosford, David Mehan MP, Member for The Entrance, David Harris MP, Member for Wyong and Yasmin Catley MP, Member for Swansea, outlining the urgent need to educate, innovate and invest in local waste and recycling services via the waste levy and calling for their support for recycling.*

- 5 *That Council write to the relevant NSW State Ministers including the Minister for Energy and Environment the Hon Matthew Kean MP, Local Government Minister Shelley Hancock, NSW Treasurer the Hon Dominic Perrottet MP, Premier the Hon Gladys Berejiklian MP, Opposition Leader Jodi McKay MP, Shadow Minister for Environment and Heritage Kate Washington MP, and Shadow Minister for Local Government Greg Warren MP, outlining the urgent need to educate, innovate and invest in local waste and recycling services via the waste levy and calling for their support for recycling.*
- 6 *That Council formally write to its own Youth Action Team, Y4Y, advising them of Council's support for the Save Our Recycling campaign, and asking them to consider endorsing and sharing it their own networks across the Central Coast local government area.*
- 7 *That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute.*
- 8 *That Council develop and implement a communications campaign to promote Council's support for the Save Our Recycling campaign.*

Amendment Moved: Councillor Marquart

Amendment Seconded: Councillor Gale Collins

- 1 *That Council acknowledges the growing imperative to manage waste and recycling within NSW, and calls for urgent action from the State Government to help build a circular economy in NSW.*
- 2 *That Council recognises initiatives and projects taken within the Central Coast local government area to help achieve this goal, including the following selection of activities during 2018/19:*
 - *The provision of a 3-bin domestic waste collection service to 133,000 households incorporating a recycling and garden organics collection service*
 - *The provision of 200 public place recycling bins at key locations*
 - *The local processing of 29,870 tonnes of household recyclables and around 40,000 tonnes of garden organics.*
 - *Worked with its recycling contractor in the development of a local glass sand processing facility and the reuse of processed glass as a sand replacement in Councils operations.*
 - *Collected and shredded over 15,000 mattresses to recover recyclable products.*
 - *Recovered over 1,000 tonnes of metal for recycling*
 - *Recovered various other resources for recycling at its waste management facilities or nominated drop off points, including timber, e-waste, batteries, mobile phones, tyres, motor oil, cardboard, and concrete.*
 - *Initiated a soft plastic collection service for subsequent processing into an asphalt additive which has been used on a number of projects across the local government area saving the equivalent of 530,000 plastic bags and 12,500 waste toner cartridges per kilometre of road*

- *Developed policies and implemented actions relating to single use plastics and sustainable events on Council property aimed at avoiding waste and procuring recycled products.*
 - *Delivered waste education programs to over 3,600 residents including 2,847 students from local schools and TAFE.*
 - *Launched a new mobile responsive website (1Coast.com.au) which received around 146,600 visitor and have 6053 followers on the 1Coast Facebook page which provides regular waste and recycling messaging.*
 - *Commenced the development of an overarching waste management strategy for the Central Coast region to define Councils waste management objectives and a resulting suite of actions.*
- 3 *That Council endorses Local Government NSW's sector-wide Save our Recycling campaign, and asks the State Government to reinvest the Waste Levy in:*
- a *Funding councils to collaboratively develop regional-scale plans for the future of waste and recycling in their regions*
 - b *the delivery of the priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified*
 - c *support for the purchase of recycled content by all levels of government, to help create new markets*
 - d *Funding and delivery of a state-wide education campaign on the importance of recycling, including the right way to recycle, the purchase of products with recycled content and the importance of waste avoidance.*
- 4 *That Council categorically rule out reducing the General Waste or "Red Lid" bin collections in any fashion at anytime. This would include ruling out reducing the size of the General Waste bins or the amount of General Waste bin collections per week, month or year within any regional scale waste or recycling plan.*
- 5 *That Council write to all the local State Members on the Central Coast - Adam Crouch MP, Member for Terrigal, Liesl Tesch MP, Member for Gosford, David Mehan MP, Member for The Entrance, David Harris MP, Member for Wyong and Yasmin Catley MP, Member for Swansea, outlining the urgent need to educate, innovate and invest in local waste and recycling services via the waste levy and calling for their support for recycling.*
- 6 *That Council write to the relevant NSW State Ministers including the Minister for Energy and Environment the Hon Matthew Kean MP, Local Government Minister Shelley Hancock, NSW Treasurer the Hon Dominic Perrottet MP, Premier the Hon Gladys Berejiklian MP, Opposition Leader Jodi McKay MP, Shadow Minister for Environment and Heritage Kate Washington MP, and Shadow Minister for Local Government Greg Warren MP, outlining the urgent need to educate, innovate and invest in local waste and recycling services via the waste levy and calling for their support for recycling.*

- 7 That Council formally write to its own Youth Action Team, Y4Y, advising them of Council's support for the Save Our Recycling campaign, and asking them to consider endorsing and sharing it their own networks across the Central Coast local government area.
- 8 That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute.
- 9 That Council develop and implement a communications campaign to promote Council's support for the Save Our Recycling campaign.

Amendment For:
Councillors Gale Collins and Marquart

Amendment Against:
Mayor Matthews, Councillors Best, Holstein, Smith, Vincent, Sundstrom, Mehrrens, Hogan, MacGregor, Greenaway and McLachlan

Amendment Abstained:
Councillor Pilon

The amendment was put to the vote and declared LOST.

The motion was then put.

Moved: Mayor Matthews

Resolved

- 994/19 That Council acknowledges the growing imperative to manage waste and recycling within NSW, and calls for urgent action from the State Government to help build a circular economy in NSW.**
- 995/19 That Council recognises initiatives and projects taken within the Central Coast local government area to help achieve this goal, including the following selection of activities during 2018/19:**
- **The provision of a 3-bin domestic waste collection service to 133,000 households incorporating a recycling and garden organics collection service**
 - **The provision of 200 public place recycling bins at key locations**
 - **The local processing of 29,870 tonnes of household recyclables and around 40,000 tonnes of garden organics.**
 - **Worked with its recycling contractor in the development of a local glass sand processing facility and the reuse of processed glass as a sand replacement in Councils operations.**
 - **Collected and shredded over 15,000 mattresses to recover recyclable products.**
 - **Recovered over 1,000 tonnes of metal for recycling**
 - **Recovered various other resources for recycling at its waste management facilities or nominated drop off points, including timber,**

e-waste, batteries, mobile phones, tyres, motor oil, cardboard, and concrete.

- *Initiated a soft plastic collection service for subsequent processing into an asphalt additive which has been used on a number of projects across the local government area saving the equivalent of 530,000 plastic bags and 12,500 waste toner cartridges per kilometre of road*
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- *Launched a new mobile responsive website (1Coast.com.au) which received around 146,600 visitor and have 6053 followers on the 1Coast Facebook page which provides regular waste and recycling messaging.*
- *Commenced the development of an overarching waste management strategy for the Central Coast region to define Councils waste management objectives and a resulting suite of actions.*

996/19 *That Council endorses Local Government NSW's sector-wide Save our Recycling campaign, and asks the State Government to reinvest the Waste Levy in:*

- a Funding councils to collaboratively develop regional-scale plans for the future of waste and recycling in their regions*
- b the delivery of the priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified*
- c support for the purchase of recycled content by all levels of government, to help create new markets*
- d Funding and delivery of a state-wide education campaign on the importance of recycling, including the right way to recycle, the purchase of products with recycled content and the importance of waste avoidance.*

997/19 *That Council write to all the local State Members on the Central Coast - Adam Crouch MP, Member for Terrigal, Liesl Tesch MP, Member for Gosford, David Mehan MP, Member for The Entrance, David Harris MP, Member for Wyong and Yasmin Catley MP, Member for Swansea, outlining the urgent need to educate, innovate and invest in local waste and recycling services via the waste levy and calling for their support for recycling.*

998/19 *That Council write to the relevant NSW State Ministers including the Minister for Energy and Environment the Hon Matthew Kean MP, Local Government Minister Shelley Hancock, NSW Treasurer the Hon Dominic Perrottet MP, Premier the Hon Gladys Berejiklian MP, Opposition Leader Jodi McKay MP, Shadow Minister for Environment and Heritage Kate Washington MP, and Shadow Minister for Local Government Greg Warren MP, outlining the urgent need to educate, innovate and invest in local*

waste and recycling services via the waste levy and calling for their support for recycling.

999/19 That Council formally write to its own Youth Action Team, Y4Y, advising them of Council's support for the Save Our Recycling campaign, and asking them to consider endorsing and sharing it their own networks across the Central Coast local government area.

1000/19 That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute.

1001/19 That Council develop and implement a communications campaign to promote Council's support for the Save Our Recycling campaign.

1002/19 That Council recognise the significant contribution that staff have made around our waste strategy.

For:

Mayor Matthews, Councillors Best, Holstein, Smith, Vincent, Sundstrom, Mehrtens, Hogan, MacGregor, Greenaway and McLachlan

Against:

Councillors Gale Collins, Pilon and Marquart

2.1 DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application)

Councillor McLachlan declared a pecuniary interest in the matter on the basis that he manages properties in the location. Councillor McLachlan left the chamber at 7.15pm, returned at 7.16pm and did not participate in discussion or voting.

Moved: Mayor Matthews

Seconded: Councillor MacGregor

Resolved

1003/19 That Council defer consideration of this item until a site inspection has been conducted.

For:

Unanimous

2.2 DA 52083/2017 - Review of the Determination of DA - 5-7 Church Street, Terrigal

Councillor Smith declared a less than significant non pecuniary interest in the matter as she has been involved in planning matters in Terrigal before joining Council made various submissions. She also noted that she goes to Terrigal Medical Centre, where the doctor who spoke at the Public form works, although they have never discussed the matter at any of her medical visits. Councillor Smith chose to remain in the chamber and participate in discussion and voting as the conflict is minor.

Mayor Matthews declared a less than significant non pecuniary interest in the matter as she is a member of the F45 Tuggerah studio but she is not a member of The Entrance Studio. Mayor Matthews chose to remain in the chamber and participate in discussion and voting as the conflict is minor.

Moved: Councillor Smith

Seconded: Councillor MacGregor

- 1 *That Council note the application for Council to review its decision on determination of DA 52083/2017.*
- 2 *That Council refuse the application for the following reasons:*
 - a) *The application does not comply with Gosford LEP 2013 including:*
 - a. *Clause 4.3(2) (Height of Buildings)*
 - b. *Clause 4.4(2) (Floor Space Ratio)*
 - b) *The application does not comply with provisions of the Gosford DCP 2013 and/or the apartment design guidelines including:*
 - i. *the development exceeds the number of storeys by 25%*
 - ii. *the external wall height is a 23.55% variation*
 - iii. *Max width of enclosed floor space at 5th level exceedance by 13-26%*
 - iv. *No setback to Hudson Lane, representing a 100% variation*
 - v. *No communal space is provided, representing a 100% variation*
 - vi. *No deep soil zones are provided, representing a 100% variation*
 - vii. *No side boundary setbacks for visual privacy, representing a 100% variation*
 - viii. *the proposed development does not activate the Hudson laneway frontage as is envisaged by the provisions within GDCP 2013 for the Terrigal Village Centre*
 - c) *the provision of the first floor parking area facing Church Street and Hudson Lane is inconsistent with the Desired Character recommendations in GDCP 2013 in that "on-site carparking and service areas should not be visible from any street frontage, and should be located in basements or behind occupied floorspace such as shops"*
 - d) *the development is not in the public interest as it will create an expectation that similar non-compliance with Council's planning controls is acceptable.*

- 3 That Council request that any proposed outcome as a result of any mediation process be referred to Council for approval.

For:
Councillors Smith, Vincent, Sundstrom, Hogan,
MacGregor and Greenaway

Against:
Mayor Matthews, Councillors Best,
Holstein, Mehrstens, McLachlan, Gale
Collins, Pilon and Marquart

The Motion was put to the vote and declared LOST.

The matter was then at LARGE.

Moved: Councillor Gale Collins

Seconded: Councillor Best

Resolved

1004/19 That Council grant consent based on the request for a review by the applicant and subject to the conditions detailed in the schedule attached to this report, having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.

1005/19 That Council advise those who made written submissions of its decision.

For:
Mayor Matthews, Councillors Best, Holstein,
Mehrtens, McLachlan, Gale Collins, Pilon
and Marquart

Against:
Councillors Smith, Vincent, Sundstrom,
Hogan, MacGregor and Greenaway

A division was called by Councillor Best and Marquart.

For:
Mayor Matthews, Councillors Best, Holstein,
Mehrtens, McLachlan, Gale Collins, Pilon
and Marquart

Against:
Councillors Smith, Vincent, Sundstrom,
Hogan, MacGregor and Greenaway

As a result of the division the motion was declared CARRIED.

2.3 Proposed residential and conservation rezoning for 285-335 Pacific Highway Lake Munmorah

Councillor McLachlan declared a less than significant non pecuniary interest in the matter on the basis of one of the land owners is known to him. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict is minor.

Moved: Mayor Matthews
Seconded: Councillor MacGregor

Resolved

1006/19 *That Council defer consideration of this item until a site inspection and workshop has been conducted to determine key principles in regards to transport networks, land capabilities, sustainability and livability features.*

1007/19 *That Council conduct the proposed site inspection at a suitable time to accommodate the ward Councillors in Budgewoi Ward.*

For:

Unanimous

Procedural Motion – Order of Business

Moved: **Councillor MacGregor**

Seconded: **Mayor Matthews**

Resolved

1008/19 *That Council bring item 4.4 - Review of submissions and adoption of the Ourimbah Land Use Strategy and Town Centre Masterplan forward for consideration.*

For:

Unanimous

2.4 Request to Amend the Gosford Local Environmental Plan 2014 - 302 to 308 Ocean View Road Ettalong Beach

This item was resolved by the exception method.

Moved: **Councillor Mehrtens**

Seconded: **Councillor Best**

Resolved

1009/19 *That Council refuse the request to amend the Gosford Local Environmental Plan 2014 on Lot 1 Sec 1 DP 5298 and Lots 2A and 2B DP 381761 (302-308 Ocean View Road Ettalong Beach) for the following reasons:*

- a** *The justification for rezoning of the subject sites from R1 General Residential to B2 Local Centre is not supported. The Market Economic Assessment prepared by MDA Property dated December 2018, justifies the zone change entirely on supply of housing. As housing is a permissible use in the R1 General Residential zone this does not imply a demand for B2 Local Centre zoning in the area.*

- b** *No analysis has been undertaken for the demand or lack thereof for the outlined permissible uses which could be introduced under the B2 Local Centre zone.*
- c** *Submitted materials did not adequately address the implications of placing a B2 Local Centre zoning on three sites isolated from the main commercial core of Ettalong. Notwithstanding the historical existing zoning of Lot 1 DP5298 which appears to be an anomaly and not intended to be an extension of the existing commercial core.*
- d** *Current typologies of residential development in the area are predominantly low density one to two storeys structures. The increase in height and floor space ratio over three consolidated sites is out of character with the surrounding development.*

For:

Unanimous

2.5 Draft Tuggerah to Wyong Economic Corridor Strategy

Moved: Councillor Smith

Seconded: Councillor Hogan

Resolved

1010/19 *That Council defer consideration of this item until 11 November 2019 meeting with consideration for Council to consider the points below;*

- a** *That Council prepare a Transport Report to be exhibited with the Tuggerah to Wyong Economic Corridor Strategy that includes information on the current capacity of the transport network, future demand based on the proposed Strategy and future options to deliver improved Transport network outcomes.*
- b** *That Council include in the Transport Report ;*
- Measures of efficiency, sustainability and liveability*
 - Consultation with key agencies and transport stakeholders*
 - Known commitments for transport infrastructure and timeframes for delivery*
 - Options for transport improvements (short, medium and long term) that will improve future measures of efficiency and liveability*
- c** *That Council, for the purposes of community consultation, endorse the public exhibition of the Transport Report and draft Tuggerah to Wyong Economic Corridor Strategy for a minimum period of 40 days.*

- d That Council conduct two workshops (one day and one evening) that includes a presentation of the draft documents and an opportunity for comments.**
- e That Council following exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy Council consider a further report on results of the community consultation.**
- f That Council remove the reference to the airport from the draft as it is not consistent with the intent of the previous resolution of Council.**

For:

Mayor Matthews, Councillors Best, Holstein, Smith, Vincent, Sundstrom, Mehrstens, Hogan, MacGregor and McLachlan

Against:

Councillors Greenaway, Gale Collins, Pilon and Marquart

3.1 CPA/2158 - Banner Upgrade Project

This item was resolved by the exception method.

Moved: Councillor Mehrstens

Seconded: Councillor Best

Resolved

1011/19 That Council declines to accept any of the tenders received for Contract CPA/2158 – Banner Upgrade Project, in accordance with Clause 178 (1b) of the Local Government (General) Regulation 2005.

1012/19 That Council enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender, in accordance with Clause 178 (3) of the Local Government (General) Regulation 2005.

For:

Unanimous

4.1 Council Resolution to Establish an Integrity and Ethical Standards Unit

Moved: Councillor Holstein

Seconded: Councillor Smith

Resolved

- 1013/19** That Council note that the Audit, Risk and Improvement Committee (ARIC) consider that there is no need to establish an Integrity and Ethical Standards Unit as the proposed functions are already addressed by the existing structure.
- 1014/19** That Council note that the Audit, Risk and Improvement Committee (ARIC) recommends that Council review the resourcing of the current structure, as well as the preparation and distribution of regular reports from that functional area to Council.
- 1015/19** That Council direct the Chief Executive Officer to:
- a** Develop a Governance Dashboard for Quarterly Reporting to Council;
 - b** Increase the transparency associated with the Internal Ombudsman function by:
 - i** Developing a Charter for the Internal Ombudsman (IO) to clearly describe the role and function of the IO, and the types of complaints that are investigated;
 - ii** Annual reporting by the IO in Council's Annual Report;
 - iii** Development of an internet page to clearly describe the IO's role and how the community can interact with them.
 - c** Establish an internal forum to monitor the Dashboard and enhance communication between key functions such as Governance, People and Culture, Customer Service, Internal Ombudsman, Internal Audit, and Finance; and
 - d** Ensure mechanisms a), b) and c) are in place by the end of 2019 and the outcomes reviewed by mid-2020 so that a report can be provided to Council to determine if these activities have achieved the desired outcomes.

For:
Mayor Matthews, Councillors Best, Holstein,
Smith, Sundstrom, Mehrtens, McLachlan,
Gale Collins, Pilon and Marquart

Abstained:
Councillors Vincent, Hogan, MacGregor
and Greenaway

The meeting was adjourned at 8.56pm and reconvened at 9.06pm

4.2 Ordinary Meetings to Recommence at Gosford Chambers

Moved: Mayor Matthews
Seconded: Councillor Holstein

- 1 That Council note and receive the report.

- 2 *That Council confirm the location of the Ordinary Meetings for the remainder of 2019 will be held at Gosford Chambers.*
- 3 *That Council confirm the location of the Ordinary Meetings for 2020 will be as per the Code of Meeting Practice, alternating between Gosford and Wyong Chambers commencing at Gosford.*
- 4 *That Council briefings for the remainder of 2019 be held at Wyong Chambers.*
- 5 *That Council request the Chief Executive Officer provide a report on the costings and safety improvements involved in the changes in design carried out for Gosford Chambers, including costs made during the administration period.*

Amendment Moved: Councillor Smith

Amendment Seconded: Councillor Sundstrom

- 1 *That Council note and receive the report.*
- 2 *That Council confirm the location of the Ordinary Meetings for the remainder of 2019 will be held at Gosford Chambers.*
- 3 *That Council confirm the location of the Ordinary Meetings for 2020 will be held at Gosford Chambers until the end of May 2020 to catch up missed meetings of Council as per our previous commitment; and the remaining meetings be held as per the Code of Meeting Practice, alternating between Gosford and Wyong Chambers.*
- 4 *That Council conduct briefings for the remainder of 2019 at Wyong Chambers.*
- 5 *That Council request the Chief Executive Officer to provide a report on the costings and safety improvements involved in the changes in design carried out for Gosford Chambers.*

*Amendment For:
Councillors Holstein, Smith, Sundstrom,
Greenaway, Pilon and Marquart*

*Amendment Against:
Mayor Matthews, Councillors Best, Mehrten
Hogan, MacGregor, McLachlan and Gale
Collins*

Amendment Abstained: Councillor Vincent

The Amendment was put to the vote and declared LOST.

The Motion was then put.

Moved: Mayor Matthews
Seconded: Councillor Holstein

Resolved

1016/19 That Council note and receive the report.

- 1017/19** That Council confirm the location of the Ordinary Meetings for the remainder of 2019 will be held at Gosford Chambers.
- 1018/19** That Council confirm the location of the Ordinary Meetings for 2020 will be as per the Code of Meeting Practice, alternating between Gosford and Wyong Chambers commencing at Gosford.
- 1019/19** That Council briefings for the remainder of 2019 be held at Wyong Chambers.
- 1020/19** That Council request the Chief Executive Officer provide a report on the costings and safety improvements involved in the changes in design carried out for Gosford Chambers, including costs made during the administration period.

For:
Mayor Matthews, Councillors Best,
Holstein, Mehrrens, Hogan, MacGregor,
McLachlan, Gale Collins and Marquart

Against:
Councillors Smith, Sundstrom,
Greenaway and Pilon

Abstained: Councillor Vincent

4.3 Deferred Item - Consideration of Submissions and Adoption of the Central Coast Youth Strategy

Moved: Councillor Smith
Seconded: Councillor Hogan

Resolved

- 1021/19** That Council note that the Draft Central Coast Youth Strategy was publicly exhibited from 26 July 2019 to 23 August 2019.
- 1022/19** That Council consider the submissions received during the exhibition period.
- 1023/19** That Council note and endorse the amendments recommended by Council staff in this report.
- 1024/19** That Council adopt the Central Coast Youth Strategy (Attachment 1), and make available on Council's website.
- 1025/19** That Council thank and commend the Youth Action Team (Y4Y), Council staff and stakeholder for their work in developing the Strategy
- 1026/19** That the Chief Executive Officer provide a progress report on the actions identified in the Strategy at the last meeting in August, 2020.

For:
Unanimous

4.4 Review of submissions and adoption of the Ourimbah Land Use Strategy and Town Centre Masterplan

Boris Bolgoff, Director Roads, Transport, Drainage and Waste declared a pecuniary interest in the matter as he owns property in the area and he will be leaving the Chamber. Boris Bolgoff left the chamber at 8.43pm, returned at 8.52pm and did not participate in discussion.

Councillor Bruce McLachlan left the chamber at 8.47pm and returned to the chamber at 9.10pm during consideration of this item and as a result took no part in voting.

Moved: Mayor Matthews
Seconded: Councillor MacGregor

Resolved

1027/19 That Council defer the consideration of this item to allow Council to review the plan and its alignment to the Urban Spatial Plan, the Local Strategic Planning Statement and the Ourimbah Creek Floodplain Risk Management Plan.

For:
Unanimous

Procedural Motion – Order of Business

Moved: Councillor Pilon
Seconded: Councillor Gale Collins

Resolved

1028/19 That Council bring item 4.5 - Adoption of Wyong River and Ourimbah Creek Floodplain Risk Management Studies and Plans forward for consideration.

For:
Unanimous

4.5 Adoption of Wyong River and Ourimbah Creek Floodplain Risk Management Studies and Plans

Councillor Bruce McLachlan left the chamber at 8.47pm and returned to the chamber at 9.10pm during consideration of this item and as a result took no part in voting.

Moved: Mayor Matthews
Seconded: Councillor Smith

Resolved

1029/19 *That Council defer consideration of this item until a site inspection has been conducted with those interested Councillors and members of the Catchments and Coast Committee – Tuggerah Lakes.*

1030/19 *That Councillors and members of the Catchments and Coast Committee – Tuggerah Lakes be invited to identify relevant sites.*

For:

Unanimous

4.6 Appointments to the Playspaces Advisory Committee

Moved: **Councillor MacGregor**

Seconded: **Councillor Hogan**

Resolved

1031/19 *That Council appoint the following Councillors as representatives on the Playspaces Advisory Committee:*

- **Mayor Matthews**
- **Councillor MacGregor**
- **Councillor Hogan**
- **Councillor Holstein**
- **Councillor Gale Collins**

1032/19 *That Council endorse the recommendation included in the confidential attachment that is Attachment 1 to this report titled "Playspaces Advisory Committee – Full EOI Applications and Convenor Recommendation".*

1033/19 *That Council resolve, pursuant to s10A(2)(a) of the Local Government Act 1993, that Attachment 1 to this report remain confidential as it contains personnel matters concerning particular individuals (other than councillors), and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it may compromise the personal information of Central Coast community members.*

1034/19 *That Council request that the first meeting consider how a quorum can be considered and the terms of reference be amended to include provision of advice to Council and Council staff.*

For:

Mayor Matthews, Councillors Holstein, Smith, Vincent, Sundstrom, Mehrtens, Hogan, MacGregor, Greenaway, McLachlan and Gale Collins

Against:

Councillors Best, Pilon and Marquart

4.7 Meeting Record of the Heritage Advisory Committee held on 4 September 2019

This item was resolved by the exception method.

Moved: Councillor Mehrtens

Seconded: Councillor Best

Resolved

1035/19 That Council receive and note the report on Meeting Record of the Heritage Advisory Committee held on 4 September 2019 that is Attachment 1 to this report.

1036/19 That Council note item 5 from the Heritage Committee which recommends that staff provide a scope of works on the appropriate process, people and potential project outline involving both Indigenous and European perspectives on the first settlement of Europeans in the Brisbane Water area. This is in preparation for the upcoming 2023 Commemoration.

For:

Unanimous

4.8 Meeting Record of the Social Inclusion Advisory Committee held on 22 August 2019

Moved: Councillor MacGregor

Seconded: Councillor Mehrtens

Resolved

1037/19 That Council receive the report on Meeting Record of the Social Inclusion Advisory Committee held on 22 August 2019 that is Attachment 1 to this report.

1038/19 That Council adopt the Terms of Reference for the Social Inclusion Advisory Committee, as set out in Attachment 2 to this report.

1039/19 That Council appoint Councillor Kyle MacGregor as the Chairperson for the Social Inclusion Advisory Committee.

1040/19 That Council acknowledge and thanks the members of all Council Advisory Committees for their significant contribution, time, expertise, skills, knowledge and resources.

For:

Mayor Matthews, Councillors Holstein, Smith, Vincent, Sundstrom, Mehrtens, Hogan, MacGregor and Greenaway

Against:

Councillors Best, McLachlan, Gale Collir, Pilon and Marquart

4.9 Policy for Investment Management

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

1041/19 That Council note that a review of the Policy for Investment Management has been undertaken and changes to the policy has been presented to the Audit, Risk and Improvement Committee (ARIC).

1042/19 That Council adopt the Policy for Investment Management.

1043/19 That Council note in light of the recent announcement by NSW Treasury Corporation that they will soon issue a Sustainability Bond that the Chief Executive Officer be requested to investigate the suitability of incorporating investment into such bonds as part of Council's Investment Policy and to report back through the Audit, Risk and Improvement Committee

1044/19 The Chief Executive Officer provide a further report to Council after consideration by ARIC.

For:
Unanimous

5.1 Investment Report for September 2019

This item was resolved by the exception method.

Moved: Councillor Mehrtens
Seconded: Councillor Best

Resolved

1045/19 That Council receive the Investment Report for September 2019.

For:
Unanimous

5.2 Pecuniary Interest Disclosure Returns 2018-2019

This item was resolved by the exception method.

Moved: Councillor Mehrtens
Seconded: Councillor Best

Resolved

1046/19 That Council receive the report on Pecuniary Interest Disclosure Returns 2018-2019 and note that the Chief Executive Officer has tabled Pecuniary Interest Disclosure Returns, pursuant to Clause 4.25 of Council's Code of Conduct.

For:

Unanimous

8.1 Deferred Item - Notice of Motion - Central Coast Council QNA Town Hall style public meetings

Moved: Councillor MacGregor

Seconded: Councillor Vincent

Resolved

1047/19 That Council note the importance of good governance through open and transparent decision making and accountability for both our Council as an organisation and our residents and rate payers in the general public.

1048/19 That Council conduct 5 Question and Answer (QNA) Town Hall style public meetings (1 per ward) over the next 12 months prior to the September 2020 Local Government elections.

1049/19 That Council open the meetings to those interested Councillors to take questions (from the audience) or make statements regarding our Local Government Area (LGA) and issues relevant to our LGA from the general public in a QNA style town hall meeting.

1050/19 That Council conduct these meetings in an accessible and appropriate public location that does not require a fee to participate in these meetings either by engaging in asking questions or through attending as a guest to view the proceedings.

1051/19 That Council conduct these meetings be chaired by the Mayor (Deputy Mayor or another Councillor nominated by the Mayor if they are unable to attend) and that the Executive Leadership Team not be required to attend (unless interested in doing so of their own volition) and that the only Council and staff resources to be allocated be those required to operate a microphone and relevant audio equipment and meeting support, room hire (if required) and basic refreshments and amenity for attendees (ie. tea and coffee, water and appropriate provisions of amenities for a public meeting).

1052/19 That Council conduct a briefing prior to the end of 2019 regarding the logistics of facilitating the QNA meetings.

For:
**Councillors Smith, Vincent, Sundstrom,
Mehrtens, Hogan, MacGregor, McLachlan,
Gale Collins and Pilon**

Against:
**Mayor Matthews, Councillors Best,
Holstein, Greenaway and Marquart**

8.2 Notice of Motion - Pilot programme to install water tanks across Central Coast LGA at a reduced rate for pensioners and low income earners

Moved: Councillor MacGregor

Seconded: Councillor Sundstrom

- 1 That Council request the Chief Executive Officer to provide a report back to Council on the feasibility of the installation of water tanks across our Local Government Area (LGA) at a discounted rate for pensioners and or potentially other low income groups across our LGA.
- 2 That Council request the report consider options such as a temporary reduction in residents rates (for example an equivalent amount to cover the cost of the purchase and installation of the water tanks/ water saving mechanisms) should they chose to install a water tank/ water saving mechanisms on their property to capture and collect water for domestic consumption or to reduce the residents usage of councils water supply.
- 3 That Council request the report consider options such as Council bulk buying and installing water tanks on residents properties for a reasonable fee to encourage the capture and collection of water for domestic consumption.
- 4 That Council request the report outline the potential budgetary impact on Council for this proposal as well as any additional or alternative staff identified options for reducing the economic burden on local low income residents to install water tanks or other water saving measures in their homes across our LGA.
- 5 That Council request the report come back to Council for consideration within a reasonable timeframe of 6 months.
- 6 That Council request the Chief Executive Officer provide a report on the provisions of rebates, concessions, discounts, hardship provisions, assistance and water saving initiatives which are currently available from the Central Coast Council, State and Federal Governments in respect to water use on the Central Coast.
- 7 That this matter be referred to Council's Water Management Advisory Committee for their comment.

Amendment Moved: Councillor Holstein

Amendment Seconded: Councillor Pilon

That Council request the Chief Executive Officer provide a report on the provisions of rebates, concessions, discounts, hardship provisions, assistance and water saving initiatives which are currently available from the Central Coast Council, State and Federal Governments in respect to water use on the Central Coast.

*Amendment For:
Councillors Best, Holstein, McLachlan, Gale
Collins, Pilon and Marquart*

*Amendment Against:
Mayor Matthews, Councillors Smith,
Vincent, Sundstrom, Mehrtens, Hogan,
MacGregor and Greenaway*

The Amendment was put to the vote and declared LOST.

The Motion was then put.

Moved: Councillor MacGregor
Seconded: Councillor Sundstrom

Resolved

1053/19 *That Council request the Chief Executive Officer to provide a report back to Council on the feasibility of the installation of water tanks across our Local Government Area (LGA) at a discounted rate for pensioners and or potentially other low income groups across our LGA.*

1054/19 *That Council request the report consider options such as a temporary reduction in residents rates (for example an equivalent amount to cover the cost of the purchase and installation of the water tanks/ water saving mechanisms) should they chose to install a water tank/ water saving mechanisms on their property to capture and collect water for domestic consumption or to reduce the residents usage of Councils water supply.*

1055/19 *That Council request the report consider options such as Council bulk buying and installing water tanks on residents properties for a reasonable fee to encourage the capture and collection of water for domestic consumption.*

1056/19 *That Council request the report outline the potential budgetary impact on Council for this proposal as well as any additional or alternative staff identified options for reducing the economic burden on local low income residents to install water tanks or other water saving measures in their homes across our LGA.*

1057/19 *That Council request the report come back to Council for consideration within a reasonable timeframe of 6 months.*

1058/19 *That Council request the Chief Executive Officer provide a report on the provisions of rebates, concessions, discounts, hardship provisions, assistance and water saving initiatives which are currently available from the Central Coast Council, State and Federal Governments in respect to water use on the Central Coast.*

1059/19 That this matter be referred to Council's Water Management Advisory Committee for their comment.

For:
Mayor Matthews, Councillors Holstein, Smith, Vincent, Sundstrom, Mehrrens, Hogan, MacGregor, Greenaway and Pilon

Against:
Councillors Best, McLachlan, Gale Collins and Marquart

8.3 Notice of Motion - Tuggerawong Hall Site

This item was resolved by the exception method.

Moved: Councillor Mehrrens
Seconded: Councillor Best

Resolved

1060/19 That Council reclassify the Tuggerawong Hall site, 326 Tuggerawong Road, Tuggerawong – Lots 63 and 64 DP 13019 as "Community".

1061/19 That Council undertake all necessary advertising, consideration of submissions and preparation of relevant documentation in order to give effect to this motion.

1062/19 That Council update its Plans of Management (POM) to ensure that a relevant POM is in place in respect to this parcel.

1063/19 That Council request the Chief Executive Officer to give public notice in compliance with s.34 of the Local Government Act of the proposal.

For:
Unanimous

8.4 Notice of Motion - Green Power Blackout

Moved: Councillor Best
Seconded: Councillor Gale Collins

Resolved

1064/19 That Council defer consideration of this matter to the Ordinary Meeting being held on 11 November 2019.

For:
Mayor Matthews, Councillors Best, Holstein, Hogan, MacGregor, McLachlan, Greenaway, Gale Collins, Pilon and Marquart

Against:
Councillors Smith, Vincent, Sundstrom and Mehrrens

The Meeting closed at 10.35pm.

Item No: 1.3
Title: Notice of Intention to Deal with Matters in Confidential Session
Department: Governance



11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-02 - D13688546

Summary

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

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*. It is then a matter for Council to determine whether those matters will indeed be categorised as confidential.

Recommendation

That Council receive the report and note that no matters have been tabled to deal with in a closed session.

Context

Section 10A of the *Local Government Act 1993* (the Act) states that a Council may close to the public so much of its meeting as comprises:

- 2(a) *personnel matters concerning particular individuals (other than Councillors),*
- 2(b) *the personal hardship of any resident or ratepayer,*
- 2(c) *information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*
- 2(d) *commercial information of a confidential nature that would, if disclosed:*
 - (i) *prejudice the commercial position of the person who supplied it, or*
 - (ii) *confer a commercial advantage on a competitor of the Council, or*
 - (iii) *reveal a trade secret,*
- 2(e) *information that would, if disclosed, prejudice the maintenance of law,*
- 2(f) *matters affecting the security of the Council, Councillors, Council staff or Council property,*

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

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.

It is noted that with regard to those matters relating to all but 2(a), 2(b) and 2(d)(iii) it is necessary to also give consideration to whether closing the meeting to the public is, on balance, in the public interest.

Further, the Act provides that Council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public (section 10A(3)).

As provided in the Office of Local Government Meetings Practice Note August 2009, it is a matter for the Council to decide whether a matter is to be discussed during the closed part of a meeting. The Council would be guided by whether the item is in a confidential business paper, however the Council can disagree with this assessment and discuss the matter in an open part of the meeting.

Attachments

Nil



Item No: 2.1
Title: Deferred Item - Draft Tuggerah to Wyong Economic Corridor Strategy
Department: Environment and Planning

11 November 2019 Ordinary Council Meeting

Trim Reference: CPA/271459 - D13707933
Author: Lynda Hirst, Senior Strategic Planner
Gary Hamer, Section Manager, Strategic Planning
Manager: Gary Hamer, Section Manager, Strategic Planning
Executive: Matthew Prendergast, Unit Manager, Strategic Planning

Summary

At its meeting held 28 October 2019, the Council resolved as follows;

1010/19 That Council defer consideration of this item until 11 November 2019 meeting with consideration for Council to consider the points below;

- a That Council prepare a Transport Report to be exhibited with the Tuggerah to Wyong Economic Corridor Strategy that includes information on the current capacity of the transport network, future demand based on the proposed Strategy and future options to deliver improved Transport network outcomes.*
- b That Council include in the Transport Report ;*
 - Measures of efficiency, sustainability and liveability*
 - Consultation with key agencies and transport stakeholders*
 - Known commitments for transport infrastructure and timeframes for delivery*
 - Options for transport improvements (short, medium and long term) that will improve future measures of efficiency and liveability*
- c That Council, for the purposes of community consultation, endorse the public exhibition of the Transport Report and draft Tuggerah to Wyong Economic Corridor Strategy for a minimum period of 40 days.*
- d That Council conduct two workshops (one day and one evening) that includes a presentation of the draft documents and an opportunity for comments.*
- e That Council following exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy Council consider a further report on results of the community consultation.*

**2.1 Deferred Item - Draft Tuggerah to Wyong Economic Corridor Strategy
(contd)**

- f That Council remove the reference to the airport from the draft as it is not consistent with the intent of the previous resolution of Council.*

Recommendation

- 1 That Council, for the purposes of community consultation, endorse the public exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy for a minimum period of 28 days.**
- 2 That following exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy Council consider a further report on results of the community consultation.**

Attachments

- 1 Ordinary Meeting 28 October 2019 - Item 2.5 - Draft Tuggerah to Wyong Economic Corridor Strategy** D13708726



Item No: 2.5
Title: Draft Tuggerah to Wyong Economic Corridor Strategy
Department: Environment and Planning

28 October 2019 Ordinary Council Meeting

Trim Reference: CPA/271459 - D13681373

Author: Lynda Hirst, Senior Strategic Planner

Gary Hamer, Section Manager, Strategic Planning

Manager: Karen Tucker, Acting Unit Manager, Strategic Planning

Executive: Brett Sherar, Acting Director, Environment and Planning

Report Purpose

The purpose of this report is to seek Council's endorsement for the public exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy for 28 days.

Recommendation

- 1 That Council, for the purposes of community consultation, endorse the public exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy for a minimum period of 28 days.**
- 2 That following exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy Council consider a further report on results of the community consultation.**

Background

The NSW Government's Central Coast Regional Plan 2036 (CCRP) outlines four goals for the Central Coast to ensure its successful and sustained growth.

The draft Tuggerah to Wyong Economic Corridor (the Corridor) Strategy has been developed to implement Goal 1 of the CCRP - A prosperous Central Coast and more jobs close to home.

Further, the Corridor Strategy implements a number of Directions under the CCRP intended to guide planning and investment in the region:

Direction 2: Focus economic development in the Southern and Northern Growth Corridors

Direction 3: Support priority economic sectors

Direction 5: Support new and expanded industrial activity

Direction 7: Increase job containment in the region

The Northern Growth Corridor, referred to in CCRP Direction 2, is identified in the map below.

2.5 Draft Tuggerah to Wyong Economic Corridor Strategy (contd)



Figure 1: Northern Growth Corridor (Source: Central Coast Regional Plan)

To focus on different roles within the Northern Growth Corridor, Council has divided planning for the Corridor into 2 separate areas, each with a different focus.

- 1 Tuggerah to Wyong Economic Corridor Strategy (the Strategy) – comprises three precincts connected by the Pacific Highway being Tuggerah, Wyong/East Wyong, and North Wyong/Watanobbi. The Strategy defines the role of each centre and the capacity of individual precincts to sustain the growth of the Corridor.
- 2 Greater Warnervale Structure Plan – consider growth opportunities, predominantly residential and employment, in and around the Warnervale Town Centre incorporating the surrounding precincts of Charmhaven, Wyong Hospital, Wadalba and the Wyong Employment Zone (WEZ).

The Tuggerah to Wyong Economic Corridor is a key component of the Northern Growth Corridor and will become one of the Central Coast's priority location for future jobs, services and business growth.

2.5 Draft Tuggerah to Wyong Economic Corridor Strategy (contd)



Figure 2: Tuggerah to Wyong Economic Corridor – Three Precincts

Report

The purpose of the Tuggerah to Wyong Economic Corridor Strategy is to:

- 1 Provide clear strategic direction to manage economic growth over the next 20 years.
- 2 Identify strategies to attract appropriate business development for the changing needs of the community and for economic development.
- 3 Address economic opportunities to leverage business investment and jobs from major public infrastructure investments.
- 4 Provide an action plan for future studies and investments required by Council and State Government and the prioritisation of actions.
- 5 Inform the review of current planning controls reflective of economic and population growth needs and provide guidance in the assessment of Development Applications and Planning Proposals.

2.5 Draft Tuggerah to Wyong Economic Corridor Strategy (contd)

The strategy identifies the long-term vision for the Corridor and provides directions and actions to guide land use planning and development within the Corridor.

It is intended to enable the Central Coast to grow in a sustainable way, by allowing for future growth with a focus on the existing centres of Wyong and Tuggerah. Therefore, the strategy aims to compliment attributes identified by the community that make the area unique and a desirable place to live and work.

Key recommendations of the strategy can be summarised as follows:

- 1 A growth strategy that supports a population increase of 4,150 residents in the Corridor between 2016 to 2036.
- 2 Adequate employment lands and opportunities in centres for an increase of 3,400 jobs in the Corridor between 2016 to 2036, demonstrating a 26% increase in current employment levels in the Corridor.
- 3 Focus residential development in existing centres in the short to moderate term. Wyong should be the focus for increased density, reinforcing its role as the primary civic and cultural centre in the corridor.
- 4 Protect employment and environmental lands and leverage existing and planned infrastructure.
- 5 Promote industrial specialisation in the Corridor as a key competitive advantage and opportunity to enhance self-containment within the Central Coast.

Corridor Strategies

There are five broad strategies that relate to all three precincts within the Corridor. These strategies each comprise five Directions to capture Council's position and guide decision making within the Corridor.

- 1 *Capitalise on the unique role and function of each centre*
The Corridor comprises two major centres, the Tuggerah Town Centre and Wyong Town Centre, each with complementary and important role. The strategy reinforces Wyong as the civic and cultural centre and provides for the growth of Tuggerah with increased retail demand. The strategy consolidates a range of uses in the centres so they become more active and provide for more than just shopping opportunities – they are places for meeting, civic activities, recreation and connecting with our community. This will enable Council to concentrate expenditure on infrastructure for the most benefit, promoting multi-purpose car trips and reducing vehicle movements.
- 2 *Ensure sufficient zoned land to accommodate population and employment increases*

2.5 Draft Tuggerah to Wyong Economic Corridor Strategy (contd)

Much of the area is constrained for development by flooding and evacuation routes, bushfire and high value ecology. These areas should not be the focus for development in the short term, with renewal concentrated in the existing town centres. Projections and capacity testing demonstrate there is sufficient residential land and industrial land to accommodate demand as well as meet CCRP targets over the next 20 years and beyond. Council should continue to monitor the take-up and availability of industrial land, and work on attracting and retaining business with the Corridor.

3 *Maximise connectivity between activity nodes and centres to support renewal opportunities*

The strategy includes actions to strengthen the existing cycle network, reinforce key pedestrian links and investigate opportunities that strengthen the local street network in line with the Pedestrian Access Management Plan and Bike Plan. Ongoing consultation with Transport for NSW is required to advocate for the Pacific Highway upgrade through Wyong Town Centre, construction of the Link Road from North Wyong to Warnervale, and inclusion of a rail stop at either Wyong or Tuggerah in any future Sydney to Newcastle fast rail.

4 *Maintain and improve the strong relationship with green open space and the environment*

Views and access to green open space and the natural environment are a great asset of the Corridor. Key features such as Wyong River can attract people to live and work in the Corridor. The strategy recommends to investigate key opportunities to enhance connections to the environment, retain and enhance the aesthetic of the gateways, and regularly update Floodplain Risk Management Plans and flood planning controls to ensure development in flood evacuation risk areas is avoided.

5 *Build on the Corridor's potential as a great destination for culture, recreation and tourism*

The Corridor provides two distinct clusters of sporting facilities at Wyong and Tuggerah, forming a Regional Recreation Corridor. This includes the Central Coast Regional Sporting and Recreation Complex in Tuggerah and the Baker Park Recreational precinct in Wyong. There are opportunities for complementary uses to enhance the recreational offer including hotel accommodation, food, beverage, and entertainment services. Bushland areas can be utilised for education and recreational purposes with boardwalks and viewing platforms to facilitate birdwatching, cycling and bushwalking. A future study on Open Space and Recreation needs will be developed to inform the preparation of the Central Coast Comprehensive Local Environment Plan (CCLEP).

2.5 Draft Tuggerah to Wyong Economic Corridor Strategy (contd)

Precinct Strategies

The document identifies eight place-based strategies to ensure each precinct has its own identity with a range of experiences, housing and jobs to support the success of the Corridor and enhance self-sufficiency for the Central Coast. Forecasts for each precinct will ensure that Council can accommodate population and employment growth in the right places.

North Wyong and Watanobbi

- 6 *Maintain and encourage employment uses in North Wyong*
Planning controls for employment lands at North Wyong will encourage a range of uses and new amenity for people working there. Smaller lots fronting the Pacific Highway with a generous landscape setback will provide an attractive gateway to the Corridor from the North.
- 7 *Rationalise access and circulation*
Rationalised vehicle access and circulation will improve traffic efficiency and safety. Opportunities exist to investigate vehicle entry points to the North Wyong Industrial Estate to improve traffic flow, and improve the visual amenity of the Pacific Highway.
Providing street connections to link London Drive and Lucca Road will improve the permeability of the site, improve connections between the employment areas, and increase opportunities for on street parking.

Wyong and East Wyong Precinct

- 8 *Celebrate Wyong's natural scenery and heritage character*
Wyong should capitalise on its attractive natural assets such as the river frontage, walkable Town Centre, cultural institutions, heritage buildings and great public transport connections. Further investigations are to be undertaken as part of the draft Wyong Structure Plan for the future upgrade of the River Road footpath to a shared pathway extending west along the northern river bank to the Wyong Milk Factory. Planning controls for heritage listed sites will be reviewed as part of the preparation of the CCLEP.
- 9 *Reinforce the fine urban grain of Wyong*
Alison Road is the primary high street and the main street connecting to the train station hub and eastern side of Wyong. Opportunities exist to improve the success of Alison Road with activation through more community events, additional fine grain shopfronts away from the busy Pacific Highway, and to increase utilisation and activation of laneways and arcades such as the Gallery Precinct (linking Alison Rd to Bakers Lane) and the Chapman Centre fronting Robleys Lane.

2.5 Draft Tuggerah to Wyong Economic Corridor Strategy (contd)

10 Connect to East Wyong

The planned upgrade of the Pacific Highway through Wyong will not only improve traffic flow but could also improve pedestrian access and walkability with connections from Wyong to East Wyong provided a direct pedestrian crossing between Alison Road and Howarth Street is constructed. With the planned future relocation of the bus interchange from the east to the western side of Wyong train station there is an opportunity for development fronting Howarth Street to provide an activated street frontage with increased densities.

Tuggerah Precinct**11 Maintain and encourage employment uses in Tuggerah**

Tuggerah employment lands provide an attractive place for business close to regional road and rail transport. Employment lands in Tuggerah Straight, Tuggerah Business Park and Tuggerah Homemakers Centre are to be preserved and enhanced to support future growth and development.

12 Utilisation of flood prone areas in Tuggerah

Large areas of floodplain/wetlands between the railway line and Tuggerah Lake, south of Wyong River is mostly undevelopable due to flooding constraints. This land provides opportunity for a range of passive recreational uses including walking and cycle tracks and eco-tourism to attract visitors and create an additional form of employment growth.

13 Sustainable renewal around Tuggerah Town Centre

Tuggerah will continue to provide for employment growth and to support regional sporting, retail and entertainment facilities. In the short to medium term a range of infill development options including residential, employment, leisure, health and education uses could be considered on the Tuggerah Gateway site provided improved pedestrian connections are provided to the train station. In the longer-term intensifying low scale mixed-use development and improving the public domain around Tuggerah Train Station would increase activity, creating a more vibrant and safer place to encourage greater public transport use.

Consultation

During the preparation of the Tuggerah to Wyong Economic Corridor Strategy consultation was undertaken internally with Council staff at two workshops held on 18 October 2018 and 30 November 2018, and externally with Government Agencies.

During the exhibition period Council will formally consult with major stakeholders including Transport for NSW and the NSW Department of Planning, Industry and Environment through an agency consultation session and a community drop in session to inform a final strategy and recommendations.

2.5 Draft Tuggerah to Wyong Economic Corridor Strategy (contd)

This report seeks Council's endorsement to place the draft Tuggerah to Wyong Economic Corridor Strategy on public exhibition for a minimum of 28 days.

Councillor Consultation

A Councillor Briefing was undertaken on 29 July 2019 informing Councillors of the project scope, progress and proposed steps in enabling the Strategy to progress to public exhibition.

A further Councillor Workshop was held on 26 September 2019 to provide more detailed discussion on key findings and recommendations of the Strategy.

Following concerns raised at the Councillor Workshop, the draft Strategy was amended to:

- 1 Remove reference to the potential redevelopment of the Wyong racecourse site; and
- 2 Include an additional action for Council staff to advocate to the NSW Government for the construction of the Pacific Highway upgrade through Wyong Town Centre, and the Link Road from North Wyong to Warnervale, to provide for the additional growth and development outlined in the Strategy.

Financial Impact

The public exhibition and development of the strategy has been undertaken within the \$140,000 operational budget for the project.

Link to Community Strategic Plan

Theme 1: Belonging

Goal B: Creativity connection and local identity

B-B4: Activate spaces and places to complement activity around town centres, foreshores, lakes and green spaces for families, community and visitors.

Theme 2: Smart

Goal C: A growing and competitive region

S-C1: Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast.

Goal C: A growing and competitive region

S-C3: Facilitate economic development to increase local employment opportunities and

2.5 Draft Tuggerah to Wyong Economic Corridor Strategy (contd)

provide a range of jobs for all residents.

Goal C: A growing and competitive region

S-C4: Promote and grow tourism that celebrates the natural and cultural assets of the Central Coast in a way that is accessible, sustainable and eco-friendly.

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

Theme 4: Responsible

Goal I: Balanced and sustainable development

R-I1: Preserve local character and protect our heritage and rural areas including concentration of development along transport corridors and around town centres and east of the M1.

Theme 5: Liveable

Goal J: Reliable public transport and connections

L-J1: Create adequate, reliable and accessible train services and facilities to accommodate current and future passengers.

Theme 5: Liveable

Goal K: Out and about in fresh air

L-K1: Create a regional network of interconnected shared pathways and cycle ways to maximise access to key destinations and facilities.

Conclusion

The draft Tuggerah to Wyong Economic Corridor Strategy has been prepared as the next step in implementing the CCRP. It identifies the long-term vision for the Corridor and sets directions and actions to guide future land use planning and development within the Corridor. It promotes growth within the existing centres of Tuggerah and Wyong to enable the Corridor to grow in a sustainable way that compliments the attributes that make the area a unique and desirable place to live and work.

2.5 Draft Tuggerah to Wyong Economic Corridor Strategy (contd)

This report recommends public exhibition for a minimum of 28 days to enable the community and key stakeholders to have input on the strategy.

Attachments

- 1 Final Draft - Tuggerah to Wyong Strategy Enclosure D13691043



DRAFT Tuggerah to Wyong

Economic Corridor Strategy



Executive Summary

The Strategy

The Tuggerah to Wyong Economic Strategy (the Strategy) provides a single vision for land located within the Tuggerah to Wyong Economic Corridor (the Corridor).

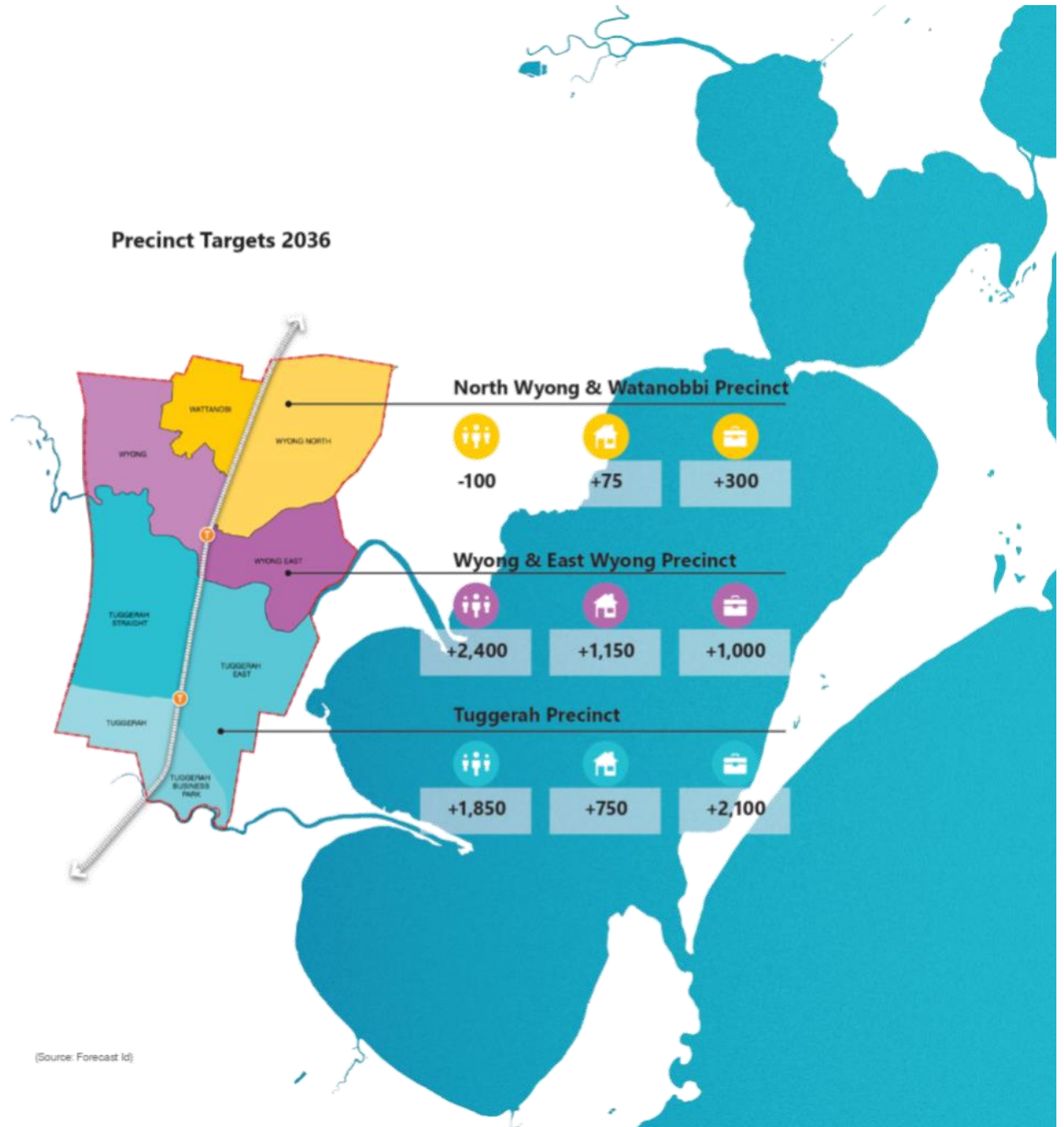
The Corridor comprises three (3) precincts connected by the Pacific Highway. The Strategy defines and highlights the important role and character for each and identifies how they will help sustain the growth of the Corridor. It identifies where economic growth should and should not be supported to promote self-containment and enable the continued growth of the Corridor for perpetuity.

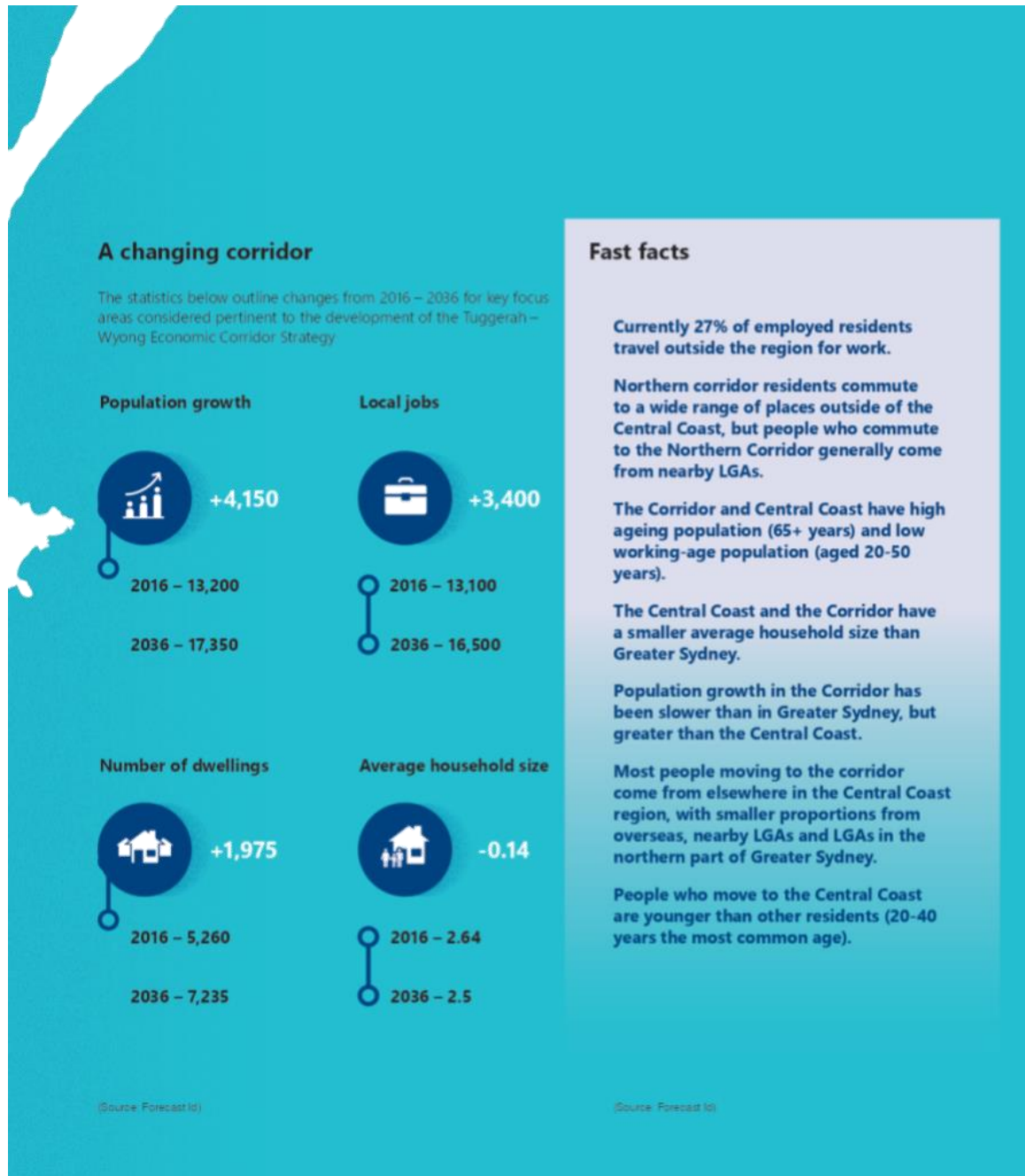
The Strategy identifies opportunities to increase the number of local jobs and thus reduce the high number of residents currently commuting out of the Central Coast for work. Importantly, the Strategy preserves and enhances employment land to foster economic development and encourage the Corridor to continue to evolve as one of the dominant centres on the Central Coast.

Project team

This strategy was prepared by Central Coast Council with a consultant team comprising:

- Architectus (strategic planning and design)
- SGS Economics and Planning (economics)





Fast facts

Currently 27% of employed residents travel outside the region for work.

Northern corridor residents commute to a wide range of places outside of the Central Coast, but people who commute to the Northern Corridor generally come from nearby LGAs.

The Corridor and Central Coast have high ageing population (65+ years) and low working-age population (aged 20-50 years).

The Central Coast and the Corridor have a smaller average household size than Greater Sydney.

Population growth in the Corridor has been slower than in Greater Sydney, but greater than the Central Coast.

Most people moving to the corridor come from elsewhere in the Central Coast region, with smaller proportions from overseas, nearby LGAs and LGAs in the northern part of Greater Sydney.

People who move to the Central Coast are younger than other residents (20-40 years the most common age).

(Source: Forecast It)

Relationship to the Central Coast Regional Plan 2036

The Central Coast Regional Plan 2036 is a 20-year blueprint for the future of the Central Coast, prepared by the NSW Government. The overarching vision for the Central Coast is for "a healthy natural environment, a flourishing economy and well-connected communities".

To achieve this vision, the NSW Government has set four goals for the region:

1. A prosperous Central Coast with more jobs close to home
2. Protect the natural environment and manage the use of agricultural and resource lands
3. Well-connected communities and attractive lifestyles
4. A variety of housing choice to suit needs and lifestyles

The purpose of this Strategy is to develop strategies, directions and actions to implement this vision.

The CCRP establishes high level targets for the Central Coast region for 2036, being:

- 75,500 more people, requiring:
- 24,674 additional jobs; and
- 41,500 new homes

This Strategy needs to explore:

- Of these CCRP targets, how many jobs and homes can be accommodated in the Northern Corridor?
- Where should this growth be focussed? Are further studies and amendments to the planning controls required to ensure this growth results in good outcomes?
- What infrastructure and investment might be required to support this growth?

Executive Summary

Key findings

The Tuggerah - Wyong Economic Corridor has one of the greatest opportunities to accommodate economic trends.



Planning for 3,400 additional jobs by 2036



Planning for 4,150 additional residents by 2036



Wyong as the centre for civic and cultural activities



Wyong River as a major green connection



Emerging market for residential apartments on key sites



Unparalleled infrastructure for sports events and recreation



Project drivers



Define complementary roles and character for each precinct



Increase job containment in the region



Ensuring future employment land is sufficient and serviced



Leverage major infrastructure investments



Revitalise Wyong as a mixed use centre



Create a diverse, connected and vibrant Tuggerah Centre



Vision for the Tuggerah to Wyong Economic Corridor

The Tuggerah to Wyong Corridor will be a flourishing corridor with employment opportunities, housing choice, sporting venues, and passive recreational activities that celebrate the surrounding natural bushland setting. It's centres will combine a vibrant mix of retail, employment and culture that secure their unique role within the Central Coast.

Summary of Recommendations

This document presents:

- 5 Corridor Strategies
- 3 Precinct Strategies
- 13 Directions
- 34 Actions
- 2 Centre Structure plans

The key recommendations can be summarised as:

- 1 **A growth strategy that supports a population increase of 4,150 residents** in the Corridor between 2016 and 2036.
- 2 Adequate employment lands and opportunities in centres for **an increase of 3,400 jobs in the Corridor** between 2016 and 2036 – a 26% increase on current employment levels in the Corridor.
- 3 **Focus residential development in existing centres** in the short to moderate term. Wyong should be the focus for increased density reinforcing its role as the primary civic and cultural centre.
- 4 Protect employment and environmental lands and leverage existing and planned infrastructure.
- 5 Promote industrial specialisation in the Corridor as a key competitive advantage and opportunity to enhance self-containment within the Central Coast.

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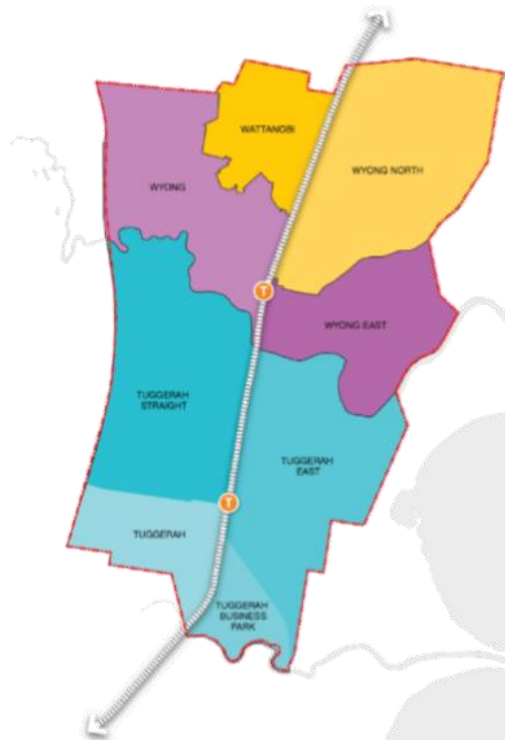
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Project and report	Tuggerah to Wyong Corridor Strategy
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Report contact	Jane Freeman Principal, Urban Design and Planning
This report is considered a draft unless signed by a Director or Principal	Signature

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Introduction



Purpose of this report

The Tuggerah to Wyong Economic Corridor Strategy was developed in response to a key action of the Central Coast Regional Plan (CCRP). Direction 2 of the CCRP is to focus economic development in the Southern and Northern Growth Corridors. This Economic Corridor is a key component of the broader Northern Growth Corridor and will become the Central Coast's priority location for future jobs, services and business growth.

This Strategy has been prepared by Council as the next step in implementing the CCRP. It defines the role of each center and the capacity of individual precincts to sustain the growth of the Corridor for the future. The Strategy outlines Directions and Actions to ensure the Corridor meets anticipated population and employment growth for the next 20 years.

The Strategy promotes growth within the Corridor to enable it to evolve as one of the dominant commercial and economic centres on the Central Coast. The Strategy communicates these growth opportunities to the local community, to ensure community aspirations are reflected in the future planning of the area.

Objectives

Objectives of the Corridor Strategy are as follows:

- Provide clear strategic direction to manage economic growth over the next 20 years.
- Identify strategies to attract appropriate business development for the changing needs of the community and for economic development.
- Address economic opportunities to leverage business investment and jobs from major public infrastructure investments.
- Provide an action plan for future studies and investments required by Council and State Government and the prioritisation of actions.
- Inform review of current planning controls reflective of economic and population growth needs, and provide guidance in the assessment of Development Applications and Planning Proposals.

Tuggerah to Wyong Economic Corridor - Study Area

The Tuggerah to Wyong Corridor comprises three (3) precincts connected by the Pacific Highway. It forms a key component of the broader Northern Growth Corridor which extends further north to include the Greater Warnervale Structure Plan (GWSP) area.

Council is currently preparing the GWSP to consider growth opportunities, predominantly residential and employment, in and around the Warnervale Town Centre incorporating the surrounding precincts including the Wyong Employment Zone (WEZ), Charmhaven, Wyong Hospital and Wadalba. The Tuggerah to Wyong Economic Corridor will focus on the remaining area within the Northern Growth Corridor

Responding to the Central Coast Regional Plan 2036



Planning for the Central Coast has progressed through the implementation of the Central Coast Regional Strategy (CCRS) in 2008, and now the Central Coast Regional Plan 2036 (CCRP). The CCRP sets the strategic planning framework for the Central Coast for the next 20 years, and sets four goals to ensure its successful and sustainable growth:

- Goal 1 - A prosperous Central Coast with more jobs close to home
- Goal 2 - Protect the natural environment and manage the use of agricultural and resource lands
- Goal 3 - Well-connected communities and attractive lifestyles
- Goal 4 - A variety of housing choice to suit needs and lifestyles

Under these Goals are a list of Directions, intended to guide planning and investment in the region. This Strategy has been developed to implement the following Directions of the CCRP:

- CCRP Direction 2 Focus economic development in the Southern and Northern Growth Corridors
- CCRP Direction 3 Support priority economic sectors
- CCRP Direction 5 Support new and expanded industrial activity
- CCRP Direction 7 Increase job containment in the region

The Northern Growth Corridor, referred to in CCRP Direction 2 describes the land located between Tuggerah to Warnervale. The Tuggerah to Wyong Economic Corridor is a key component of this Growth Corridor and will become the Central Coast's priority location for future jobs, services and business growth.

This Strategy addresses key actions of the CCRP. Relevant CCRP actions are summarised in the adjacent table, with comment made how the Strategy responds to each.

Central Coast Regional Plan 2036 Actions

Tuggerah to Wyong Economic Growth Corridor Response

2.8 Revitalise Wyong as a mixed use centre servicing the northern part of the region with infill residential development in central locations.

Wyong is recognised and celebrated as the Civic and Cultural heart of the Corridor. The Strategy recognises the innate character strengths of Wyong and seeks to preserve and enhance these for the future. The Strategy promotes the renewal of Wyong to accommodate forecast population and dwelling growth. Capacity testing has confirmed the suitability of Wyong to support mixed use development within the Centre. Direction 9 Reinforce the fine urban grain of Wyong identifies specific actions and focus areas with potential to activate and revitalise Wyong Town Centre. Opportunities associated with the Wyong River and existing transport networks show how these assets can further support opportunity for urban renewal. Improving the amenity of Wyong would make it a more attractive location for business, creating economic development opportunities.

2.10 Create a diverse, connected and vibrant Tuggerah centre.

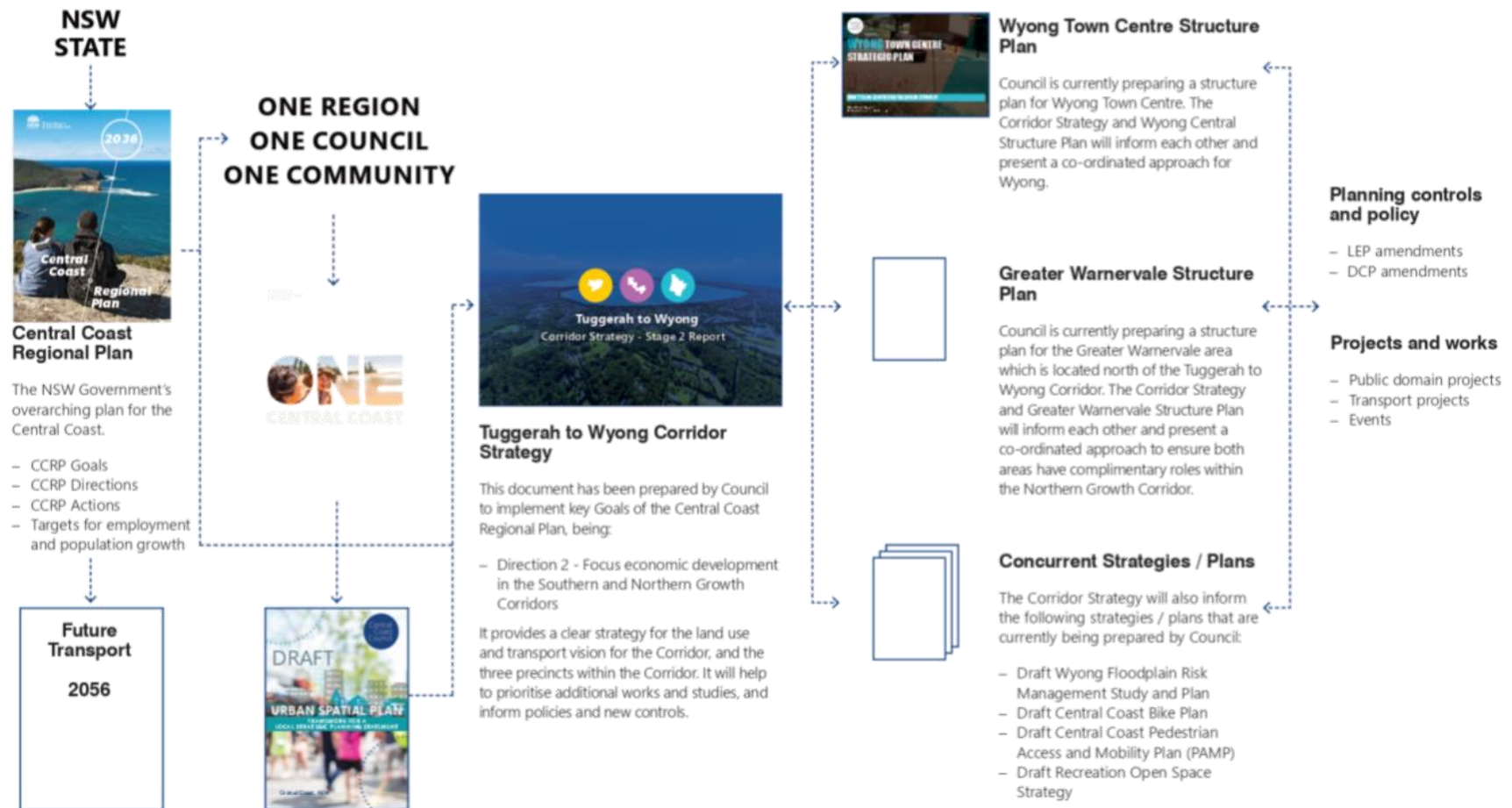
Tuggerah is recognised as the regional shopping destination in the Corridor. The Strategy identifies and reinforces Tuggerah's retail role whilst identifying opportunities for diversification and enhanced connectivity. Direction 13 Sustainable renewal around the Tuggerah Station promotes revitalisation, diversification and enhancement of land around Tuggerah train station to promote mixed use development. Opportunities which leverage existing transport infrastructure and strategies to improve active transport for greater connectivity and activity within Tuggerah are also outlined.

2.12 Leverage the planned Pacific Highway upgrade and new Link Road to improve transport connectivity and amenity along the Tuggerah to Warnervale corridor.

The planned Pacific Highway upgrade and new Link Road are significant road projects that will improve local and district accessibility to key employment lands within the corridor. Whilst the upgrade will provide important traffic improvements for people travelling within the region the impact on Wyong Town Centre should be carefully considered. Direction 10 provides a preliminary review of the proposal and outlines actions to capitalise on the benefits associated with the planned Pacific Highway upgrades. The section also outlines actions associated with pedestrian connectivity and how to incorporate these planned upgrades to ensure a balanced and connected centre.

Relationship with other plans

Relationship between the Corridor Strategy, the Central Coast Regional Plan and other studies



This Corridor Strategy has been developed to implement State Government planning initiatives for the Central Coast.

Central Coast Regional Plan 2036

The Tuggerah to Wyong Economic Corridor is uniquely placed with great access to rural and coastal communities of the Central Coast. It also benefits from excellent regional connectivity with rail and road access to Sydney, Newcastle and Hunter regions.

The Tuggerah to Wyong Economic Corridor is part of the Northern Growth Corridor identified within the NSW Government's Central Coast Regional Plan. The CCRP is the over-arching regional plan that sets the strategic planning framework for the Central Coast for the next 20 years and aims to:

- Increase job containment in the region
- Leverage major infrastructure investments such as Wyong Hospital redevelopment and road and rail projects
- Focus economic development in the Southern and Northern Growth Corridors
- Revitalise Wyong as a mixed use centre
- Create a diverse, connected and vibrant Tuggerah Centre
- Establish the growth corridors as locations for investment in health, education, research, knowledge-based industries, professional services, sport and leisure, agribusiness, food manufacturing, high-tech manufacturing and clean technologies.

Key precincts beyond the study area, but within the Northern Growth Corridor include:

- Warnervale Town Centre – new mixed use strategic centre to service new communities includes a new transport interchange.
- Wyong Employment Zone (WEZ) – future industrial precinct strategically located adjacent to the M1.
- Wyong Hospital Precinct – expanding health services precinct with local concentration of aged care/seniors.
- Warnervale airport – general aviation airport in the region with limited services – site has had several planning proposals that have been stifled by the site's environmental constraints.
- Warnervale Urban Release Area – residential release area that leverages proximity to future Warnervale Town Centre.
- Wadalba Urban Release Area – residential release area that leverages the redeveloped Wadalba local centre.

Understanding the proposed development and strategic objectives of the broader Growth Corridor is critical in determining the complementary role of the Tuggerah to Wyong Economic Corridor.

The Tuggerah to Wyong Economic Corridor Strategy has been developed to implement CCRP Direction 2 - Focus economic development in the Southern and Northern Growth Corridors.



Figure 1 Northern Growth Corridor in context of the Southern Growth Corridor (both indicated in blue)
Source: Central Coast Regional Plan (DP&E, 2016)



Figure 2 Northern Growth Corridor, including the precincts of the Tuggerah to Wyong Corridor and other key precincts
Source: Central Coast Regional Plan (DP&E, 2016)

Relationship with other plans



Community Strategic Plan (CSP) 'One' Central Coast

Community Vision

**We are ONE Central Coast
A smart, green and liveable region with a shared sense of belonging and responsibility**



CSP Themes, Focus Areas & Objectives	Corridor Strategy – how it implements the CSP	CSP Themes, Focus Areas & Objectives	Corridor Strategy – how it implements the CSP
<p>BELONGING</p> <p>OUR COMMUNITY SPIRIT IS OUR STRENGTH A4 - Enhance community safety within neighbourhoods, public spaces and places</p> <p>CREATIVITY, CONNECTION AND LOCAL IDENTITY B2 - Promote and provide more sporting, community and cultural events and festivals, day and night, throughout the year</p> <p>B4 - Activate spaces and places to complement activity around town centres, foreshores, lakes and green spaces for families, community and visitors</p>	<p>The Tuggerah to Wyong Corridor Strategy once implemented will enable enhanced community safety in our open public and community spaces. In creating vibrant and active centres there will be improved passive surveillance and safety in our shared places. Coupled with programmed events this strategy aims to create safe and active spaces both during the day and at night.</p> <p>The Corridor Strategy provides directions and actions to achieve these CSP objectives, including: Direction 1 – Capitalise on the unique role and function of each centre Direction 5 - Build on the Corridor’s potential as a great destination for culture, recreation and tourism Direction 9 - Reinforce the fine urban grain of Wyong Direction 10 - Connect to East Wyong Direction 13 - Sustainable renewal in Tuggerah Town Centre</p> <p>The Tuggerah to Wyong Corridor Strategy supports and enables job growth by attracting economic development within the Corridor supported by improved transport connections, public domain and transit orientated development providing incentives to stimulate growing industries on the Coast.</p> <p>The Corridor Strategy provides directions and actions to achieve these CSP objectives, including:</p>	<p>C3 - Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents</p> <p>C4 - Promote and grow tourism that celebrates the natural and cultural assets of the Central Coast in a way that is accessible, sustainable and eco-friendly</p>	<p>Direction 1 – Capitalise on the unique role and function of each centre Direction 2 - Ensure sufficient zoned land to accommodate projected population and employment increases Direction 5 - Build on the Corridor’s potential as a great destination for culture, recreation and tourism Direction 6 Maintain and encourage employment uses in North Wyong Direction 11 - Maintain and encourage employment uses in Tuggerah Direction 13 - Sustainable renewal in Tuggerah Town Centre</p>
<p>SMART</p> <p>A GROWING AND COMPETITIVE REGION C1 - Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast</p>	<p>The Tuggerah to Wyong Corridor Strategy supports and enables job growth by attracting economic development within the Corridor supported by improved transport connections, public domain and transit orientated development providing incentives to stimulate growing industries on the Coast.</p> <p>The Corridor Strategy provides directions and actions to achieve these CSP objectives, including:</p>	<p>GREEN</p> <p>CHERISHED AND PROTECTED NATURAL BEAUTY</p> <p>F1 - Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas and the diversity of local native species</p> <p>F2 - Promote greening and ensure the wellbeing of communities through the protection of local bushland, urban trees, tree canopies and expansion of the Coastal Open Space System (COSS)</p>	<p>The Tuggerah to Wyong Corridor Strategy puts forward directions and actions to ensure we protect our rich environmental heritage and values as well as promoting greening of the Corridor by protecting and enhancing our natural assets between our centres .</p> <p>The Corridor Strategy provides directions and actions to achieve these CSP objectives, including:</p> <p>Direction 4 – Maintain and improve the areas strong relationship with green open space and the environment Direction 5 - Build on the Corridor’s potential as a great destination for culture, recreation and tourism Direction 8 - Celebrate Wyong’s natural scenery and heritage character Direction 12 - Utilisation of flood prone areas in Tuggerah</p>



Community Strategic Plan (CSP) 'One' Central Coast

Community Vision

We are ONE Central Coast
A smart, green and liveable region with a shared sense of belonging and responsibility



CSP Themes, Focus Areas & Objectives	Corridor Strategy – how it implements the CSP	CSP Themes, Focus Areas & Objectives	Corridor Strategy – how it implements the CSP
<p>RESPONSIBLE</p> <p>DELIVERING ESSENTIAL INFRASTRUCTURE H1 - Solve road and drainage problem areas and partner with the State Government to improve road conditions across the region</p> <p>H2 - Improve pedestrian movement safety, speed and vehicle congestion around schools, town centres, neighbourhoods, and community facilities</p> <p>H4 - Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water</p> <p>BALANCED AND SUSTAINABLE DEVELOPMENT I1 - Preserve local character and protect our drinking water catchments, heritage and rural areas by concentrating development along transport corridors and town centres east of the M1</p>	<p>The Tuggerah to Wyong Corridor Strategy sets the framework to delivering essential infrastructure and balanced and sustainable development by ensuring we have adequate capacity to service our growing population.</p> <p>The Corridor Strategy provides directions and actions to achieve these CSP objectives, including:</p> <p>Direction 1 – Capitalise on the unique role and function of each centre Direction 3 - Maximise connectivity between activity nodes and centres to support renewal opportunities Direction 7 - Rationalise access and circulation Direction 8 - Celebrate Wyong’s natural scenery and heritage character Direction 9 - Reinforce the fine urban grain of Wyong Direction 10 - Connect to East Wyong Direction 13 - Sustainable renewal in Tuggerah Town Centre</p>	<p>LIVEABLE</p> <p>RELIABLE PUBLIC TRANSPORT AND CONNECTIONS J2 Address commuter parking, drop-off zones, access and movement around transport hubs to support and increase use of public transport</p> <p>J4 Design long-term, innovative and sustainable transport management options for population growth and expansion</p> <p>OUT AND ABOUT IN THE FRESH AIR K1 Create a regional network of interconnected shared pathways and cycle ways to maximise access to key destinations and facilities</p> <p>K2 Design and deliver pathways, walking trails and other pedestrian movement infrastructure to maximise access, inclusion and mobility to meet the needs of all community members</p> <p>HEALTHY LIFESTYLES FOR A GROWING COMMUNITY L1 Promote healthy living and ensure sport, leisure, recreation and aquatic facilities and open spaces are well maintained and activated</p>	<p>The Tuggerah to Wyong Corridor Strategy identifies the need to prioritise better transport and connections within and between our centres. Many of the actions identified under Direction 3 aim to strengthen the existing cycle network, reinforce key pedestrian links and investigate opportunities to strengthen the local street network in line with Council’s Pedestrian Access Mobility Plan (PAMP) and Bike Plan. Direction 3 also creates the action for Council to advocate to the NSW Government for the construction of the Pacific Highway upgrade through Wyong Town Centre and the Link Road connecting North Wyong to Warnervale.</p> <p>Direction 3 – Maximise connectivity between activity nodes and centres to support renewal opportunities Direction 4 - Maintain and improve the areas strong relationship with green open space and the environment Direction 5 - Build on the Corridor’s potential as a great destination for culture, recreation and tourism Direction 7 - Rationalise access and circulation Direction 12 - Utilisation of flood prone areas in Tuggerah Direction 13 - Sustainable renewal in Tuggerah Town Centre</p>

Relationship with other plans

The Corridor Strategy captures the best ideas from previous strategic plans and studies

Regional and Local Strategies

Along with the key direction and actions of the CCRP, the Tuggerah to Wyong Corridor Strategy has been informed by an array of regional and local strategies/studies that have been developed over the last decade.

It is important that this Corridor Strategy picks up on the key recommendations and prioritises them in the context of the broad directions for the Tuggerah to Wyong corridor.

The objectives, goals, actions and recommendations of the following strategies/studies have played a key role in the development of this strategy.



Central Coast Regional Strategy

The Central Coast Regional Strategy (CCRS) was released by the Department of Planning in 2008 to provide a framework for new LEPs in the region and enable appropriately located land to sustainably accommodate projected housing needs and promote local employment opportunities over the following 25 years. Key objectives and ideas of the CCRS considered in the Corridor Strategy include:

- More units and townhouses in key centres, to provide a better housing mix as larger centres are revitalised and new residential land is released
- A regional city at Gosford and major centre at Tuggerah-Wyong, focused on business activity, housing opportunities and employment generation
- Better connected centres and employment areas, protected rural and resource lands and conservation areas as urban development is directed to existing centres and appropriate release areas in the north of Wyong shire
- A strong economy that maximises investment opportunities for competitive businesses and employment opportunities for the regional workforce



Regional Economic Development and Employment Strategy

Developed as part of the CCRS in 2009, the Regional Economic Development and Employment Strategy (REDES) sets a the long-term strategy for sustainable economic development and jobs growth for the NSW Central Coast region. The objectives of CCRS that have been considered in the Corridor Strategy include:

- Attracting new business and supporting existing businesses
- Increasing research, knowledge and innovation
- Ensuring appropriate planning processes and land supplies
- Planning for regional economic centres
- Providing new infrastructure
- Marketing the region as an attractive business location



Wyong/Tuggerah Planning Strategy

The Wyong/Tuggerah Planning Strategy was developed by Wyong Shire Council and published in 2007. The Strategy outlines the way in which the Wyong/Tuggerah area might develop over the next 10-20 years, with attention paid to what height and form development could take. The following principles and actions have been considered in the Corridor Strategy:

- Consolidate Tuggerah as the Regional Retail Centre for the Shire and part of the regional bulky goods clustering (along with Tuggerah Straight).
- Improve pedestrian linkages to consolidate the fragmented areas of Tuggerah (including Westfield, the Supa Centre and Tuggerah Business Park).
- Establish and promote Anzac Road as a town centre focus including a "town square" and as an active link between Westfield and Tuggerah Rail Station.
- Create a more defined entry into the Shire along Wyong Road from the F3 freeway. This may incorporate feature landscaping, an information centre, or a significant building that expresses the cultural identity of the Shire.
- Improve quality of building design, streetscape and landscaping.



Wyong/Tuggerah Planning Strategy: Urban Design Vision and Master Plan

The Urban Design Vision and Master Plan, prepared by DEM in 2007, details the future land use, connectivity and character of Wyong and Tuggerah

based on the objectives of the Wyong/Tuggerah Planning Strategy. The following directions have been considered:

- Wyong will develop around the existing Town Centre to rejuvenate its core retail and administrative functions and become the cultural and heritage focus of the Shire.
- Tuggerah's position as the regional retail centre of the Shire is promoted by the Strategy. It investigates opportunities to develop the lands adjoining the Westfields site to significantly improve movement between Tuggerah Railway Station, Anzac Road and Westfields.



Wyong Civic and Cultural Precinct Master Plan

The Wyong Civic and Cultural Precinct Master Plan, prepared by Moir Landscape Architecture for Wyong Shire Council in 2011, provides a framework for Wyong Town Centre as a civic and cultural hub

for the Central Coast. The Master Plan identifies the Art House as key catalyst project, anchoring exhibitions, performances, rehearsals and performing arts education within the Wyong Town Centre. The key objectives of the Master Plan that the Corridor Strategy has considered are:

- To provide for an integrated land use plan that promotes the precinct as a civic and cultural hub
- An urban design framework to improve the urban fabric of the precinct including public domain improvements
- To improve connectivity including pedestrian movements between the precinct, the town centre and surrounding areas



Active River Foreshore and Baker Park Master Plan

In 2009, Wyong Shire Council engaged Jackson Teece to prepare a Master Plan concept for the Active River Foreshore and Baker Park Precincts. The key objectives of the Master Plan include:

- Improve connections between Wyong Town Centre with the Wyong River Foreshore Reserve
- Ensure that the physical and economic linkages between Wyong River and Town Centre are developed and maintained
- Create a distinct character for identified zones/nodes that create a sense of place whilst still recognising the foreshore as a part of the greater Wyong region

A preferred concept Master Plan was prepared, incorporating the above objectives for the precinct, with the following key design features considered by the Corridor Strategy:

- Medium / high density residential development of 4-6 storeys along the Wyong River foreshore and east of Wyong railway station
- Ground floor active frontages along Howarth Street and the Wyong River foreshore



Wyong Employment Land Study and Industrial Land Audit

An Industrial Land Audit and Employment Lands Study was prepared by SGS Economics in 2013 to investigate employment trends and capacity within the Wyong Shire and promote economic activity and employment growth. The Study identifies strategic themes / actions to address the economic and employment needs identified by the Study. The Corridor Strategy

has considered the following key themes / actions:

- Protect the employment role of centres while also encouraging employment growth in the Shire by allowing new employment land activities
- Create incentives and ensure the area is cost competitive to attract jobs to employment land areas and achieve job targets in the Central Coast Regional Strategy
- Promote and secure the future for some strategic industrial areas, including attracting certain employment sectors into the corridor



Draft Central Coast Regional Sport and Active Recreation Plan

Released by the Office of Sport in 2018, the draft Regional Sport and Active Recreation Plan is complementary to the Central Coast Regional Plan 2036 developed by the NSW DPE. The broader CCRP makes reference to the establishment of a sport and active recreation corridor extending from the regional hockey complex at North Wyong, through Baker Park,

Wyong Racecourse and Pioneer Dairy and into the new sporting facility at Tuggerah. The ongoing development and increasing value of this sport and active recreation corridor is explored further in this plan.

The plan takes into account the simplicity of a single Council and the renewal efforts in Gosford and Wyong. It also considers the opportunities provided by the regional gateway of Somersby, connecting via the southern growth corridor to Erina. The northern growth corridors offer opportunities along the Tuggerah to Warnervale route.

This document is considered relevant as it sets out the vision, outcomes and strategies which will ensure the Central Coast region provides increased sport and active recreation opportunities to enhance the lives of its people as members of healthier, more active communities.



Central Coast Regional Transport Plan

Released in 2013 by the Department of Transport, the Central Coast Regional Transport Plan provides a blueprint for the future and a strategic direction for the delivery of major projects over the next 20 years.

The Central Coast Regional Transport Plan outlines specific actions to address the unique challenges of the area and includes the things

identified as important during consultation held in 2012. The plan looks at population changes in the Central Coast region, including the expected 21 percent increase in population projected over the next 20 years, and considers the impact of major developments in Warnervale, Tuggerah and Gosford.

The plan puts a priority on improving transport connections within the region and reducing travel times to key employment centres in Sydney and the Hunter by improving train services and investing in the region's road network, including the Pacific Highway, upgrades to interchanges on the M1 Pacific Motorway (F3) and supporting the future development of the F3 to M2 link.

In 2016, the NSW Government released its first annual update on the Central Coast's Regional Transport Plan for the future, highlighting major achievements in delivering key projects and services for the region in 2014-15.

Population, employment and land use findings

Population profile

The Central Coast Regional Plan identifies the need for 41,500 dwellings to accommodate the projected population growth of 75,000 anticipated to reside in the Central Coast by 2036. An average of approximately 2,075 dwellings per year.

Four (4) per cent of the current population of the Central Coast live in the Tuggerah – Wyong Economic Corridor, with a recorded population of 13,200 in 2016. The population of the Corridor has grown every year since 2001, with a population increase of 20.1 per cent between 2001-2017. This growth has generally been greater than in the Central Coast and the population in the Corridor is anticipated to reach 17,350 by 2036.

The number of dwellings is forecast to increase across the Corridor, with growth rates forecast to exceed those in the Central Coast and Sydney Greater Metropolitan Area (Sydney GMA). Based on past development trends, the largest forecast population increases are in Wyong and Tuggerah, with smaller increases in Tuggerah Straight (Mardi) and East Wyong. However, there is opportunity to rethink the most appropriate location for residential development to contribute to the desired future role of each precinct.

While household size is expected to decrease over the next thirty years as the population ages, forecast population growth rates in the Corridor exceed historical growth rates. This will require changes to how the Corridor is planned.

Employment profile

The Wyong – Tuggerah Economic Corridor contains 13 per cent of the Central Coast's jobs but only four (4) per cent of the LGA's resident workers. The Corridor has a high proportion of jobs within the administration and retail sectors reflecting the regional retail role provided by Tuggerah Westfield and the sub-regional administrative role of Wyong. Employment profiles show the following specialisations for different parts of the Corridor:

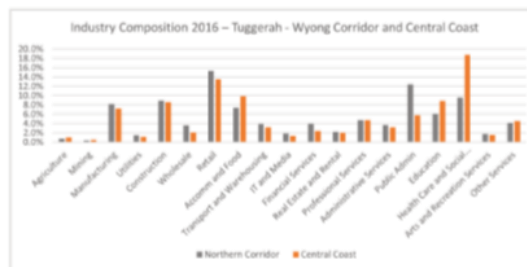
- Wyong: Local administration and civic functions, with the Centre having a sub-regional administrative role
- Westfield Tuggerah: A regional retail role
- Tuggerah Business Park: Professional and administrative services
- Tuggerah Straight and North Wyong: Manufacturing and urban services

Compared to the Sydney region, the Corridor as a whole has employment specialisations in retail, hospitality, public administration, manufacturing and construction. However, hospitality and accommodation jobs are more concentrated in other parts of the Central Coast LGA. Comparisons between the industry compositions of the Corridor and the Central Coast are shown in Figure 1.

Table 1. Local jobs in Tuggerah – Wyong Corridor and Central Coast

	Gross Regional Product	Local Jobs (2016 census)	Jobs Change % (2011-2016)	Employed Residents (2016 census)	Largest industry (jobs)
Central Coast	\$13.8 billion	104,720	7.2%	139,595	Health care & social assistance
Tuggerah - Wyong Corridor		13,100	5.6%	5,081	Retail Trade

Figure 1. Industry composition Tuggerah – Wyong Corridor and Central Coast



After retail and public administration, manufacturing and construction are the largest industries in the Corridor. Health care is fifth largest industry in the Corridor, but constitutes a much smaller proportion of employment in the Corridor than in the Central Coast more broadly. While specialist health services are located in Wyong and Tuggerah, major healthcare facilities such as the Wyong Hospital are located outside the Corridor. Given Wyong's civic and administrative role, an aging population and the high proportion of older people in the Central Coast, there is the potential for growth in smaller health services.

Employment in the Corridor grew between 2011-2016, but slightly more slowly than in the Central Coast LGA as a whole (5.6% vs 7.2%). Employment in manufacturing, wholesale and retail industries declined between 2011-2016, while most other sectors grew, with large increases in construction, health care and transport and warehousing. Employment grew strongly in Tuggerah (2% per year) and North Wyong (2.6% per year) between 2011-2016, but shrank in Wyong (-1.1% per year).

The Corridor has relatively high proportions of jobs for administrative and sales workers, reflecting its function as a regional centre. There are relatively few jobs for professionals or community and personal service workers. The number of people employed in most occupation categories increased from 2011 to 2016, except for sales workers and labourers. The largest increases were in community and personal service workers and clerical and administrative workers, with more modest increases in managers and professionals. Employment by occupation and change in employment occupation from 2011 – 2016 is shown in Figures 2 - 3.

Figure 2. 2016 Employment by occupation

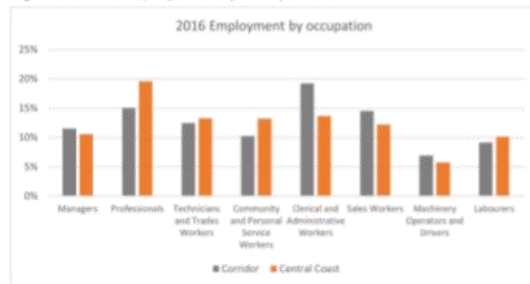


Figure 3. Change in employment by occupation



Employment projections

Between 2016 and 2036, the number of jobs located within the Corridor is projected to increase by approximately 3,400 to 16,500. This is an increase of 26% on current employment levels in the Corridor.

The industry projected to experience the highest growth is retail trade, with approximately 575 additional jobs expected from 2016 – 2036. This is followed by increases in Public Administration (+570 jobs), health care and social assistance (+520 jobs), professional services (+360 jobs), education and training (+350 jobs) and construction (+330 jobs).

Table 2. Job Forecast and Change 2016 - 2036

	2016 Jobs Forecast	Change 2016 - 2036 (% change)
Economic Corridor	13,100	3,400 (26%)
Central Coast	104,732	30,000 (29%)
Greater Sydney GMA	2,209,294	827,800 (37%)

Employment is forecast to increase in all precincts of the Corridor. Large forecast increases in Wyong Town Centre reflect its high numbers of jobs in professional services and public administration (which are growing sectors on a metropolitan basis). It will be a challenge to facilitate this growth in Wyong Town Centre given its recent decline in employment, and some of these new jobs may relocate to North Wyong or the Tuggerah Business Park given the demand for these precincts. Large forecast increases in Tuggerah, as shown in Table 3, are due to the growing regional retail role of Westfield Tuggerah.

Table 3. Employment change and highest industry growth per Precinct 2016 - 2036

	Tuggerah	Wyong	North Wyong
Employment change forecast 2016-2036	+2,100	+1,000	+300
Highest growth industry	Retail	Public administration	Construction
	+500	+350	+75

Population, employment and land use findings

Employment Land Availability and Supply

Forecasts predict employment land supply in the Corridor to be sufficient until after 2036, but these are based on metropolitan wide industrial land trends and do not reflect the healthy state of the existing industrial precincts in the Corridor.

Extrapolating recent land take-up shows land supply to be sufficient for over 20 years. If take-up rates increase in the future or some land in the Corridor is not attractive for industrial development, supply will lessen more quickly. However, there are other large industrial precincts nearby such as in Warnervale, which have shown that overall industrial land supply in the Central Coast is sufficient. For these reasons, rezoning additional industrial land is not likely to be required in the next 20 years. It will be more important in the Corridor that the health and specialisation of the industrial precincts continues to be developed.

Currently the Central Coast has sufficient supply of industrial land. However, some of the available employment land in the Corridor is not in attractive locations for development. In particular, the land in East Wyong is flood affected and has low levels of accessibility to heavy vehicles. Much of the recent growth in professional services and public administration has been occurring in North Wyong and the Tuggerah Business Park. There is capacity for this to continue in Wyong Town Centre.

There is also substantial capacity for additional commercial and retail development in Wyong and Tuggerah. Projections indicate a need for approximately an additional 30,000sqm of retail floorspace in these locations and around 97,000sqm of other floor space. This could be accommodated within the existing planning controls on the Westfield Tuggerah site which currently contains around 87,000sqm of floorspace, and in Wyong Town Centre, which has a floor-space-ratio control of up to 3:1 and has approximately 86,000sqm of residual development capacity under the current planning controls (See section Capacity under current controls for more detail).

A challenge in securing this increase in employment will be creating demand for it. This is particularly relevant for Wyong Town Centre, given that employment in Wyong Town Centre contracted between 2011-2016 and that recent growth in professional services has been concentrated in North Wyong and the Tuggerah Business Park. Economic development pathways which seek to increase demand in different precincts, are outlined in the following section in this Strategy.

Table 4. Industrial land demand estimation by recent take-up rates

Average annual employment land up-take 2011-2017	1.8 ha
Available land	69.7 ha
Years of supply	38.7 years

Table 5. Industrial land demand estimation by employment forecast

	Tuggerah employ- ment precincts	North Wyong	Total
Forecast employment growth 2016-2036 in employment Precincts	1,200	125	3,510
Approx. land demand 2016-2036 in employment precincts	4.1 ha	0.2 ha	4.3 ha
Undeveloped land (Jan 2017) in employment precincts	27.4 ha	42.3 ha	69.7 ha
Forecast average annual employment growth rate in employment precincts	1.1%	0.8%	
Average annual employment growth rate 2011-2016 in employment precincts	4.0%	2.8%	

Table 5. Additional dwelling and job forecasts 2016 - 2036

Precinct	Additional dwellings (2016-2036)	Additional Jobs (2016-2036)
North Wyong & Watanobbi	75	300
Wyong & East Wyong	1,150	1,000
Tuggerah	750	2,100
Total	1,975	3,400

Competitive strengths of the Corridor

Employment grew strongly in the Corridor's industrial and employment precincts between 2011-2016. Continued demand for these precincts is indicated by a strong development pipeline and the completion of the Central Coast Mariners' development. Competitive advantages of the Corridor compared to other areas which contribute to this growth, include:

- Proximity to major transport infrastructure including the Pacific Motorway and Railway Line, which provide good accessibility from Sydney and Newcastle;
- Central location in the Central Coast, providing access to the local labour market;
- Developable employment land with suitable lot sizes and few constraints;
- Amenity for businesses through accessibility to retail and civic functions;
- Existing networks of local businesses with integration into the Hunter and Greater Sydney regions; and
- Land prices, which are relatively low compared to Sydney, driving relocation of some businesses.

In addition to these characteristics, continued employment growth is likely to be tied to metropolitan and national economic trends including migration rates to Australia and factors impacting the competitiveness of local manufacturing. Local factors which will drive future economic growth in the Corridor include:

- Continued nearby population growth, which increases demand for retail, recreation and urban services;
- Anchor tenants such as the Central Coast Mariners development; and
- The continued presence of available and serviced land.

Future Economic Development Pathways

Ensuring that the local economy in the Corridor continues to grow will require competitive advantages to be maximised and local economic drivers to be maintained with an understanding of the employment profiles of different centres and precincts.

Employment contracted recently in Wyong Town Centre but increased strongly in Tuggerah Business Park, the Tuggerah Straight and North Wyong. Commercial office development has located in Tuggerah Business Park, and to a lesser degree North Wyong, rather than in Wyong Town Centre. This is not likely to change in the short-medium term given the excellent road access of Tuggerah Business Park, its large developable lots and the economic momentum created by local infrastructure investment and the Central Coast Mariners Development.

In the longer term, office-based development in Wyong could be driven by:

- Increased vibrancy and amenity of the centre, making it a great place to work, and
- Improved access through the train network to Sydney and Newcastle, without access being improved in Tuggerah.

In the short-medium term, Council should focus on building the competitive strengths of Wyong, Tuggerah and the industrial precincts:

- Wyong should consolidate its role as the civic, cultural and recreational heart of the subregion and a vibrant, well connected place with high amenity and a pleasant public domain. If this occurs, increased business development may occur in the longer term.
- Tuggerah should continue its role as the major retail centre in the area, although any expansion of retail in the Westfield should not threaten the viability of the Wyong Town Centre.
- Tuggerah Business Park should consolidate its role as a mixed enterprise precinct with specialisations in back-office functions and professional services, as well as containing some other industrial functions. Improved access to the Tuggerah Station and Wyong will ensure that Wyong benefits from proximity to this precinct.

- Other industrial precincts have grown in employment recently and appear to be operating well. These areas are in demand and do not require Council intervention in terms of re-zoning (discussed further in the following section). However, the addition of anchor tenants could increase demand and generate economic development. Initiatives which seek to increase industrial precinct functionality and worker amenity are outlined in this Strategy.

There is an emerging market for residential apartments on key sites.

The feasibility for residential apartment projects in the Tuggerah to Wyong Economic Corridor is challenging for a number of reasons – the market is limited because the cost of single dwellings is affordable; apartment sales have not quite caught up to construction costs and high parking rates/ demand for parking make development extremely expensive. Our testing reveals that an apartment development project may be feasible if the circumstances are right. Our strategy should be to promote the circumstances where we can achieve these outcomes. See attachment *Mixed use development feasibility* for more information.

Capacity under current controls

Future development potential under current controls

High level capacity testing for land located within the Corridor identified future development potential under the current planning controls. The exercise assessed the residual uplift capacity against future 2036 employment and dwelling projections to ascertain if there is enough appropriately zoned land to accommodate anticipated growth.

Methodology and applied assumptions

Step 1: Land categorisation: To understand future capacity and uplift potential, land within the Corridor was categorised into one of the following land types.

- **Category 1:** Environmentally constrained land and existing public open space – no significant additional development potential
- **Category 2:** At / near capacity under the current controls and not identified for renewal.
- **Category 3:** Some additional capacity under the current controls
- **Category 4:** Renewal area – Wyong
- **Category 5:** Renewal area – Tuggerah

The categorisation of land, as shown in **Figure 4**, was informed by Corridor wide investigations undertaken in Stage 1 (Background Analysis Phase), information obtained during Council workshops, assessment of vacant sites and DA approvals and review of the Department of Planning and Environment's (DPE) Employment Land Development Monitor (ELDM) data.

Step 2: FSR application to land categories: Areas identified to have future development potential were considered. As such, residual development capacity was only calculated for **Categories 3, 4 & 5**.

The various land use zones included within each land category were multiplied by the relevant Floor Space Ratio (FSR) designated under WLEP 2013 and Wyong DCP 2013 to determine total capacity under the current controls.

For land within these categories that have no prescribed FSR under WLEP 2013 or Wyong DCP 2013, the DPE's standard rates were applied. Some standard rates were lowered to reflect the regional context of the study area (As DPE's rates are applicable to metropolitan areas). The assumed FSRs applied are outlined in **Table 6**.

Table 6. Assumed Floor Space Ratio rates applied

Land Use	FSR	Source/Assumption
Industrial	0.5:1	DPE standard rates and assumptions, adjusted to consider regional context
Commercial	1.0:1	DPE standard rates and assumptions
Bulky Goods	1.0:1	DPE standard rates and assumptions
RU6 Transition	0.2:1	Based on 1,000m ² lot and dwelling of 200m ²
R1 General Residential	0.6:1	FSR considers potential residential typologies available under R1 (dwellings to RFB), as well as existing adjacent residential development (detached dwellings) zoned R1

Step 3: Calculate residual development capacity under current controls: The following steps were undertaken to determine the residual uplift capacity under current WLEP 2013 planning controls (and applicable FSR assumptions) for land within **Categories 3, 4 & 5**:

- **Development capacity under current controls (calculated as a total area in m²):** Development capacity under current controls (in m²) was calculated by multiplying the total area for each land use zone with their corresponding FSR. Land use zones that were subject to multiple FSRs were apportioned accordingly. From the total land areas calculated, 25% of area was deducted to account for existing / future roads, open space and building setbacks.
- **Total existing development (in m²):** The total area of existing development within each land use zone was calculated by:
 - (1) Identifying sites that represented the overall existing development of their land use zone.
 - (2) Measuring the land area, existing building footprint and building height in storeys, to calculate an approximate FSR for each site.
 - (3) Based on these results, calculate the average existing FSR for each land use zone.
 - (4) Apply the average existing FSR to the total area of each land use zone to calculate the total existing development in m².
- **Residual capacity (in m²):** Total existing development (in m²) was subtracted from total development capacity under current controls (in m²). Both employment capacity and residential capacity were considered and calculated separately, with the following assumptions applied to zones that may have employment and / or residential uses.

- **B4 Mixed Use:** 90% residential use and 10% employment use
- **RE2 Private Recreation:** 10% employment use
- **RU6 Transition:** 50% residential use and 50% employment use

Step 4: Residual capacity and correlating job / dwellings yield:

The residual development capacity for land use zones within each land category are outlined in **Table 8**. These figures have been used to determine the approximate number of additional dwellings and jobs supported within the residual uplift capacity. Assumptions applied for differing employment generating land and dwellings are outlined in **Table 7**.

Table 7. Average employment rates (m²) & average dwelling assumptions

Employment
19m ² for each Office / Commercial job
35m ² for each Business Park job
60m ² for each Industrial job
Residential
100m ² for each dwelling

Table 8. Residual development capacity (m²) and correlating job / dwelling yield

	Category 3: Some Additional Capacity		Category 4: Wyong				Category 5: Tuggerah			
	Employment Residual Capacity (m ²)	Total Additional Jobs Supported	Residential Residual Capacity (m ²)	Total Additional Dwellings Supported	Employment Residual Capacity (m ²)	Total Additional Jobs Supported	Residential Residual Capacity (m ²)	Total Additional Dwellings Supported	Employment Residual Capacity (m ²)	Total Additional Jobs Supported
R3 Medium Density Residential	-	-	79,056	791	-	-	-	-	-	-
B3 Commercial Core	-	-	-	-	77,509	4,079	-	-	69,175	3,641
B4 Mixed Use	-	-	27,227	272	3,025	159	96,241	962	10,693	563
B6 Enterprise Corridor	423,912	7,065	-	-	-	-	-	-	36,327	605
RE2 Private Recreation	-	-	-	-	5,470	91	-	-	-	-
R1 General Residential	-	-	4,245	42	-	-	17,793	178	-	-
R2 Low Density Residential	-	-	11,097	111	-	-	-	-	-	-
B5 Business Development	87,873	2,511	-	-	-	-	-	-	-	-
IN1 General Industrial	65,603	1,093	-	-	-	-	-	-	-	-
IN2 Light Industrial	17,621	294	-	-	-	-	-	-	-	-
RU6 Transition	-	-	-	-	-	-	20,111	201	20,111	335
B7 Business Park	99,150	2,833	-	-	-	-	-	-	-	-
Total: Jobs / Dwellings		13,796		1,216		4,330		1,341		5,144

Capacity under current controls

Step 5: Residual capacity and future projections: The approximate number of additional dwellings and jobs supported within the residual uplift capacity are outlined in **Table 9** below.

Table 9. Additional dwelling and job capacity under current controls

Corridor Summary	Total additional dwellings supported under current controls	Total additional jobs supported under current controls
	2,558	23,270

Table 10. Additional dwelling and job forecasts 2016 - 2036

Precinct	Additional Dwellings (2016-2036)	Additional Jobs (2016-2036)
North Wyong & Watanobbi	+75	+300
Wyong & East Wyong	+1,150	+1,000
Tuggerah	+750	+2,100
Total	1,975	3,400

Table 11. Residual dwelling and job capacity under current controls

Residual Capacity	Dwellings	Jobs
	583	19,870

Note: Potential for an additional 5,000 dwellings located on the Westfield Tuggerah site (subject to approval) - Refer to action 13.2 (Page 64)

Key outcomes:

- The current controls enable sufficient capacity to support projected additional required dwellings to 2036.
- The current controls enable sufficient capacity for employment in the corridor to 2036.
- The ability for the Corridor to support an additional 19,000+ jobs over the next 20 years (based on current take up rates) highlights the availability of appropriately zoned land for employment projections is not a critical issue for the short term, although does not negate the need to monitor take-up rates to ensure changes do not alter current supply. For these reasons, rezoning additional industrial land is not likely to be required in the next 20 years. It will be more important that the health and specialisation of the industrial precincts continues to be developed, and focus be prioritised to attracting and securing appropriate industries within available land supply.

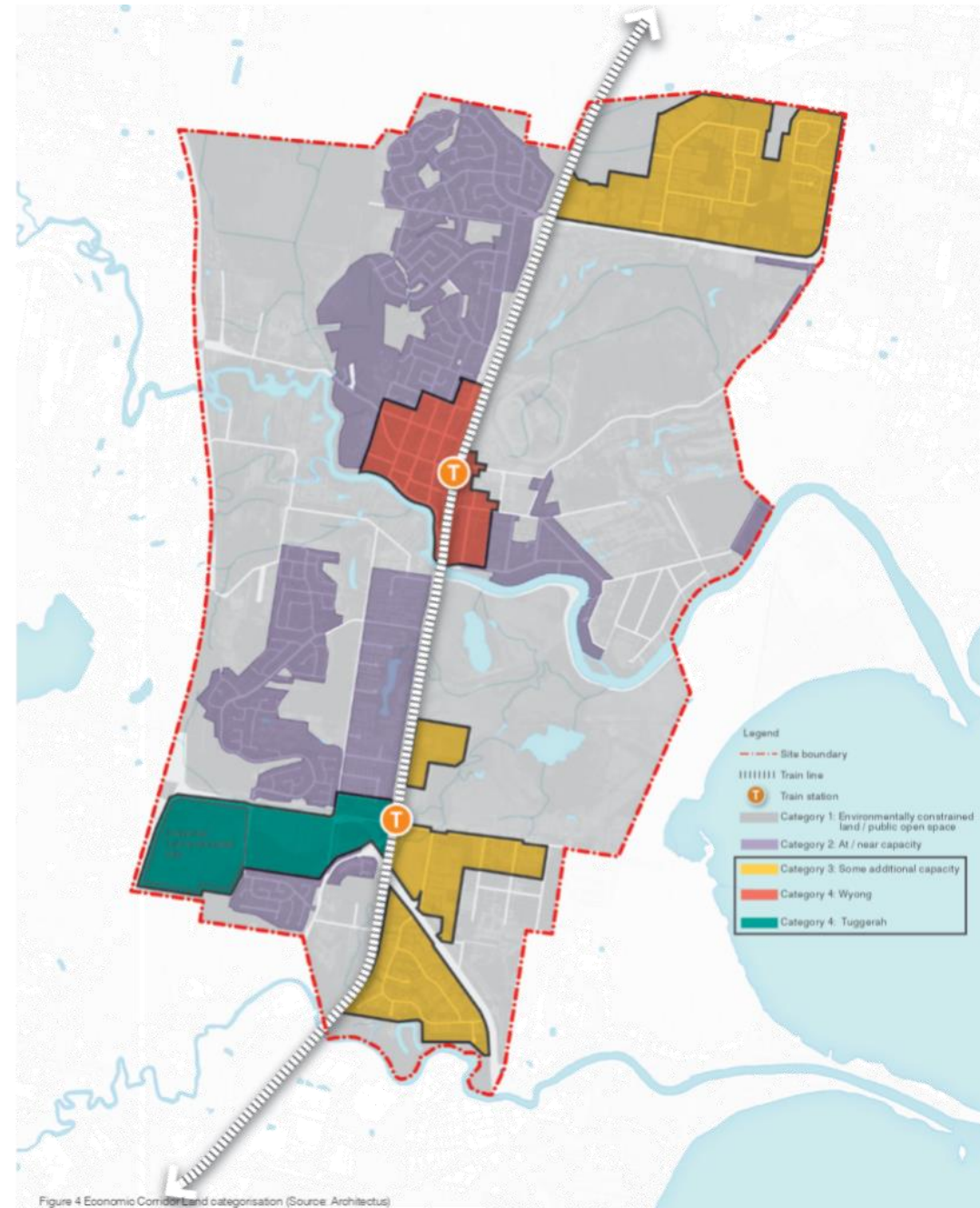


Figure 4 Economic Corridor land categorisation (Source: Architectus)

Key findings



The Tuggerah - Wyong Economic Corridor has an opportunity to accommodate metropolitan-wide economic trends and promote industrial specialisation

The Tuggerah to Wyong Economic Corridor plays a significant role in providing employment opportunities in the Central Coast District. Job numbers in employment precincts grew strongly between 2011-2016. Between 2016 and 2036, the number of jobs located within the Corridor is projected to increase by approximately 3,400 to 16,500. This is an increase of 26% per cent on current employment levels in the Corridor.

While manufacturing and some other traditional industrial sectors are forecast to decline across Greater Sydney, local industrial specialisation in the Corridor could allow it to buck this trend and retain industrial employment. Further attraction of economic catalysts and anchor institutions would also allow local specialisations and industry connections to be built.

The Corridor includes distinct and important industrial employment areas – Tuggerah, Tuggerah Straight and North Wyong Industrial Precinct. These precincts are successful and employment within them is growing, and so minimal planning intervention is currently needed. Continuing to work with businesses to increase industry specialisation would assist the retention and attract industrial employment to the Corridor.



Planning for 3,400 additional jobs by 2036.

Job projections based on historical trends forecast that the Corridor could contain 16,500 jobs by 2036. The highest growth is projected in retail trade, with approximately 575 additional jobs projected from 2016 – 2036. This is followed by increases in Public Administration (+570 jobs), health care and social assistance (+520 jobs), professional services (+360 jobs), education and training (+355 jobs) and construction (+330 jobs).

There is enough suitably zoned land to accommodate this growth, however some areas are less attractive for development because of constraints or lack of infrastructure. If land take-up rates increase in the future, additional infrastructure may be required to remove development constraints in the East Tuggerah area. These would include improvements to access to the precinct and addressing flood affectation.



Planning for 4,150 additional residents by 2036

Four (4) per cent of the current population of the Central Coast live in the Tuggerah – Wyong Economic Corridor, with a recorded population of 13,200 in 2016. The population of the Corridor has grown every year since 2001, with a population increase of twenty (20) per cent between 2001-2017. This growth rate has generally been greater in recent years than in the Central Coast LGA. The population in the Corridor is forecast to reach 17,350 by 2036. The number of dwellings is also forecast to increase across the Corridor. This growth has generally been greater than in the Central Coast, and growth rates are forecast to exceed those in the Central Coast and Sydney Greater Metropolitan Area (Sydney GMA). Continued population growth will drive local economic development, but will depend upon continued improvements to local amenity and vibrancy.

While household size is expected to decrease over the next thirty years as the population ages, forecast growth rates in the corridor exceed historical growth rates. Based on past development trends, the largest forecast population increases are in Wyong and Tuggerah, with smaller increases in Tuggerah Straight and East Wyong. However, there is an opportunity to rethink the most appropriate locations for residential development to contribute to the future roles of different precincts. Additional development around Wyong could support the consolidation of its role as a vibrant cultural hub for the region. See *Corridor Strategy 2 Areas for future growth* for key areas considered suitable to accommodate future growth.



Wyong as the civic and cultural centre for investment and growth

Wyong is identified as a Strategic Centre in the Central Coast Regional Plan and is the primary centre for culture, civic buildings and administration. It has a great heritage character and permeable street grid with lots of public domain opportunities. The road and station access upgrades will also contribute to the centre's success in the future. Employment declined in Wyong between 2011-2016 and commercial development is favouring other employment precincts over Wyong. Making Wyong a great place to live, work and visit will increase its long-term attractiveness to businesses. It should consolidate its role as a civic, cultural, recreation and services hub of the Region. Increased residential population, new shops and public domain should be concentrated in Wyong to ensure critical mass and the success of local businesses.



Amenity, local character, services and nature will be important for broader economic success.

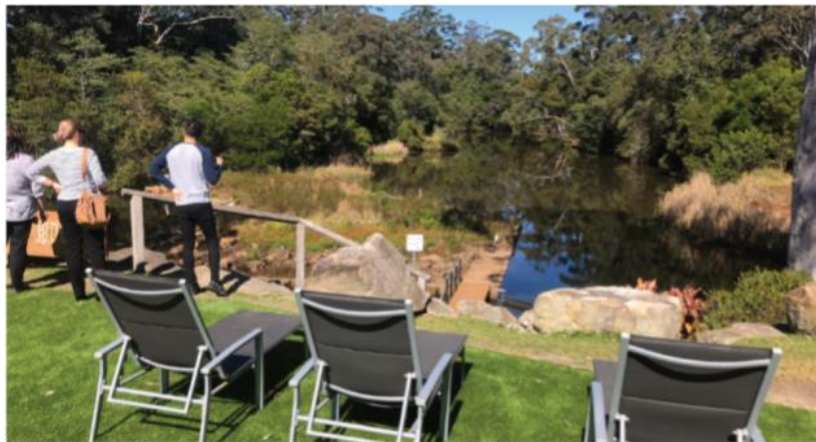
In order to attract the best businesses to the Corridor, the Corridor's amenity and types of services and restaurants and entertainment available needs to be attractive to high quality workers. The following projects should be the focus of Council's efforts:

- Wyong River as a major recreational asset and weekend destination.
- Active connections, like the proposed Lake Loop cycle way that connects centres to attractions.
- Ensuring that renewal and road upgrades in Wyong Town Centre do not deteriorate the quality of the streets, retain heritage buildings and the fine grain shop fronts that accommodate diverse retail, bars and restaurants.

The Corridor's strengths

Wyong River – a natural centrepiece

Wyong River flows through the heart of the corridor, presenting as a natural centrepiece. The River is a significant asset, supporting an array of recreational activities including kayaking and fishing, as well as walking and cycle along the active transport links by the river foreshore. The River provides an important natural outlook for the surrounding urban areas.



Wyong River from the Wyong Milk Factory



Alison Street, Wyong



Wyong – a Town Centre with "good bones"

Wyong Town Centre has many elements of a great regional centre, including an established fine grain street network with connections to a train station, Wyong River and open spaces. Home to the landmark Art House cultural facility, Council chambers and government agencies, Wyong is the cultural and civic core of the corridor. The character of Wyong Town Centre is strengthened by a distinct heritage presence and fine grain built form that line the high streets.



Tuggerah Lake, State Conservation Area (image: itsonlymylife163.blogspot)



Natural Assets of Environmental Value

The corridor is endowed with natural bushland precincts that provide environmental amenity to residents, workers and visitors. Tuggerah Nature Reserve features predominately untouched bushlands and wetlands that have high conservation value, while the nearby Tuggerah State Conservation Area supports sustainable visitation and bushwalking.





Chapman building, Wyong



Great local food, drink, arts and craft

The Corridor features a growing number of exciting food, beverage, arts and craft offerings, building on growing interest in local and boutique products. There is a combination of restaurants, cafés, markets, function spaces and specialty stores in the area.



Tuggerah Business Park (image: Central Coast Business Investment)



A healthy employment corridor

The Corridor's established employment precincts are well known in the region and have low vacancy rates. This is attributed to good regional connectivity, high visibility from key roads and proximity to residential areas. The Corridor is characterised by a mix of employment areas, including commercial/office developments at Tuggerah Business Park, urban services* at Tuggerah Straight, and large-scale warehousing and light industrial uses at North Wyong.

*Urban services land refers to land identified in the NSW Department of Planning and Environment's Employment Lands Development Monitor, and includes industrial zoned land and some business zoned land which permits a number of industrial uses.



Wyong train station



A regionally connected corridor

The corridor is highly accessible from Sydney, Newcastle and the greater Central Coast with key road and rail infrastructure connecting these areas. The nearby M1 ensures inter-regional connections by car, while the Wyong and Tuggerah train stations provide access to reliable inter-city rail services to Sydney and Newcastle.



Central Coast Regional Sporting and Recreation Complex (image: Central Coast Council)



Diverse recreational and sporting assets

The Corridor supports a healthy and active community. There are numerous recreational and sporting facilities throughout the Corridor which cater for a variety of activities. Sporting facilities located in Wyong (E.g. Baker Park, Wyong Golf Club, Wyong Hockey Complex) and Tuggerah (Central Coast Regional Sporting Complex, YMCA Mariners Aquatic Centre), in conjunction with expansive natural assets provide a diverse array of recreational activities.

Project drivers

 Define complementary roles and character for each precinct

 Ensure future employment land is sufficient and serviced

 Revitalise Wyong as a mixed use centre

 Increase job containment in the region

 Leverage major infrastructure investments

 Create a diverse, connected and vibrant Tuggerah Centre





How the Corridor Strategy Works



Corridor Strategies

There are five corridor wide strategies:

1. Role & Function of Centres
2. Areas for growth
3. Transport and Movement
4. Environment and Sustainability
5. Culture, Recreation and Tourism



Precinct strategies

There are three precincts that make up the Economic Corridor.

1. North Wyong & Watanobbi
2. Wyong & East Wyong
3. Tuggerah



Directions

This Strategy sets out 13 Directions for the Corridor. The Directions are broad objectives that capture Council's position on an issue for the Corridor, or promote a vision. There are 5 Corridor-scale Directions and 8 Precinct-scale Directions.

The Directions should become referenced in Council reports, and help guide decision making around development and public works.



Actions

Actions are listed to achieve each Direction. These Actions include studies that need to be undertaken, policies and controls that need to be made/ amended, and the next steps for engagement, seeking funding, or doing further work to initiate projects in the Corridor.

The implementation chapter of this strategy is a schedule of the Actions, with allocated responsibilities and timeframes.

Vision for the corridor
























The Tuggerah to Wyong Corridor will be a flourishing corridor with employment opportunities, housing choice, sporting venues, passive recreational activities that celebrate the surrounding natural bushland setting.

It's primary centres will provide retail, café's, restaurants and culture which secure it's role within the Central Coast. Future development will celebrate the innate character and heritage of the area.

It will be a Corridor that balances the prospect of industry growth with lifestyle advantages which retain its sense of place and community.

Strategy on a page

	Corridor				
9 Strategies	 <p>Role & Function of Centres</p>	 <p>Areas for growth</p>	 <p>Transport and movement</p>	 <p>Environment and sustainability</p>	 <p>Culture, recreation and tourism</p>
13 Directions	 1 <p>Direction 1 Capitalise on the unique role and function of each centre</p>	 2 <p>Direction 2 Ensure sufficient zoned land to accommodate projected population and employment increases</p>	 3 <p>Direction 3 Maximise connectivity between activity nodes and centres to support renewal opportunities</p>	 4 <p>Direction 4 Maintain and improve the areas strong relationship with green open space and the environment</p>	 5 <p>Direction 5 Build on the Corridor's potential as a great destination for culture, recreation and tourism</p>
34 Actions	<p>Action 1.1 Reinforce Wyong as the civic and cultural centre</p> <p>Action 1.2 Plan for increased demand for retail uses in the future</p> <p>Action 1.3 Plan for the growth of Tuggerah</p>	<p>Action 2.1 Resist rezoning significant sites and releasing new urban land in the short to medium terms</p> <p>Action 2.2 Continue to monitor take-up and availability of industrial land in the corridor</p> <p>Action 2.3 Attract and retain business</p>	<p>Action 3.1 Strengthen the existing cycle network</p> <p>Action 3.2 Reinforce key pedestrian links</p> <p>Action 3.3 Investigate opportunities to strengthen the local street network</p> <p>Action 3.4 Minimise potential impacts of Pacific Highway upgrades</p> <p>Action 3.5 Understand and leverage the opportunities associated with the Sydney to Newcastle fast rail project</p> <p>Action 3.6 Advocate for the completion of Pacific Highway upgrades and a link road to Warnervale</p>	<p>Action 4.1 Maintain green gateways and movement corridors</p> <p>Action 4.2 Create a strong connection with the natural environment</p> <p>Action 4.3 Further Flood Planning Investigations</p>	<p>Action 5.1 Establish the Corridor as a significant regional destination for recreation</p> <p>Action 5.2 Explore utilisation of Corridor's natural bushland areas as key attractors</p> <p>Action 5.3 Open Space Needs and Recreation Study</p>

Precincts							
 North Wyong & Watanobbi Precinct		 Wyong & East Wyong Precinct			 Tuggerah Precinct		
 6 Direction 6 Maintain and encourage employment uses in North Wyong	 7 Direction 7 Rationalise access and circulation	 8 Direction 8 Celebrate Wyong's natural scenery and heritage character	 9 Direction 9 Reinforce the fine urban grain of Wyong	 10 Direction 10 Connect to East Wyong	 11 Direction 11 Maintain and encourage employment uses in Tuggerah	 12 Direction 12 Utilisation of flood prone areas in Tuggerah	 13 Direction 13 Sustainable renewal in Tuggerah Town Centre
Action 6.1 Review the permissible land uses in the B6 - Business Enterprise Zone on the Pacific Highway Action 6.2 Review Wyong Shire Development Control Plan 2013 Chapter 6.11 to ensure high quality landscaping amenity in the employment precinct	Action 7.1 Consolidate access points to the Pacific Highway Action 7.2 Improve the permeability and circulation within the employment precinct	Action 8.1 Create a new river walk Action 8.2 Enhance existing heritage character of Wyong Town Centre	Action 9.1 Reinforce Alison Road as an active, successful high street Action 9.2 Investigate opportunities to increase the utilisation and activation of laneways and arcades	Action 10.1 Minimise adverse impacts of the proposed widening of Pacific Highway Action 10.2 Investigate opportunities to provide an active street frontage along Howarth Street Action 10.2 Investigate opportunities for Baker Park	Action 11.1 Preserve existing employment zones Action 11.2 Investigate food innovation hub	Action 12.1 Explore recreational uses in flood prone areas	Action 13.1 Investigate transit-oriented development at Tuggerah Station Action 13.2 Establish principles & key development outcomes for infill development on the Westfield Tuggerah Gateway site





Corridor Strategies

The following Corridor Strategies provide a vision, Directions and Actions to implement the *Central Coast Regional Plan's* Goals for the Tuggerah to Wyong Economic Corridor

-  Role & Function of Centres
-  Areas for Growth
-  Transport and Movement
-  Environment and Sustainability
-  Culture, Recreation and Tourism

CORRIDOR



Corridor strategy: Role & Function of Centres

→ Direction 1

Capitalise on the unique role and function of each centre

Successful, consolidated centres provide for more than shopping opportunities – they are the places for meeting and civic activities, recreation and connecting with your community. The more uses we can consolidate in centres the more active and exciting they become. Other benefits include the ability to concentrate public spending on infrastructure where it will benefit most and promoting multi-purpose car trips and fewer vehicle movements across the region.

The centres hierarchy in the Northern Economic Corridor comprises two major centres – the Tuggerah Town Centre and Wyong Town Centre. They have complementary and important roles.

Action 1.1 Reinforce Wyong as the civic and cultural centre

Wyong is the civic and cultural heart of the Corridor, with its government offices, theatre, restaurants and cafés, a great street grid, character and history. The train station is centrally located and there is room to grow to the east of the centre.

Planning controls, cultural and community strategies and public domain strategies should reinforce Wyong as the primary cultural and civic centre for the corridor; and the preferred location for hotels, cultural and civic uses, significant new retail development, offices and increased residential density.

Action 1.2 Planning for increased demand for retail uses in the future

It is important that future retail development is located within planned or existing centres, in an orderly fashion. Out of centre retail development promotes additional trips by private vehicles and can start to affect the vibrancy of existing traditional centres and high streets – which should be the focus of the community.

Council to complete a retail strategy as part of the preparation of a comprehensive Central Coast LEP. The focus should be analysing the demand and identifying the preferred location for supermarkets and other anchor retailers.

Action 1.3 Planning for the growth of Tuggerah

Tuggerah is the regional shopping destination that provides a broad fashion, convenience, grocery and recreation offer. The green open-air street within Westfield Tuggerah creates a great town centre environment and provides for dining and entertainment into the evenings. In time, residential uses may be appropriate in this centre, where amenity, better streets, pedestrian connections to the station and open space are also provided.

Any future expansion of the Tuggerah Centre for infill mixed use development, must resolve connectivity, amenity and flooding constraints.



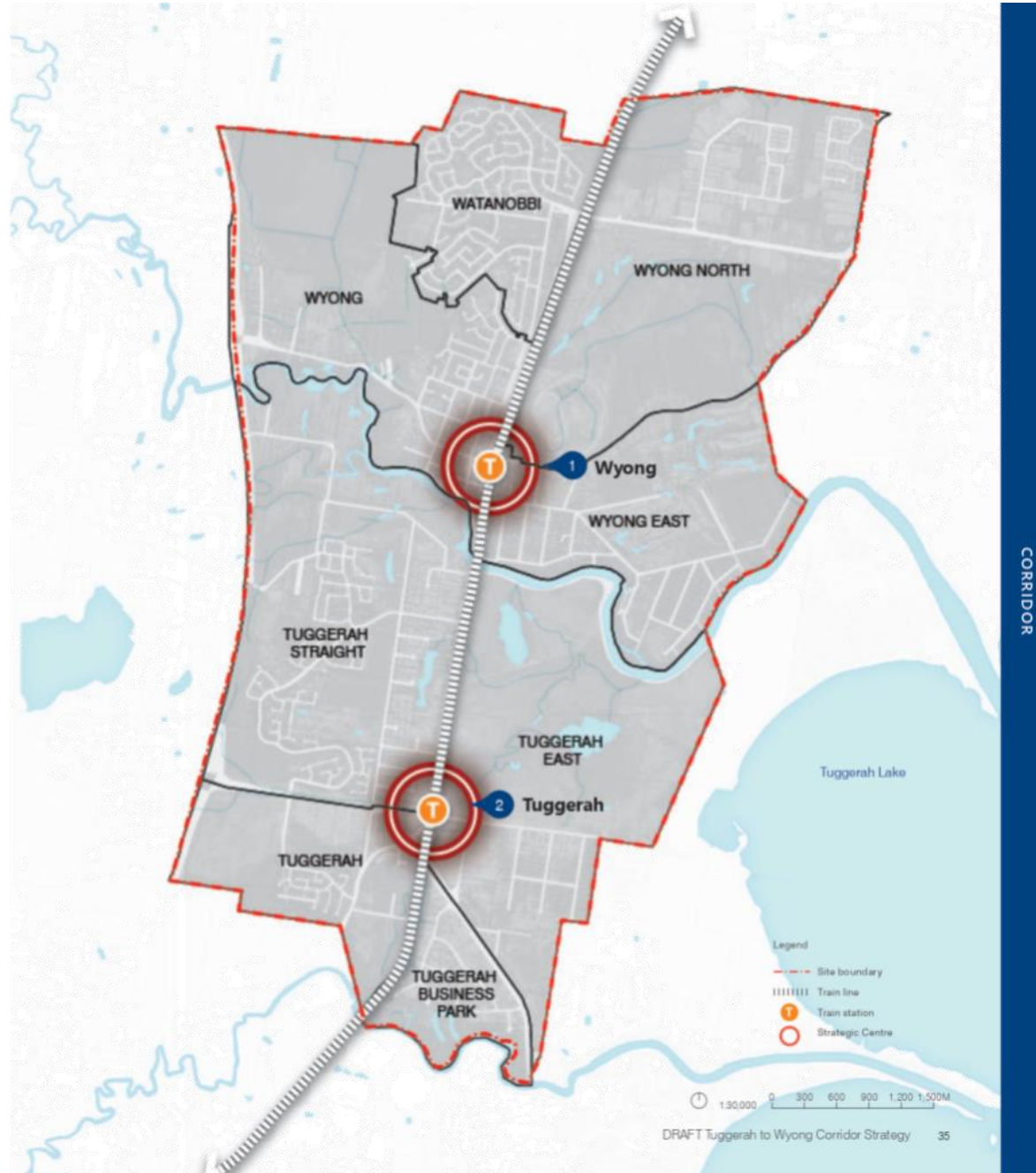
1 Wyong Town Centre

- Civic, cultural and community heart of the Corridor
- A centre that is green, cool and engages with the River.
- High quality, medium density mixed use development near a well-integrated station
- Opportunities to expand the town centre with mixed uses east of the station
- The highest quality public domain and development
- Offices, restaurants, hotels, homes and cafés make this a great centre to live and work.



2 Tuggerah Regional retail, business and service centre

- The Tuggerah centre is a great regional retail, service and community asset
- Support and enhance employment areas
- Medium to long-term mixed-use development in proximity to Tuggerah Station, following flood mitigation works.





Corridor strategy: Areas for growth



Direction 2

Ensure sufficient zoned land to accommodate population and employment projections

Action 2.1 Resist rezoning significant sites and releasing new urban land in the short to medium term

Projections and capacity testing demonstrate that there is sufficient residential land to meet residential targets to 2036 and beyond. These results are largely the result of the inclusion of the Tuggerah site in this analysis. Should this site not proceed to rezoning, then this analysis and strategy will require review. There are several strategic sites in the Corridor that would make great renewal sites, where they can deliver new infrastructure as part of an integrated mixed-use development. The sites could be important in delivering types of uses required as the Corridor evolves – like new office space in Wyong, or a new public park. Sites include:

- Areas adjacent to Tuggerah Train Station;
- Areas to the East of Wyong train station;
- Former Wyong Grove primary school.

In the meantime, Council will start establishing principles for the renewal of these areas in preparation for being approached by landowners in the future.

Action 2.2 Continue to monitor take-up and availability of industrial land in the corridor

Based on past development trends there is enough industrial land in the corridor to accommodate demand over the next 20 years (see capacity under current controls pages 18-20). If the rate of industrial land take-up increases in the future, the supply of developable and attractive industrial land may run out before 2036. Council should monitor the take-up rate and availability of industrial land and consult with local business owners about constraints on industrial development. The land east of the Pacific Highway and north of Lake Road is subject to environmental and access constraints and is not considered attractive for development. For development to occur here access to the Lake Road area would need to be improved and flooding must be addressed.

Industrial land in the corridor should be considered in the context of the broader region. An industrial land study was carried out for the former Wyong Council area in 2013 and concluded that there was 123 years of land supply in the LGA, with a substantial amount of low-level constrained land available. Land supply thus outpaces demand across the LGA.

If attractive industrial land runs out in the corridor but there is surplus land available nearby or in the Central Coast Region more broadly, it may not be necessary to rezone more land for industrial use within the corridor. Instead, Council should plan for increased specialisation of the industrial precincts within the Corridor.

Action 2.3 Attract and retain business

With a good supply of suitably zoned land, the key challenge is to attract and retain business. Key strategies include:

- Continue to work with other agencies to bring a Food innovation hub to the Corridor. Refer to Action 11.2 for details.
- Consider additional co-work space in the town centre of Wyong. A small shopfront could provide space for small businesses that support other administration jobs in the centre, which is a growth area for the Corridor.
- Ensure businesses have certainty about the long-term security of employment lands, by resisting pressure for residential development in the area.
- Work with agencies to explore options for a Fast Rail stop in the Corridor.

Guidance for future urban renewal sites



Tuggerah Gateway Site

The State Government has announced plans for the Gateway site at Tuggerah (Approx. 5000 dwellings and revamp of Westfield's shopping centre). The site's strategic location as a prominent gateway site should be considered in the site's development. Opportunities to maintain and enhance its landscaped character, and provide new connections, infrastructure and amenity should be considered.



Former Wyong Grove Primary School

The Former Wyong Grove Primary School presents opportunity to accommodate additional residential uplift beyond its current zoning. Strategically located within proximity to the Wyong Town Centre and the existing Wyong Train Station, it is in an ideal location to better accommodate increased residential projections.



Areas East of Wyong Train Station

Areas east of Wyong Train Station present a strategic opportunity for mixed use investigations. B4 Mixed Use zoning is preliminary identified to provide opportunities for improved integration with surrounding key sites. Any future rezoning of this site should consider planning controls which preserve existing non-residential Floor Space Ratio provisions to ensure existing employment land is not diluted and focus activity toward Howarth Street to facilitate activation and development of high street.



Former Wyong Grove Primary School site (Source: Google street view)



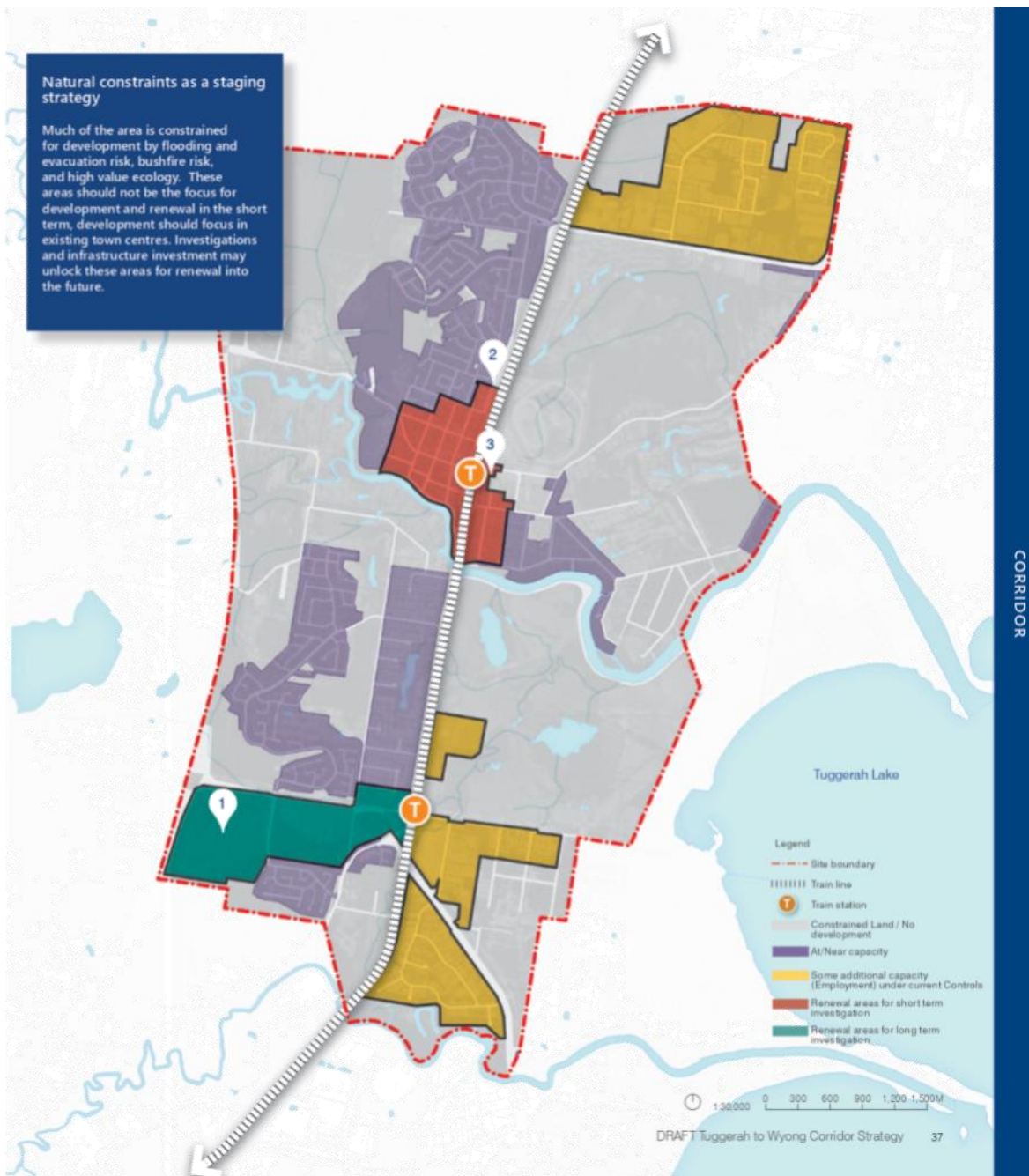
Tuggerah Gateway Site (Source: Department of Planning and Environment)



Wyong Town Centre (Source: Central Coast Council)

Natural constraints as a staging strategy

Much of the area is constrained for development by flooding and evacuation risk, bushfire risk, and high value ecology. These areas should not be the focus for development and renewal in the short term, development should focus in existing town centres. Investigations and infrastructure investment may unlock these areas for renewal into the future.



CORRIDOR



Corridor strategy: Transport and movement

→ Direction 3

Maximise connectivity between activity nodes and centres to support renewal opportunities

Action 3.1 Strengthen the existing cycle network

The Corridors' cycling network currently consists of fragmented on-road and shared links that do not provide a coherent, safe network for cyclists. There is significant opportunity for an improved cycle network that enables cyclists to ride between key destinations within the corridor.

Council's Draft Central Coast Bike Plan prioritises connections between centres, public transport hubs, schools and recreational / tourism routes. Council are finalising the Draft Bike Plan and will implement the actions to deliver and maintain the cycling network, provide supporting facilities and encourage cycling as a mode of transport.

The Tuggerah Lake Loop is an existing, major commuter and recreational regional cycle link that connects the corridor, Toukley and The Entrance. Part of this Loop is in the Northern Corridor. The alignment within the Corridor boundaries is primarily along the Pacific Highway and main roads. There are real opportunities to explore off-road routes through safer, scenic areas within the Corridor. These new sections of the Loop would have local and more District recreation and tourism impacts.

Council to undertake a detailed design and review of the additional and alternative cycle connections identified on the plan opposite, with a view to their inclusion in the next revision of the Bike Plan. Some of these projects may be medium and long term opportunities as the centre changes over time.

Action 3.2 Reinforce key pedestrian links

The Corridor's pedestrian network is challenged by both topography and major road / rail infrastructure that present physical barriers to pedestrians. There is opportunity to improve pedestrian links and infrastructure within urban areas (such as Wyong Town Centre, North Wyong industrial area and Tuggerah) and employment / residential areas within 800m of train stations.

Council are to implement the actions and recommendations of the Draft Pedestrian Access Mobility Plan (PAMP), with a particular focus on improving pedestrian amenity between Tuggerah Station and Westfield Tuggerah, as well as within Tuggerah Town Centre.

Council are to investigate further opportunities to deliver additional pedestrian infrastructure,

including the Wyong River Foreshore Link (see plan overleaf) and inter-precinct links as part of a revised PAMP that potentially extends beyond the 10 years.

Action 3.3 Investigate opportunities to strengthen the local street network

Some street networks within key employment areas lack legibility and permeability, presenting challenges for access and future growth. Council are to investigate further opportunities to strengthen the local street network within the Corridor, including a defined street hierarchy and delivery of key links, to support the continued growth of the Corridor's employment precincts. Opportunities for improved local street networks for the North Wyong and Tuggerah precincts are detailed in their respective Precinct Strategies.

Action 3.4 Minimise potential impacts of Pacific Highway Upgrades

Although the traffic benefits will be significant, the RMS's proposed Pacific Highway upgrades presents a real challenge to the pedestrian experience and character of Wyong Town Centre, with a substantially wider road and heavier traffic impacting the centre's amenity. Council will work with RMS on the finalisation of the Pacific Highway upgrades through Wyong Town Centre with the aim to minimise potential impacts on the centre's character, public domain amenity and ensuring that the east and west sides of the town centre are well- connected.

Action 3.5 Understand and leverage the opportunities associated with the Sydney to Newcastle fast rail project

The proposed fast rail project will reduce travel time from Gosford to the City from 1 hour, 19 minutes to 1 hour. The project will utilise existing infrastructure. As yet, the stops on this service are not confirmed. There are benefits associated with a stop at both centres – Tuggerah provides

for more commuter parking services (giving many people access to Fast Rail services) and Wyong would benefit from improved connections between businesses, services and civic uses. Council will work with the NSW Government on any future progression of the project.

Action 3.6 Advocate for the completion of Pacific Highway upgrades and a link road to Warnervale

Traffic congestion through Wyong and along the Pacific Highway is regarded as a key issue for Wyong. Improvements will help to unlock future development potential in the area.

The improvements planned for the Pacific Highway through Wyong have been on the table for a long time. Council will continue to press the RMS for these works to be funded and undertaken as soon as possible. This will include lobbying for a new link road connecting North Wyong to Warnervale.



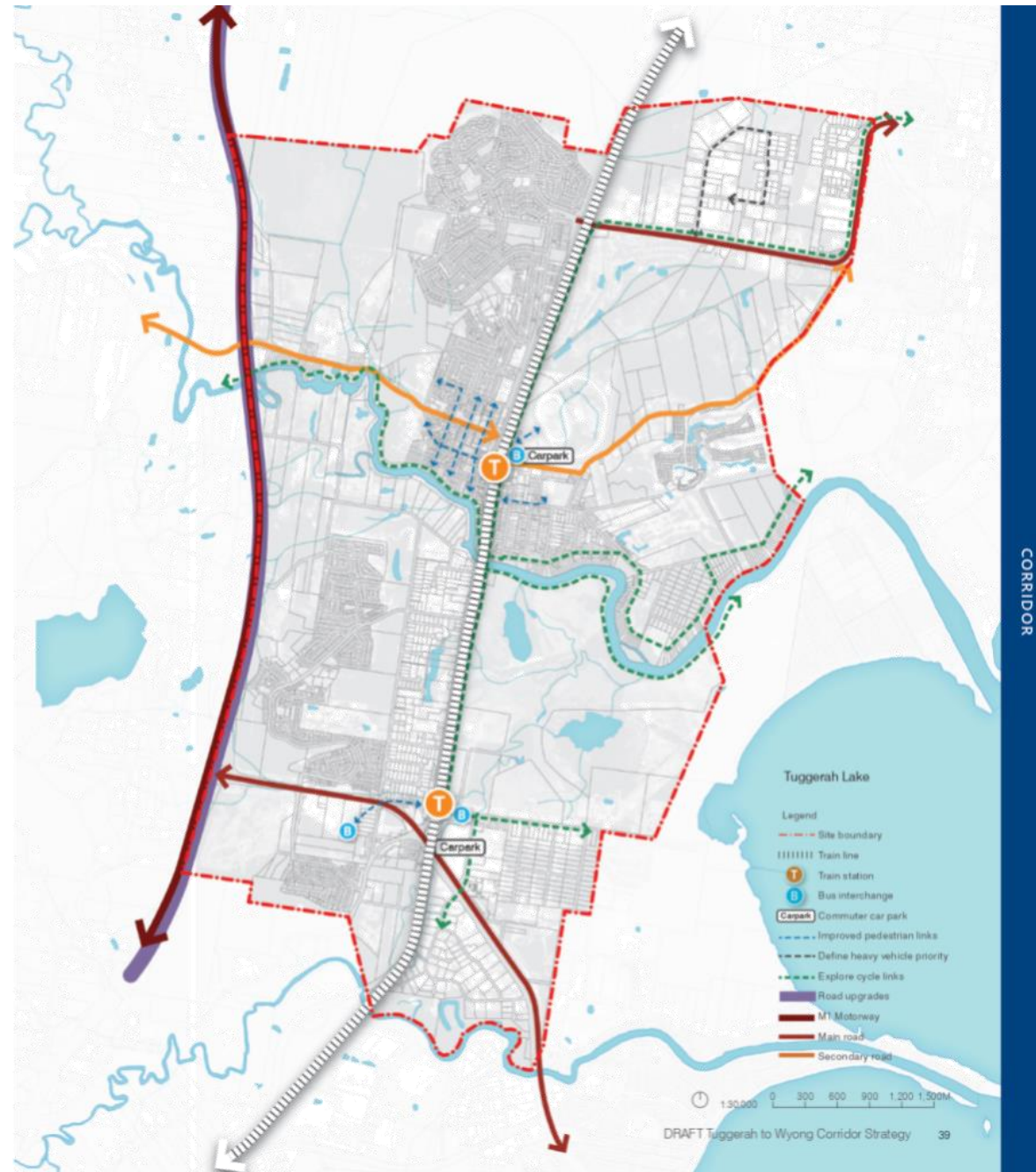
Sydney to Newcastle Fast Rail (image: www.nsw.gov.au)



Extract from Draft Central Coast PAMP for Wyong and Tuggerah Priority Routes



Pacific Highway Upgrades (image: rms.nsw.gov.au)





Corridor strategy: Environment and Sustainability



Direction 4

Maintain and improve the areas strong relationship with green open space and the environment

Action 4.1 Maintain green gateways and movement corridors

Entries to the area from the M1, Pacific Highway and Wyong Road are characterised by views of rural and bush landscapes. These experiences help to create a positive impression on residents and visitors and are a defining characteristic of the region.

Any future public domain works should retain and enhance the landscape aesthetic of the gateways, public transport arrival zones and movement corridors, identified in the plan overleaf.

Future development and transport proposals should be assessed against their impact on or contribution to achieving this strategy.

Council are to engage directly with the RMS to ensure future upgrades to the Pacific Highway north of Tuggerah (especially through Wyong) include high quality tree and shrub planting that create an attractive green spine through the corridor.

Action 4.2 Create a strong connection with the natural environment

Views and access to green open space and the natural environment are a great asset for the area. Key features such as the Wyong River have the potential to play an important role in attracting people to live and work in the corridor.

Council will prepare a Green Grid implementation plan for the corridor to maximise outdoor recreational opportunities, pedestrian links, wildlife corridors and protection of high conservation value habitat.

Council are to investigate key opportunities for enhancing connections to the environment including (but not limited to):

- Enhanced views and access to the Wyong River
- A comprehensive river walk along the banks of the Wyong River.
- Views and access to key wetlands and nature reserves.

Providing shaded public domain during the summer months can greatly improve the liveability for workers, visitors and residents in the corridor, and provide habitat and character.

Council should finalise and implement its draft Greener Places Strategy. The Strategy provides a framework for the replacement of removed shrubs and trees and identifies opportunities to expand urban vegetation on the Central Coast.

Action 4.3 Further Flood Planning Investigations

The Corridor is widely affected by flooding, with a significant area below the 1% AEP flood level. These areas are generally located on low lying land within the catchments of Wyong River, Porters Creek and Ourimbah Creek, including the Pioneer Dairy wetlands, and present challenges in flood evacuation, flood safety, land use compatibility and building design.

Council are to regularly update the Corridor's Floodplain Risk Management Plans and flood planning controls to ensure development in flood evacuation risk areas is avoided.

Flooding risks around Tuggerah Station must be resolved to enable urban renewal and densification in this area. This includes exploring the potential to provide floodwater detention infrastructure to reduce flood affectation within the Corridor, and alternative housing typologies that reduce building footprints and manage more water in the landscape.



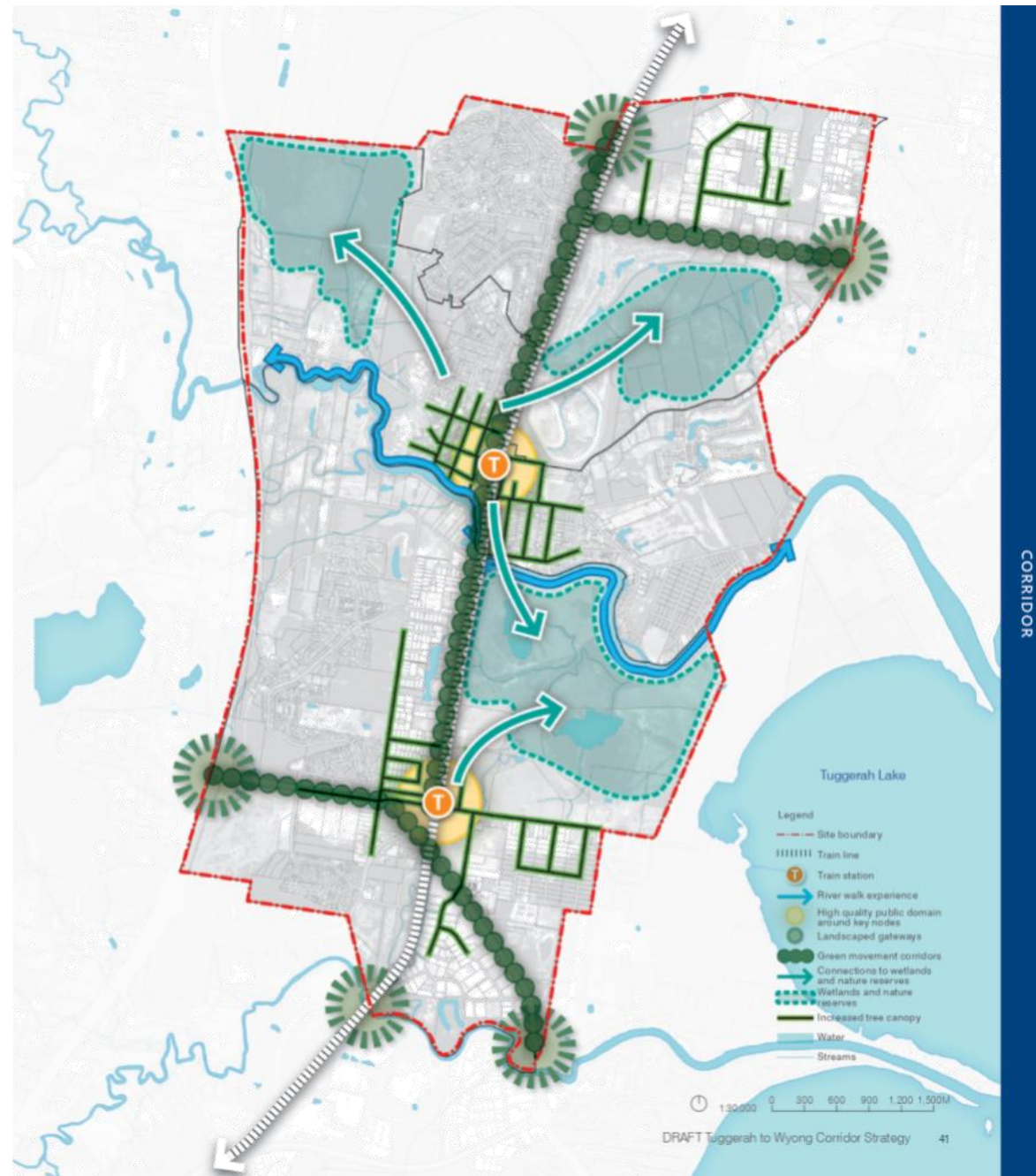
Highway entrance to Tuggerah from the M1 with mature forest provides an attractive landscape gateway (image: Google Street View)



High public domain (image: Lonsdale Street - TCL Landscape Architects)



Attractive views and planting along upgraded roads (image: Pacific Highway, Tuggerah)





Corridor strategy: Culture, recreation and tourism

→ Direction 5

Build on the Corridor's potential as a great destination for culture, recreation and tourism

Action 5.1 Establish the Corridor as a significant regional destination for recreation

The Corridor provides two distinct clusters of sporting facilities at Wyong and Tuggerah which form a part of the Regional Recreation Corridor (RRC). This includes the recently completed Central Coast Regional Sporting & Recreation Complex in Tuggerah and the aging Baker Park recreational precinct in Wyong. As designated by the Central Coast Regional Plan, the RRC is to provide a concentration of regional sporting facilities which will provide a comprehensive group of recreational facilities that will be utilised by people living beyond the Corridor.

As a destination, the Corridor lacks a good selection of short-term accommodation that attracts corporate and recreational visitors to the area. With competition from coastal towns within the region, there is an opportunity to prioritise short term accommodation within the Corridor to leverage cultural, recreational, corporate and tourist attractions in the area.

Council are to consider appropriate locations for complementary uses to enhance the recreational offer, including hotel accommodation, food and beverage and entertainment, allied services.

Council to investigate funding opportunities to strengthen the recreational offering within the RRC.

Action 5.2 Explore utilisation of Corridor's natural bushland areas as key attractors

The Corridor is endowed with beautiful natural bushland precincts that provide environmental amenity for residents, workers and visitors to the Corridor. These bushland precincts are not to be redeveloped for employment and residential uses as they provide a natural respite and provide opportunities to enhance interaction with nature. Enhancement of these features are also identified to improve the visitor experience in Wyong, contributing to the development of the local tourism industry.

Council will investigate how these natural bushland areas can be utilised for educational and recreational purposes. The investigation should consider the provision of boardwalks, footpaths and viewing platforms to facilitate activities such as birdwatching, walking, cycling and bushwalking. Council will need to work with stakeholders, land owners and Office of Environmental Heritage to ensure the integrity of the bushland areas are maintained while opportunities for recreational uses are delivered

Action 5.3 Open Space Needs and Recreation Study

As the Central Coast population increases Council will need to plan for the sport and recreation needs of both residents and visitors to ensure that its suite of facilities and assets encourage the whole community to embrace the social, economic and environmental benefits of healthy lifestyle.

Council will prepare a recreation and open space needs study to inform future planning. The study will audit existing assets, and then project future demand. The outputs will be a clear list of required infrastructure that will inform future LEP and DCP controls, and provide direction for renewal areas and Council open space assets.

It will be important that this Study considers overlapping opportunities to create character, habitat and connect into the NSW Government's broader Green Grid strategies.



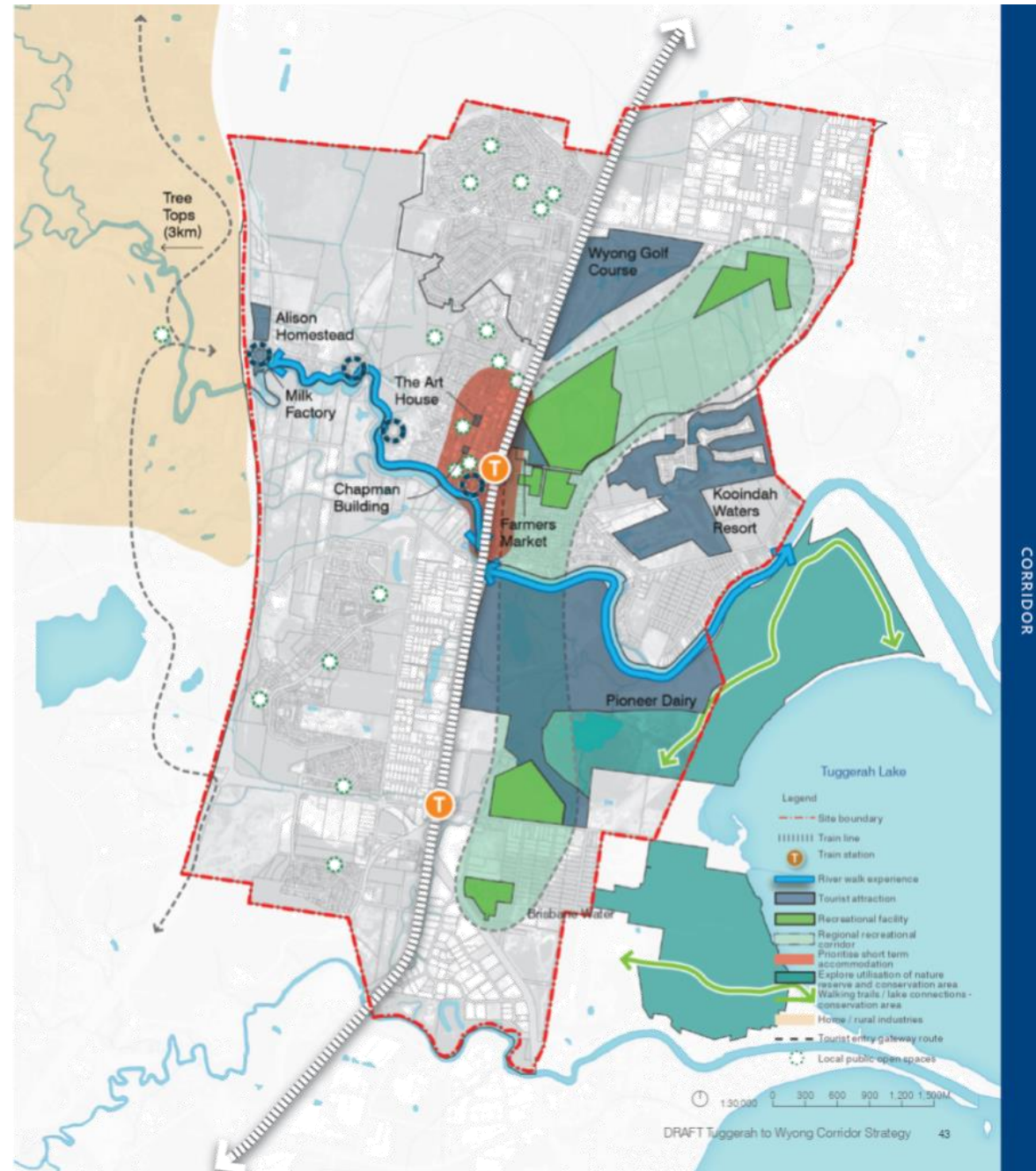
Tree Tops Central Coast (image: visitnsw.com)

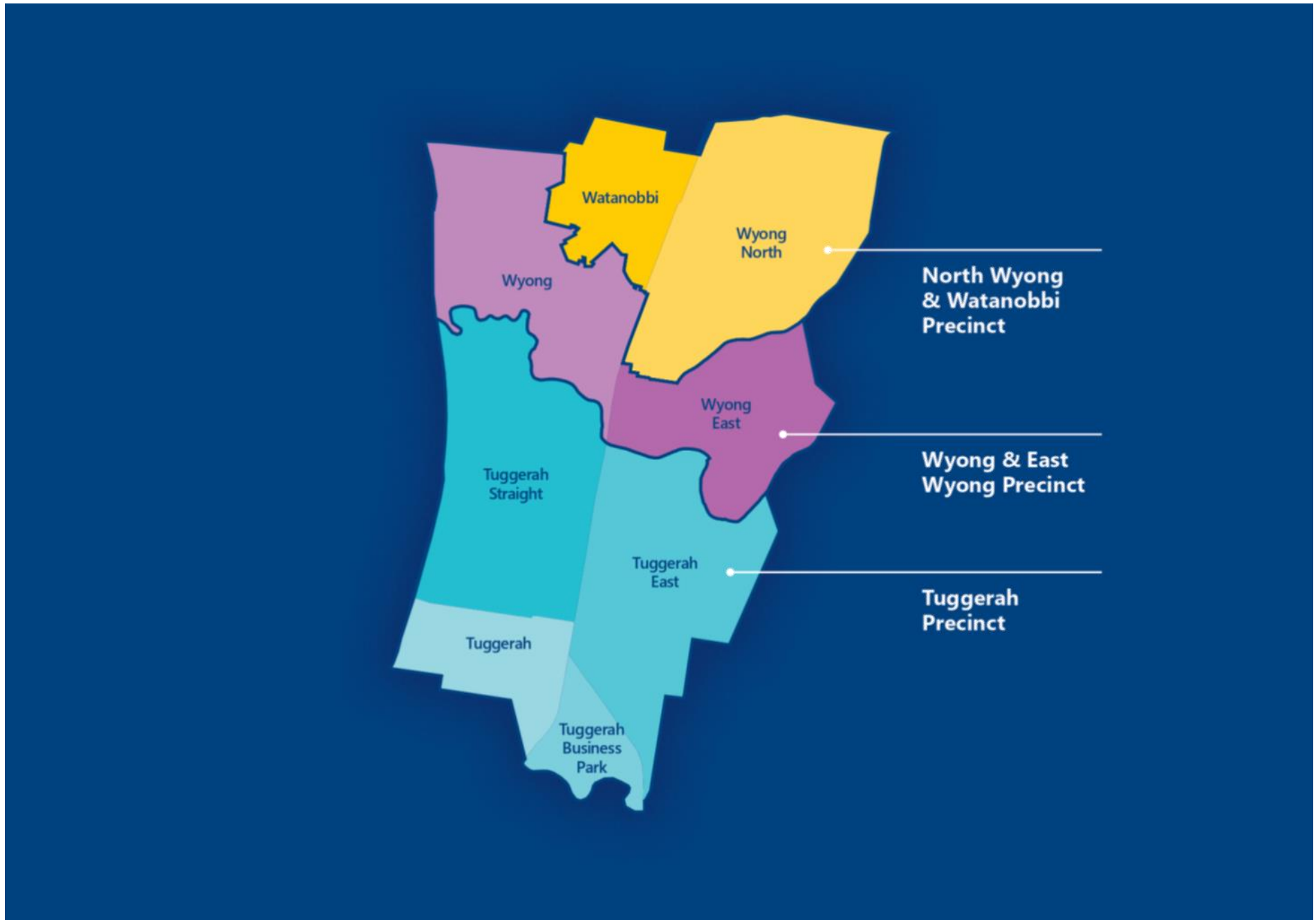


Central Coast Regional Sporting and Recreation Complex (image: Centralcoast.nsw.gov.au)



Narrabeen Lagoon Walk (image Aspect Studios)







North Wyong & Watanobbi

Wyong & East Wyong

Tuggerah

Precinct Strategies

The Corridor is made up of three precincts - each with a unique role in the function of the Corridor and the Central Coast Region. The aim of this place-based approach is to create precincts with their own identity that provides a range of experiences, diverse housing and jobs that support the success of the Corridor and enhance self-sufficiency for the Central Coast.




This section of the Strategy provides a vision statement and Structure Plan for each precinct, to guide planning and development in a balanced and sustainable way. Forecasts for each precinct will ensure that we stay on track to accommodate population and employment growth in the right places.

PRECINCTS





2036 Target:

-  **100 less people**
-  **300 additional jobs**
-  **75 additional dwellings**

North Wyong & Watanobbi Precinct

North Wyong will continue to evolve and provide a highly attractive location for light industrial and enterprise uses.

The employment lands at North Wyong will develop into the future with planning controls that encourage a range of uses and new amenity for the people working there.

Smaller lots fronting the Pacific Highway with a generous landscape setback will provide an attractive gateway to the corridor from the north. Rationalised vehicle access and circulation will help to improve traffic efficiency and safety.



Understanding North Wyong and Watanobbi



Aerial view of parts of the North Wyong Employment Area - the large areas of forest and open space provide good amenity for workers. (image: Nearmap)

Well located employment zone

North Wyong employment area is well located on the Pacific Highway north of Wyong town centre. There are large areas within the precinct that are currently under-developed partly due to topography, areas of significant landscape and issues regarding access and circulation. Employment in this precinct grew strongly between 2011-2016.

The land zones within the precinct are consistent the vision for growth within the North Wyong employment precinct with Business Enterprise (B6) fronting the Pacific Highway and General Industrial (IN1) centrally located within the precinct. The existing land zones ensure heavy industry remains setback from the highway and more appropriate lighter industry addresses the Pacific Highway. The two zones also allow for higher order industrial and commercial development.

Large setbacks to Pacific Highway

Existing buildings are set well back from the Pacific Highway. There is an opportunity to improve the landscaping along the Pacific Highway and accommodate an active transport link (ATL) within the setback to provide an off-street cycle connection between Wyong, Watanobbi and North Wyong.



Pacific Highway, North Wyong (image: Google street view)

Landscaped gateway to North Wyong

The location of the Wyong Golf Club and open space areas on the south side of the Pacific Highway provide a green entry to North Wyong from the south. Landscaping of the northern side of the Highway will provide a buffer to the employment area and provide a strong brand for the precinct.



Wyong Golf Course frontage (image: Google street view)



Coffee grinders (image: realcommercial.com.au)



Successful businesses

There are many successful businesses within the North Wyong employment area. The businesses benefit from great street exposure and access to the Pacific Highway. Employment in accommodation and food services grew strongly between 2011-2016, indicating a potential emerging specialisation in this area.



North Grounds cafe (image: Facebook)



Lucas Road entry off the Pacific Highway



Vehicle entries

There are currently three major vehicle entries off the Pacific Highway and many driveways to individual properties. There is an opportunity to consolidate vehicle entry points to the employment area and to improve the flow and safety of traffic along the Pacific Highway and access to properties.



Precinct strategy: North Wyong & Watanobbi

→ Direction 6

Maintain and encourage employment uses in North Wyong

Action 6.1 Review the permissible land uses in the B6 - Business Enterprise Zone on the Pacific Highway

Generally, the land zones are consistent with the vision for the North Wyong employment precinct with Business Enterprise (B6) fronting the Pacific Highway and General Industrial (INT) centrally located within the precinct. This arrangement ensures heavy industry remains setback from the Highway and more appropriate lighter industry addresses the Pacific Highway frontage.

Both employment zones allow for higher order industrial and commercial development and can facilitate employment growth.

The B6 zone currently permits 'shop top housing' and 'serviced apartments', and Council has received a development application for a serviced-apartment development in the North Wyong industrial precinct. These uses are incompatible with the current and intended future uses of this precinct. If residential development is allowed to occur within the employment area, it risks creating reverse amenity impacts on existing businesses and reducing the attractiveness of the precinct for future businesses. Residential development in the area also poses the risk of increasing land values in the area, where reasonable land values and rents have been key to the precinct's growth and success.

Council to review the land use controls for the B6 Zone as part of the comprehensive Central Coast LEP preparation.

Action 6.2 Review Wyong Shire Development Control Plan 2013 Chapter 6.11 to ensure high quality landscaping amenity in the employment precinct

Council are to review the existing Development Control Plan 2013, Chapter 6.11 North Wyong - Enterprise Corridor and Industrial Precinct to ensure that future development will result in a green, vibrant employment area. The following should be considered in this review:

- Identification of a central green space that may be provided as part of the renewal of a large site. This space could become a hub for workers and provide more diverse recreation and social opportunities.
- A tailored front setback strategy that complements the hierarchy of streets. This may include smaller, more urban setbacks for narrow roads and more generous setbacks for the main entry road.
- Introduce minimum side and rear setback controls, to ensure significant tree planting is provided on site boundaries.
- Review of the setback controls to Pacific Highway to enable the development of, and appropriate setbacks to the new active transport link.
- Discourage parking in all front setbacks and not just large lots.

→ Direction 7

Rationalise access and circulation

Action 7.1 Consolidate access points to the Pacific Highway

Consolidating access points from the Pacific Highway to the North Wyong precinct will help to:

- improve traffic flow and safety along the highway
- reduce the number of vehicle crossovers into the precinct and so minimize conflict between cyclists using a future active transport link (ATL)
- provide a large landscaped setback that maintains a green and attractive character for the area
- improve the visual amenity of the Pacific Highway

Council are to investigate the consolidation of vehicular access points (As shown within the precinct map) to individual lots fronting the Pacific Highway.






Action 7.2 Improve the permeability and circulation within the employment precinct

Rationalising the street network within the precinct and providing street connections to link the major access points will:




- improve the permeability of the site for vehicles, cyclists and pedestrians
- improve connections between employment areas within the precinct
- provide safe vehicular access to the rear of properties fronting the Pacific Highway
- increase internal street frontages to properties within the precinct
- increase opportunities for on-street parking within the precinct
- create opportunities for improved public domain within the precinct.

Council to investigate a street link between London Drive and Lucca Road. Possible links could include (but not limited to) an extension of Lucca Road east to Amsterdam Crescent and/or an extension of Donaldson Road to connect to Brussels Road.

Landuse

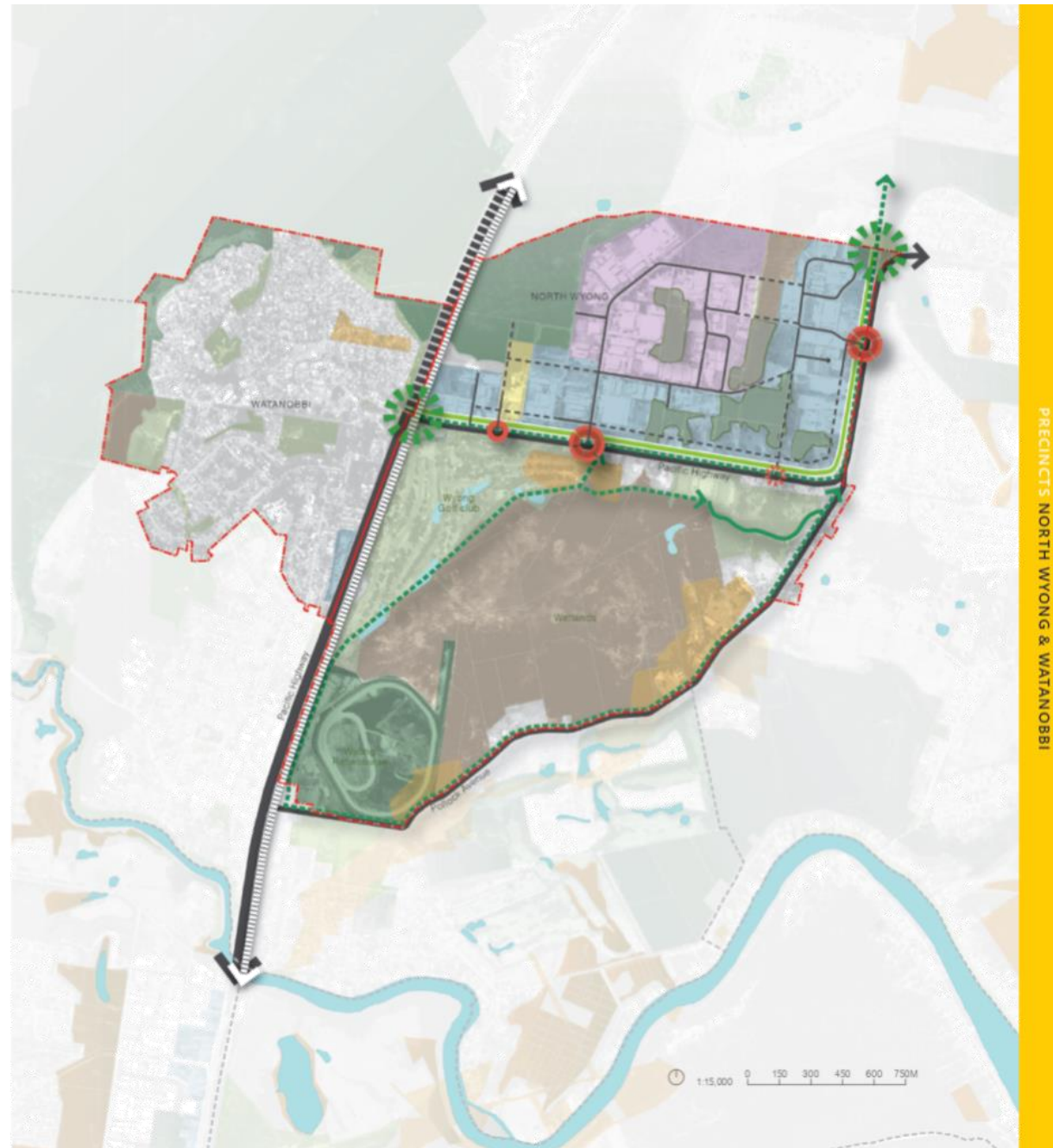
-  Precinct boundary
-  Retain Enterprise Corridor Zoning (B6)
-  Retain General Industrial Zoning (IN1)
-  Retain Environmental Zonings (E2 & E3)
-  Retain Special Uses Zoning (SP2)

Public domain and recreation

-  'Green' gateway - create an attractive landscaped entry to North Wyong
-  Retain existing stands of vegetation and extend to create a continuous green corridor.
-  Provide high quality areas of open space for workers and visitor amenity
Proposed landscape setback

Traffic and transport

-  Train line
-  Planned highway upgrade
-  Potential highway upgrade
-  Existing streets
-  Proposed street connections to improve internal access and permeability
-  Major vehicle entries - consolidate vehicle access to improve traffic flow and safety along the Pacific Highway
-  Minor vehicle entries - provide new access point to improve circulation and alleviate evacuation
-  Proposed active transport link (ATL)







Wyong & East Wyong

2036 Target:

-  **2,400 additional people**
-  **1,000 additional jobs**
-  **1,150 additional dwellings**

Wyong will consolidate and build on its role as the civic and cultural heart of the Corridor.

Wyong and East Wyong offer a great deal that already make it a uniquely liveable centre in the context of the surrounding region.

It will make the most of its attractive natural assets such as the beautiful river frontage along with its walkable Town Centre, cultural institutions, heritage buildings and great public transport connections to provide a great place to live and work.



Understanding Wyong



Wyong River



The Chapman Building est.1901

An established high street

Alison Street runs east-west through the centre of town with the train station located conveniently at its eastern end. This low scale high street offers an attractive fine grain shopping and eat-street experience away from the busy highway and will likely increase in popularity with time.



Heritage architecture

The town of Wyong dates back to 1888 and has many old buildings that contribute to its interesting and attractive character. This historic architecture, mixed in with more recent developments sets it apart from other centres in the region.



Attractive Wyong river frontage

The river creates a natural and wonderfully scenic boundary to the southern side of the town. There is already an established and well shaded walking path along top of the northern bank.

There is a fantastic opportunity to maximise public amenity by creating better links to and along its banks.



Alison Road shops



Wyong train station



Public Transport

Wyong is well serviced by heavy rail with direct links to Gosford, Newcastle and Sydney. There is also a bus interchange servicing a local catchment. Future upgrades will help to improve access to this important infrastructure and support new development.



The Art House Theatre



Cultural experiences

Wyong has a number of civic and cultural functions that broaden its appeal as a local and regional centre including the newly constructed 500 seat Art House Theatre.

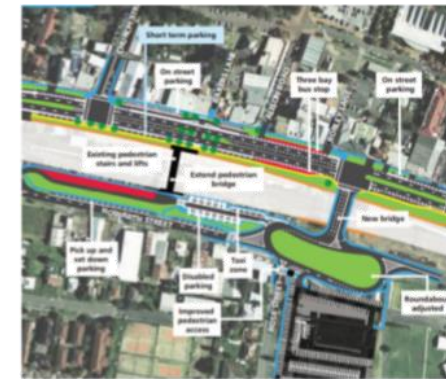


The Wyong Milk Factory on Wyong River



Recreation and lifestyle

There are plenty of recreational activities and places for families to get out in the open air and enjoy the scenery. The Wyong River offers a great environment as a day out for locals and visitors to the area. There is potential to enhance this offer by providing a high quality dedicated walking trail along the river.



Pacific Highway Concept Plans (source - RMS)



Pacific Highway upgrade

The RMS has plans to upgrade the Pacific Highway through Wyong Town Centre. Whilst this will improve traffic flow it will be crucial to ensure public domain, shop fronts and pedestrian connections between both sides of town are maintained.



Precinct strategy: Wyong & East Wyong

→ Direction 8

Celebrate Wyong's natural scenery and heritage character

Action 8.1 Create a new river walk

There is currently a footpath along River Road and Panonia Road that extends west along the northern bank of Wyong River from the Wyong Bowls Club to the corner of Hope Street. Whilst this creates an attractive walk there is an opportunity to improve this facility in both quality and extent.

Council are to investigate as part of the Wyong Structure Plan the future upgrade of this path into a shared path extending west along the northern river bank to the Wyong Milk Factory (close to the Pacific Motorway).

Council should also investigate the expansion of the shared path east along the southern bank of the Wyong River (as the northern bank is too constrained by private ownership).

Once Council have developed a concept for this walk, review the planning controls for the adjoining lots in terms of: setbacks/ dedication required, controls for ensuring development addresses and activates the walk, provision of north-south links into the walk.

Action 8.2 Celebrate and enhance existing heritage character of Wyong Town Centre

Wyong town centre has many older and attractive buildings that contribute to its rich and unique character. This heritage distinguishes Wyong from many other centres in the region - making the heart of civic uses and culture in the Corridor.

Recent conversions such as the Chapman Building have demonstrated how heritage-listed buildings can be adaptively reused and restored to create a vibrant, diverse and attractive centre.

Council will undertake a review of the planning controls for heritage-listed sites as part of the comprehensive LEP process. The aim will be to ensure that the controls allow for adaptive reuse and some additional development capacity where appropriate - all with the intent to preserve and celebrate listed buildings in an urban context.

→ Direction 9

Reinforce the fine urban grain of Wyong

Action 9.1 Reinforce Alison Road as an active, successful high street

Alison Road is the primary high street and the main street connecting to the rail station hub and the eastern side of Wyong. It connects people with transport, parking, shops, cafés, services and the Wyong Town Park and extends west connecting to schools, TAFE and other key attractions. The street provides an important relief from the busy Pacific Highway with fine grain retail and eat street venues. Council will support the success of Alison Road as a High Street by:

- New DCP provisions that identify Alison Road as the primary retail street in the Wyong Town Centre. New detailed controls should be provided for renewal sites on Alison Road that are detracting from the street's character (primarily the Telstra and FACS sites). Consider a 'fine grain' control for new development with a maximum width control for new shopfronts, a requirement for retail uses at the ground level and ensuring a high level of transparency and activation.
- Working with the Council's Connected Communities team and the Chamber of Commerce to plan more events for the area, promoting local business and community participation.
- Work with RMS to investigate a pedestrian crossing at the end of Alison Road (see Action 10.1)
- Consider the need for additional street trees.
- Generally, retain on-street parking.

Action 9.2 Investigate opportunities to increase the utilisation and activation of laneways and arcades

With the planned upgrade to the Pacific Highway increasing the number of travel lanes and traffic flow through Wyong it will be important to provide alternate opportunities to provide fine grain shop fronts away from the busy arterial road. Already there are and number of cafés and smaller retail outlets occupying the arcade in the Gallery Precinct (linking Alison Road to Bakers Lane) as well as the more recent redevelopment of the Chapman Centre fronting Robleys Lane. Council will introduce new active frontage controls for exciting arcades that seek to ensure they are activated, safe, protected and minimise conflict between pedestrians and cars.

→ Direction 10

Connect to East Wyong

Action 10.1 Minimise adverse impacts of the proposed widening of Pacific Highway

The upgrade of the Pacific Highway through Wyong will provide important traffic improvements for people travelling within the region. However, the impact on the walkability, character and amenity of Wyong Town Centre should be carefully considered.

A review of current proposals suggests that there may be an overall loss in pedestrian amenity and walkability. Several heritage buildings are proposed to be demolished and some car parking might be lost.

Given the role of Wyong as the cultural and civic heart of the Corridor, and the role of great streets and public space in supporting economic outcomes for the centre, Council will work with RMS to help guide the design outcomes. In particular, Council should discuss the following with the RMS:

- A pedestrian crossing at Alison Road and Pacific Highway, connecting in to the retail high street.
- A design that accommodates significant trees and landscape outcomes.
- Although some parking may be lost, some on-street parking would help to buffer shop fronts from traffic noise
- No reduction in footpath width, compared to the current situation.

Action 10.2 Investigate opportunities to provide an active street frontage along Howarth Street

With the planned future relocation of the bus terminal from the east to the western side of Wyong train station there is an opportunity for development fronting Howarth Street to provide a west facing activated street frontage. Council is to investigate changing the planning controls for land fronting Howarth Street and the bus interchange to accommodate increased densities and west facing active ground floor frontages.

Landuse

- Precinct boundary
- Centre boundary (refer to detailed plan page 54)
- Cadastre (property boundaries)
- East Wyong investigation area
- Medium density investigation area
- Recreational investigation area

Public domain and recreation

- Active high street
- Proposed direct pedestrian crossing between Wyong and Wyong East
- Improved pedestrian connection to racecourse
- Improved pedestrian cycle connections into town centre
- Improved pedestrian links to river
- Proposed river walk
- Potential points of interest
- Attraction: Milk Factory
- Potential walking track
- Potential future nature experience/trails

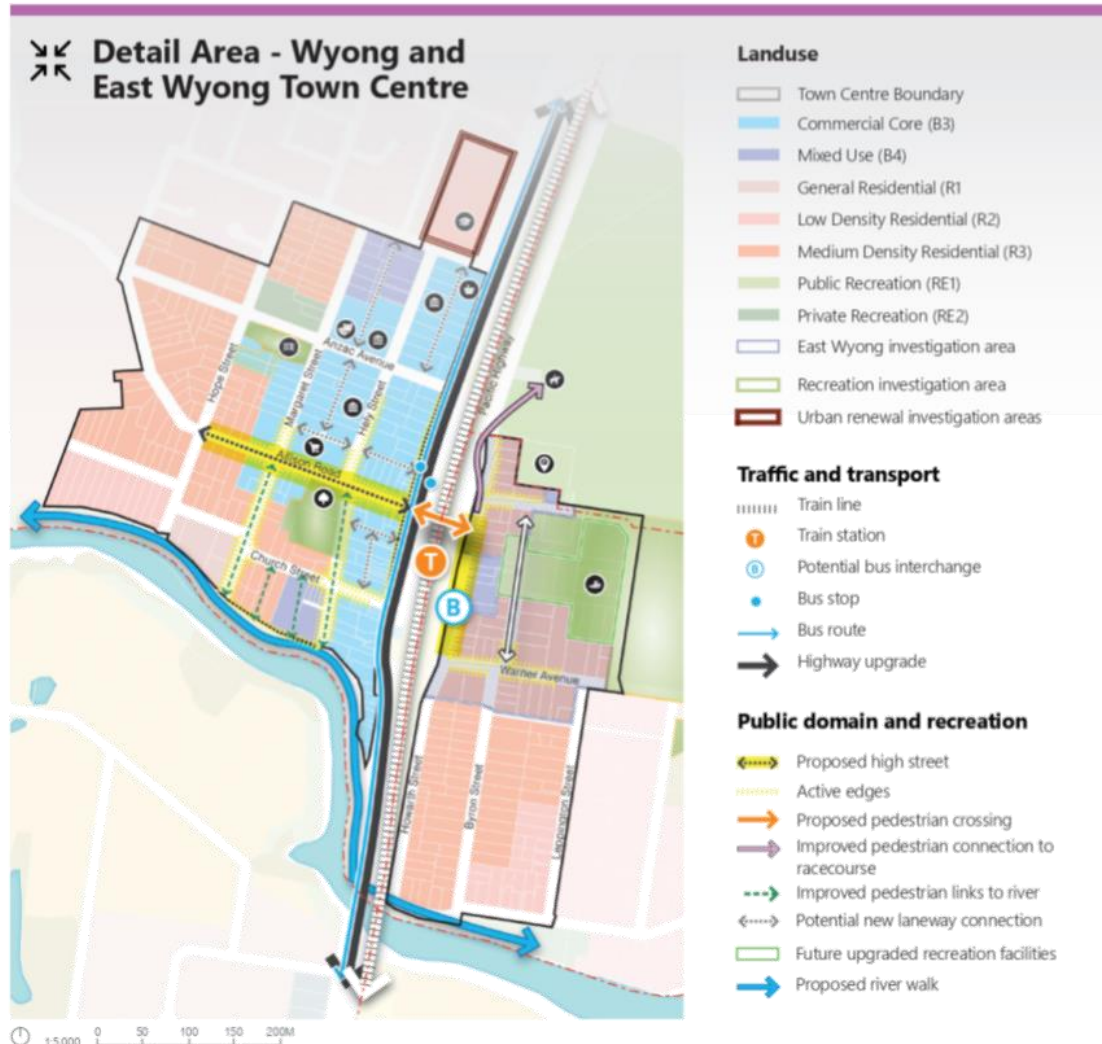
Traffic and transport

- Train station
- Planned relocated bus interchange
- Planned highway upgrade
- Potential Highway upgrade
- Existing roads
- Proposed roads





Precinct strategy: Wyong & East Wyong



Direction 10 Connect to East Wyong

Action 10.3 Investigate opportunities for Baker Park

Baker Park, the Wyong Olympic Pool and associated tennis courts provide an important recreational open space close to the centre of Wyong. With an area of almost 7 hectares, there is space to provide upgraded facilities, active recreation spaces, a more considered, town centre open space (no less than 2 hectares in size) as part of a mixed use development. Residential uses should only be permitted at the edges of the site where they are designed to improve activation and safety of the park. A new north south and east west connection through the precinct will improve walkability and create addresses for precincts in the park.



Lonsdale Street, Dandenong VIC (TCL Landscape Architecture)



Howarth Street Retail Frontages and Public Domain upgrades

Encouraging the redevelopment of properties fronting Howarth Street combined with the planned new bus terminal and investment in high quality public domain will help to create a new active street and destination in East Wyong.



Glee Coffee Roasters, Wyong



Activate laneways

There are a number of laneways in Wyong town centre that whilst currently allowing service access to commercial premises also offer an opportunity for additional small business' and retail activation. Similar to what have evolved in the Chapman Building & adjoining car park.



New Brighton Road, London (Gehi Architects)



Alison Road Public Domain

Alison Road should remain as Wyong's primary high street. The public domain is to be upgraded to reinforce this and provide an attractive and vibrant street that encourages increased commercial, retail and pedestrian activity.



Narrabeen Lagoon Walk (Aspect Studios)



Riverfront walk

An extended and upgraded river walk along the Wyong River will offer a valuable recreational attraction for locals and visitors and celebrate one of the areas unique natural assets. Similar projects throughout NSW and Australia have proven to be a huge success.





Tuggerah

2036 Target:

-  **1,850 additional people**
-  **2,100 additional jobs**
-  **750 additional dwellings**

Tuggerah will continue to provide employment, destination retail and transport opportunities.

The precinct will maintain and improve its employment lands and continue to offer an attractive place for business to locate close to regional road and rail transport.

Improved public domain connections to the train station will maximise the benefits of this important piece of public infrastructure whilst opportunities for future transport oriented development will be encouraged.



Understanding Tuggerah



Aerial view of Tuggerah



Tuggerah Regional Sporting Complex (image: Central Coast Council)

Major employment, retail and entertainment hub

Tuggerah is the major business hub and shopping area for the region. Tuggerah is ideally located on the main northern railway line providing excellent public transport links to Sydney and Newcastle with a bus interchange providing connections within the Central Coast. However, the public domain around the transport hub is poor. Increased development around the station and improved public domain will increase activity and create a safer and pedestrian spaces to encourage public transport use.



Tuggerah Regional Sporting Complex
A high quality sporting facility for the Central Coast region and beyond. Opportunities for associated development such as short-term accommodation, training and education facilities.



Tuggerah Station east side (image: NEARMAP)

Commuter parking
The commuter parking on the eastern side of Tuggerah Station dominates the precinct creating a poor pedestrian environment.



Tuggerah Station west side (image: NSWRail.net)

Tuggerah Station
The Pacific Highway and nearby roundabout create a traffic dominated environment and barrier to pedestrian access and movement.



Tuggerah Westfield (image: Visit NSW)

Westfield Shopping Centre
Is the major retail centre for the region. While car access is good, pedestrian links to the station are poor.



Wyong Business Park (image: Central Coast Business Investment)

Wyong Business Park
A successful employment area nearing capacity



Pioneer Dairy Wetlands (image: Central Coast Community News)

Pioneer Dairy Wetlands
A place of historic interest. There is opportunity for improved links to the dairy, through the wetlands and the lakefront. Increased employment opportunities such as eco-tourism.



Precinct strategy: Tuggerah

→ Direction 11

Maintain and encourage employment uses in Tuggerah

Action 11.1 Preserve existing employment zones

Employment lands in Tuggerah Straight, Tuggerah Business Park and bulky goods centre are to be preserved and enhanced to support future growth and development.

Council are to maintain employment land zones as part of the Central Coast Council LEP.

Action 11.2 Investigate food innovation hub

Council are to work with relevant stakeholders to investigate an appropriate site to suit the needs of the proposed centre for food science, testing, research and development. The site will require easy access to Pacific Highway and M1 to access food producers and manufacturers. Council to consider sites large enough to accommodate future expansion of the facilities and allied development.

→ Direction 12

Utilisation of flood prone areas in Tuggerah

Action 12.1 Explore recreational uses in flood prone areas












The large area of flood plain/wetlands between the railway line and Tuggerah Lake, south of Wyong River is mostly undevelopable due to flooding constraints.

It remains highly likely that this land will remain as open space it provides the perfect opportunity for a range of passive recreational uses with access to the lakefront, riverfront and Pioneer Dairy Wetlands, while conserving, enhancing and celebrating the sensitive ecology and farming history.








Council are to investigate walking and cycle tracks (linking to Council's regional active travel network), eco-accommodation, education and tourist trails that could include and expand on the existing Pioneer Dairy Wetlands. Eco-tourism is to be encouraged as a visitor attraction and an additional form of employment growth.

Land Use








Retain existing zonings except changes to be investigated below:

-  Precinct boundary
-  Consider how design controls can ensure development protects this scenic gateway
-  Investigate mixed use planning controls to encourage development around Tuggerah Station
-  Investigate development of food innovation hub in existing IN1 zone
-  IN2 Light Industrial Zone
-  B6 Enterprise Corridor Zone
-  IN1 General Industrial Zone
-  B3 Commercial Core Zone
-  B5 Business Development Zone
-  SP2 Sewerage System or Educational establishment
-  B7 Business Park Zone

Public domain and recreation

-  'Green' gateway - create an attractive landscaped entries to Tuggerah
-  Retain and enhance areas of public recreation
-  Retain national parks
-  Improve access to water bodies
-  Investigate upgrade of creekline with improved pedestrian link
-  Proposed river walk - Increase access to Wyong River and Tuggerah Lakes.
-  Significant view corridor from M1 interchange

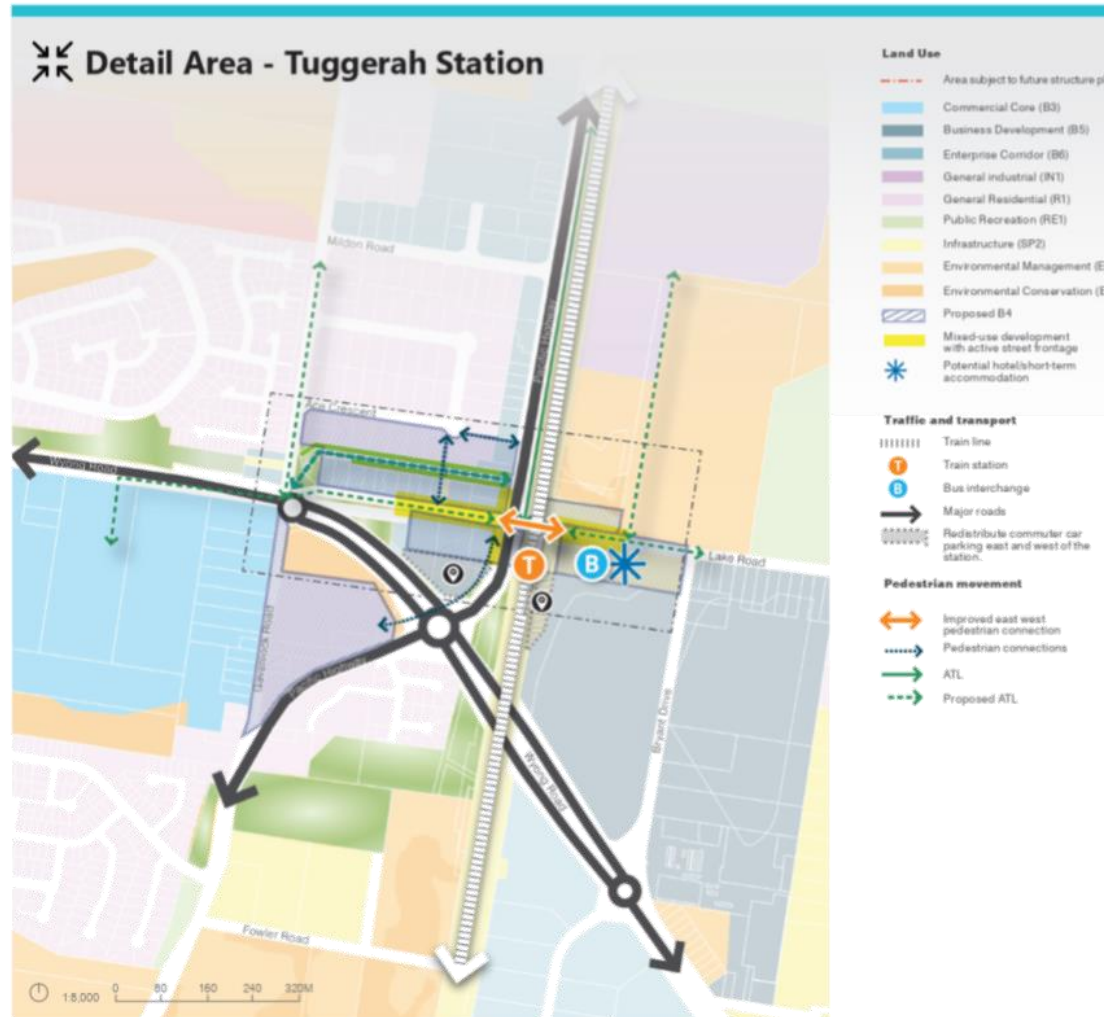
Traffic and transport

-  Train line
-  Train station
-  Bus interchange
-  Major roads
-  Existing local roads
-  Proposed roads - investigate an additional road link from Wyong Road into existing industrial area. Develop street network to improve access and circulation.
-  Proposed ATL - Provide safe pedestrian and cycle paths to areas of employment and recreation.





Precinct strategy: Tuggerah



Direction 13

Sustainable renewal in Tuggerah Town Centre

Action 13.1 Investigate transit-oriented development at Tuggerah Station

The immediate vision for Tuggerah is to continue to provide for employment growth and to support regional sporting, retail and entertainment facilities. Council to seek funding to investigate the development of mixed-use residential and short-term accommodation around the station. In the longer term, renewal around the station may deliver additional local shops to service commuters as well as short-term accommodation to support the existing business park and regional sporting facilities. Intensifying development around the station will increase activity, creating a more vibrant and safer place. It is important that a plan is in place to future-proof land for renewal.

Action 13.2 Establish principles & key development outcomes for infill development on the Westfield Tuggerah Gateway site

The NSW Government has announced that it will be working with the landowners of this site to consider options for its development as an expanded shopping centre and for residential, transport, leisure, health and education uses. Should Council support development on this site, key principles and outcomes sought by Council should include, but not be limited to the following:

- Specific, place-based controls for lot size, deep soil and building design to ensure the precinct is dominated by large trees and landscape, to protect the rural landscape setting at the gateway from M1/Wyong Road interchange.
- A strategy for retention of water in the landscape.
- A strategy for pedestrian connections to the nearby centre and rail station.
- A robust, public street grid that connects to the existing station precinct and shopping centre.
- Minimum targets for non-retail employment uses to ensure a diverse centre which increases opportunities for residents to work near home.
- A minimum open space target of 25% of the site, excluding detention areas.
- A minimum 5% affordable housing target.



Potential low scale mixed use development and landscaping along Anzac Road.



Transit-oriented development
Opportunity for future low-scale mixed-use development around Tuggerah Station.



Padstow commuter car park, NSW (image: AW Edwards)



Tuggerah Station
Tuggerah Station could be improved by consolidating commuter parking into a decked parking station including cycle storage, unlocking land to develop some mixed-use development, short-term accommodation and public open space.



Edmondson Park Train Station, NSW



High quality public domain
Opportunity to provide high-quality public domain around Tuggerah Station to improve pedestrian amenity.



Improved signage to increase safety of pedestrian and cyclists in traffic dominated areas.



Cycle path through regenerated wetlands. Photo: Paniboola Wetlands and Historic Reserve, Pambula, NSW.

Pedestrian and cycle movement

There is an opportunity to encourage pedestrian and cycle movement throughout Tuggerah by providing safe, attractive and shaded transport links, end-of-trip facilities and improved signage.





Implementation

The identification of priority actions and projects will be informed through the public engagement and consultation phase.



Item No: 2.2
Title: DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace
Department: Environment and Planning

11 November 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13438599
Author: Shannon Butler, Senior Development Planner
Manager: Andrew Roach, Unit Manager, Development Assessment
Executive: Scott Cox, Director Environment and Planning

Summary

A Development Application has been received for a small lot housing development (comprising a five lot subdivision and construction of five dwellings) on Lots 134 and 151 in DP1242457 (No. 38 Caravel Street and No. 27 Columbus Street, Hamlyn Terrace).

The Development Application has been reported to Council for the following reasons:

1. The application has been called to Council by Councillors MacGregor and Greenaway and;
2. In accordance with Section E4 of the *Policy for Determining Development Applications with Significant Public Objection*, the development application received more than 15 submissions.

The application has been examined having regard for the matters for consideration detailed in section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

Applicant	Masters Empire Group
Owner	Prospective Developments P/L
Application No	DA/1284/2018
Description of Land	Lots 134 and 151 DP1242457, 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace
Proposed Development	Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing)
Site Area	1,200m ²
Zoning	R2 Low Density Residential
Existing Use	Vacant
Employment Generation	No
Estimated Value	\$2,006,837

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

Recommendation

- 1 That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.**
- 2 That Council advise those who made written submissions of its decision.**

Precis:

Proposed Development	Five Lot subdivision and construction of five dwellings (small lot housing)
Permissibility and Zoning	The subject site is zoned R2 Low Density Residential under the provisions of Wyong Local Environmental Plan 2013.
Relevant Legislation	<ul style="list-style-type: none"> • <i>Environmental Planning and Assessment Act 1979 (EP&A Act)</i> • <i>State Environmental Planning Policy No. 55 – Remediation of Land (SEPP No. 55)</i> • <i>Wyong Local Environmental Plan 2013 (WLEP 2013)</i> • <i>Draft Central Coast Local Environmental Plan (Draft CCLEP 2018)</i>
Current Use	Vacant land
Integrated Development	No
Submissions	29 individual submissions and a petition containing 73 signatures.

Variations to Policies

Clause	4.1.2
Standard	Corner lots should have a minimum area of 700m ² for providing adequate area for addressing dual streetscape impacts, privacy issues, setback implications and intersection sight lines.
LEP/DCP	<i>Wyong Development Control Plan 2013 – Part 4 – Subdivision</i>

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

Departure basis	<p>The existing two lots are both corner lots (each having an area of 600m²). The proposal aims to further subdivide these two lots into a total of five lots (each with a land area of 240m²). Two of these resulting five lots will be corner lots. At 240m² these new corner lots will equate to a 66% variation to the control (noting that the DCP requires corner lots to be a minimum of 700m²).</p> <p>It is noted that <i>WDCP 2013 – Part 4 – Subdivision</i> does not specify a minimum corner lot size for small lot housing development. Therefore, the proposal has been considered against the general corner lot minimum in the absence of a minimum corner lot size being specified for small lot housing development.</p>
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The Site

The subject site is legally described as Lots 134 and 151 DP 1242457 and is known as No. 38 Caravel Street and No. 27 Columbus Street, Hamlyn Terrace.

The subject site comprises two corner allotments created through recent subdivision. The site has frontages to Baronet Street to the east (being the predominate frontage), Caravel Street to the north and Columbus Street to the south. The overall site area is 1,200m² and is entirely vacant with no existing vegetation or structures. The site is bound to the north, east and south by roll-top kerb and guttering with existing footpaths in place. Adjoining sites are similar, cleared parcels with the recent construction of new dwellings on some lots.

The site has a fall from the north-eastern corner to the south-western corner of approximately three metres.

The site is zoned R2 Low Density Residential under the provisions of *Wyong Local Environmental Plan 2013 (WLEP 2013)*.

The site is not identified as bushfire affected land and is not mapped as containing acid sulfate soils.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)



Figure 1 – Aerial photograph of site outlined in blue (taken prior to commencement of construction of dwellings in subdivision)



Figure 2 – Photograph of subject site as viewed from corner of Baronet and Caravel Streets

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

Surrounding Development

The subject site immediately adjoins two properties to the west, known as No. 40 Caravel Street and No. 29 Columbus Street. At the time of writing this report, there was a single-storey dwelling under construction on No. 40 Caravel Street. No. 29 Columbus Street was vacant. The lots located directly opposite the site on Baronet Street are vacant.

There are several dwellings under construction in the vicinity of the site – primarily single-storey.



Figure 3 – Photograph of immediately adjoining site to west (No. 40 Caravel Street)

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)



Figure 4 – Photograph of other immediately adjoining site to the west (No. 29 Columbus Street)

The Proposed Development

Development Application No. DA/1284/2018 seeks consent for a five-lot subdivision of the and construction of five two-storey dwellings under the small lot housing provisions of *Wyong Local Environmental Plan 2013* (WLEP 2013). In accordance with the provisions of clause 4.1B(3) of WLEP 2013, the proposed development aims to first undertake the five lot subdivision, with the construction of the five approved dwellings to follow.

The proposed subdivision will re-subdivide the existing two lots, resulting in the creation of five lots in total. Each new lot is proposed to have an area of 240m², with three lots fronting Baronet Street, a corner lot fronting Baronet Street and Caravel Street and a second corner lot fronting Baronet Street and Columbus Street.

All proposed dwellings contain four bedrooms and double garages. The proposal includes the construction of one driveway with access to Columbus Street, one driveway with access to Caravel Street and three driveways with access to Baronet Street. The dwellings are proposed to be finished in face bricks, with first floor cladding and concrete roof tiles. Figures 5 to 7 (inclusive) show the proposed development.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

During the assessment process the application was amended in response to concerns raised by Council staff and objectors. The amendments include:

- The relocation of all private open space areas to be behind front building lines,
- Provision of additional architectural variation to the streetscape,
- Provision of an increased front setback for the dwelling on proposed Lot C,
- Provision of increased first floor rear setbacks; and
- Provision of high sill windows on the first floor of the rear elevation to deal with privacy issues.

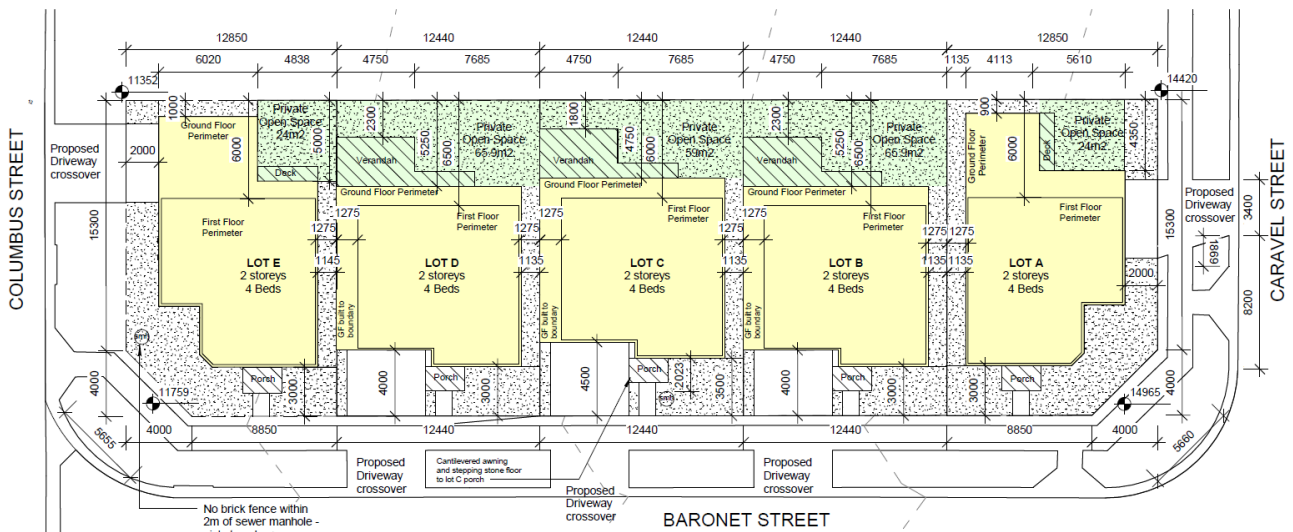


Figure 5 – Proposed Site Plan



Figure 6 – Streetscape perspective from corner of Columbus and Baronet Streets



Figure 7 – Streetscape Elevation/Perspective from Baronet Street

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

History

- Development consent was granted on 13 March 2017 under DA/715/2015 for a 114 Lot residential subdivision of 139-163 Warnervale Road. This subdivision resulted in the creation of the two allotments subject to this Development Application.

Submissions

The application was notified in accordance with *Wyong Development Control Plan 2013 (WDCP 2013)* Chapter 1.2 Notification of Development Proposals from 22 November 2018 to 13 December 2018. A total of 29 individual submissions were received along with a petition containing 73 signatures.

Following the receipt of amended plans, the application was notified for a second period from 6 August 2019 until 27 August 2019. One additional submission was received.

In accordance with Council's adopted Policy for Determination of *Development Applications Subject to Significant Public Objections*, the application is referred to Council for determination as a call-up request from Councillors was received during the assessment phase of the application. The call-up request required referral to Council for determination regardless of a recommendation for approval or refusal.

The issues raised during the notification period include:-

- ***The application was not widely notified by Council to surrounding residents and property owners.***

Comment:

The *Wyong Development Control Plan 2013 (WDCP 2013)* – Chapter 1.2 – Notification of Development Proposals states the following in relation to land owners to be notified of Development Applications:

- a. Where required by this plan, written notice of a development application received will be sent to the owners of land adjoining the land which is the subject of the application (except where land is held in common ownership with the subject land). This includes persons who own land that share a common property boundary with the site and land directly on the opposite side of a creek, road, pathway or similar thoroughfare.*

Council's records indicate that all properties adjoining the site were notified of the Development Application. This includes those properties immediately adjoining the site and those located directly on the opposite side of the roads from the site.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

In addition, it is noted that following the receipt of amended plans, the application was re-notified to those originally notified. In addition, those who made a submission on the original proposal during the initial notification period were also and notified.

- ***The proposed small lot housing does not comply with the rules and regulations that everybody else has to abide by.***

Comment:

The proposal seeks to rely on the small lot housing provisions outlined in Clause 4.1B(3) of *Wyong Local Environmental Plan 2013* (WLEP 2013).

In order to rely on the provisions of Clause 4.1B, the application is required to address the matters for consideration under Subclause 4.1B(5). It is considered that these matters have been adequately addressed in the application and supporting information (as detailed later in this report). The proposal achieves compliance with the development controls relating to small lot housing, with the exception of a variation to the minimum corner lot size control within *WDCP 2013 – Part 4 – Subdivision*, which is discussed in detail later in this report.

- ***The proposal will result in impacts relating to on-street parking and the general streetscape appearance of the estate.***

Comment:

Under the requirements of *WDCP 2013 – Chapter 2.11 – Parking and Access*, two car parking spaces are required per dwelling (for dwellings containing four or more bedrooms). Each proposed dwelling contains four bedrooms and a double garage - the proposal therefore complies with Council's car parking requirements. The proposal has been amended during the assessment phase to provide for an improved streetscape appearance and additional architectural variation between the dwellings.

- ***The proposal for small lot housing is not reasonable as the objector was advised that the locality is zoned R2 Low Density Residential which allows single dwellings only.***

Comment:

The proposal seeks to rely on the small lot housing provisions outlined in Clause 4.1B of *WLEP 2013*, which allows development consent to be granted to a single development application for development that comprises the subdivision of land into five or more lots of a size that are less than the minimum size shown on the lot size map in relation to that land (being 450m²) and the erection of a dwelling house on each lot resulting from the subdivision.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

- ***The development will result in overlooking and overshadowing of backyards and homes on adjoining lots.***

Comment:

The subject site is bound by three street frontages. Therefore overlooking and overshadowing have the potential to primarily impact the two adjoining properties to the west. It is noted that all first floor windows on the western elevation are high-sill bedroom windows and that bedrooms are considered to be low-traffic rooms not typically used during daytime hours, therefore, it is considered that the proposal does not result in any unreasonable overlooking and privacy impacts.

In relation to overshadowing, *WDCP 2013 – Chapter 2.1 – Dwelling Houses, Secondary Dwellings and Ancillary Structures* requires that ‘on June 21, 50% of the required principal private open space on adjoining land should receive at least three hours of unobstructed sunlight access between 9am and 3pm’. The proposal only partially impacts on the adjoining properties to the west in the morning hours (from 9:00am to 11:00am) on 21 June. Given the frontage of the site to three roads, the shadowing posed by the dwellings falls primarily within road reserves and front yards of the subject site from approximately 11:00am to 3:00pm on 21 June.

- ***The proposal does not comply with the building line setback requirement of six metres to the front and four metres to the rear.***

Comment:

The *WDCP 2013 – Chapter 2.1 – Dwelling Houses, Secondary Dwellings and Ancillary Development* requires a minimum front setback of three metres on lots with a site area up to 300m². Regarding rear setback, the DCP states that for any part of the building with a height up to 4.5 metres, a 3 metre minimum setback is required and for any part of a building with a height greater than 4.5 metres, a 6 metre minimum setback is required. The proposed dwellings on Lots B, C and D achieve compliance with these controls.

With regard to the dwellings on proposed Lots A and E, these are both corner lots and the DCP requires a minimum secondary boundary front setback of two metres. As these lots are located on corners, they do not contain a ‘rear’ and the setbacks to the western boundary are ‘side’ setbacks.

In relation to side setbacks, the DCP states for all lots greater than 12.5 metres in width at the building line require side setbacks of 0.9m for any part of the building with a height up to 4.5 metres. For any part of the building with a height of more than 4.5 metres, 0.9 metre is required plus one quarter of the height of the building above 4.5 metres.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

The applicant has provided the following figure demonstrating compliance with the side setback control in line with the DCP (see Figure 8).

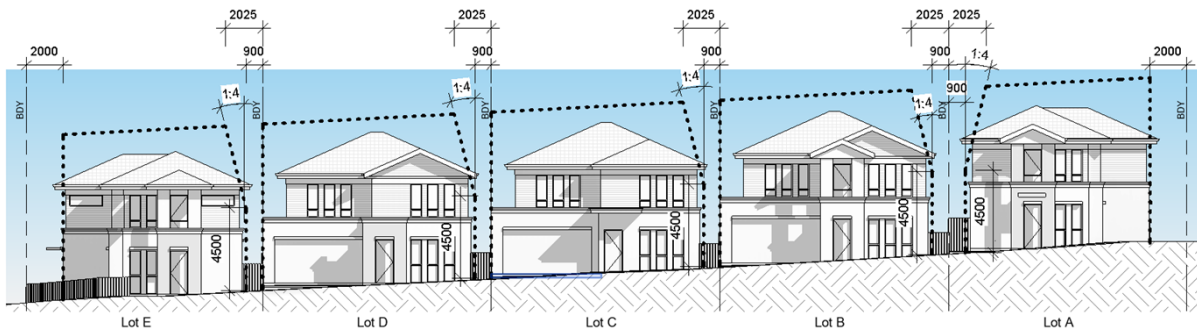


Figure 8 – Diagram depicting compliance with side setback controls as visually demonstrated in Figure 4 of the DCP

- **The proposal will result in reduced safety for pedestrians using the footpaths due to the number of driveways proposed.**

Comment:

It is acknowledged that the proposal will result in an increased number of driveways compared to the alternative of each of the existing two lots containing a single dwelling. The application has been assessed by Council’s Senior Development Engineer who did not raise any concerns relating to sight distance or pedestrian safety arising from the driveways. The proposal has been designed to integrate with the existing footpaths, ramps and pedestrian connectivity fronting the site.

- **The proposal does not comply with the objectives of the R2 Low Density Residential zone.**

Comment:

The objectives of the R2 Low Density Residential zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To maintain and enhance the residential amenity and character of the surrounding area.
- To provide a residential character commensurate with a low density residential environment.

The proposal assists in providing for the housing needs of the community within an emerging low-density residential environment.

2.2 **DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)**

The development will enhance the residential amenity and character of the surrounding area and will provide for variation in built form. The proposal provides for suitable architectural variation and interest and will have a positive influence on the streetscape. The proposal is not considered to be inconsistent with the objectives of the R2 Low Density Residential zone pursuant to *WLEP 2013*.

- ***The roads and amenities in the area are designed for the total number of existing lots within the subdivision. The further dwellings and lots proposed will decrease the life expectancy of the roads and facilities in the area.***

Comment:

The application has been assessed by Council's Senior Development Engineer in relation to servicing and impact on the surrounding road network. No concerns have been raised in relation to the ability of existing services or roads to cater for the proposed development. The applicant has demonstrated the manner in which essential services will be provided to the development in accordance with Clause 7.9 of *WLEP 2013*.

- ***The proposal will result in decreasing the values of properties surrounding the site.***

Comment:

This is not a matter for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979*. Further, no evidence has been submitted to substantiate this claim.

- ***The proposal will result in additional traffic in the area.***

Comment:

The roads within the subdivision and wider locality are capable of accommodating the minor increase in traffic which would result from the development. It is noted that the construction of a dual occupancy development on each of the allotments forming the subject site would result in a similar extent of additional traffic within the subdivision.

- ***The proposal results in a broken promise from the developers who created the estate who advised that there would be no further subdivision of the existing lots.***

Comment:

The developer who undertook the subdivision of the parent lot is responsible for a restriction in the Section 88B Instrument applicable to the site which states that:

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

no dwelling shall be erected or be permitted to remain on any lot burdened unless the gross floor area of any dwelling including garaging is equal to or greater than two hundred and twenty (220) square metres.

It is noted that Clause 1.9A of *WLEP 2013* is applicable in this instance and states the following:

For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.

Therefore, to enable development to be carried out in accordance with the plan despite a Section 88B restriction, Clause 1.9A may be relied upon. This matter is discussed in detail later in this report.

- ***The developer responsible for the creation of the subdivision has advised that they are not prepared to release the restriction in the Section 88B Instrument which requires that dwellings have a minimum gross floor area of 220m².***

Comment:

It is noted that the applicant seeks to rely on Clause 1.9A of *WLEP 2013*, which states the following in relation to the suspension of covenants, agreements and instruments:

For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.

Therefore, Council may allow the development to occur despite the restriction.

- ***The proposal would be more suited to an R1 General Residential zoned area.***

Comment:

Under Clause 4.1B of *WLEP 2013* development consent may be granted within the R2 Low Density Residential zone for a single development application that comprises the subdivision of land into five or more allotments of a size that is less than the minimum size shown on the lot size map in relation to that land and the erection of a dwelling house on each lot resulting from the subdivision. In determining whether to grant consent under this Clause the consent authority must consider the matters outlined in subclause 4.1B(5) which have been satisfactorily addressed in the application, as detailed later in this report.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

- ***Five dwellings on two lots could result in more than 20 people living on blocks that would normally house four to five people each.***

Comment:

It is acknowledged that the proposal results in a density beyond the two typical residential dwellings envisaged for the site. However, it is considered that the increased density is satisfactory given that the development is permitted under Clause 4.1B of *WLEP 2013*.

Further, the increased density is commensurate with the density of two dual occupancy development being constructed on the lots.

- ***There is no need to propose zero side setbacks when the existing lots are already of a generous size.***

Comment:

Under the requirements of Section 4.1.5.1 of *WDCP 2013 – Part 4 – Subdivision*, zero side boundary setbacks are permitted where the length of the zero setback area does not exceed 10 metres and compliance is achieved in this instance. Where a zero setback is proposed, the *WDCP 2013* states that a 1 metre wide maintenance easement is to be created on the adjoining title. The applicant has proposed suitable maintenance easements on the adjoining lots where zero side setbacks are proposed.

- ***Due to the nature of the proposal, residents will not have enough storage space inside their dwellings and will utilise their garages for storage and will therefore not park within their garages. This will exacerbate parking impacts of the development.***

Comment:

It is considered that the dwelling designs provide for adequate internal storage areas and no evidence has been submitted to support this assumption.

- ***Private open space for Lot A is proposed within the front yard. This defeats the purpose of private open space unless the area is fully fenced, in which case it would not be compliant with Council's fencing controls.***

Comment

This matter was drawn to the attention of the applicant during the assessment process and the proposal has been amended to address this issue. The Lot A private open space is now proposed to be located behind the front building line and will be suitably fenced.

2.2 **DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)**

- ***Private open space to the rear of the adjoining properties to the west will be affected by the proposed full height windows on the rear of the dwellings.***

Comment:

The first floor windows on the rear elevation have been amended to be high-sill windows and are also bedroom windows. Bedrooms are considered to be low-traffic rooms which are not typically used during daytime hours. Further, all first floor windows have a six metre setback to the western boundary. Therefore, it is considered that the proposal does not result in any unreasonable privacy impacts on the private open space areas within the adjoining properties to the west.

- ***The proposal will set a precedent that could be repeated over and over and thus destroy the character of the area.***

Comment:

This concern is acknowledged. It is noted that *Draft Central Coast Local Environmental Plan 2018 (CCLEP)* was publicly exhibited from 2 December 2018 until 28 February 2019. Clause 4.1E of *Draft CCLEP 2018* only permits small lot housing developments within the R1 General Residential zone. In the event that *Draft CCLEP 2018* is adopted with this Clause in place, small lot housing will no longer be permitted within the R2 Low Density Residential zone following the date of adoption. It is noted that the subject application was lodged on 5 November 2018 and exhibition of *Draft CCLEP 2018* had not commenced at that date. Further, the adoption of *Draft CCLEP 2018* was not 'imminent' and 'certain' at the time of writing this report.

With regard to character, the locality is described as having an emerging residential character generally low-density, large, single dwellings. There is a combination of single and two-storey dwellings, with the addition of some more dense development, including dual occupancy. It is noted that there is a Development Application for a two-storey attached dual occupancy currently under assessment on one of the corner allotments located opposite the subject site (No. 25 Columbus Street) with dwellings of a similar scale to those proposed in the subject application. It is considered that the proposal will suitably integrate with the emerging character of the overall subdivision and provide a desirable mix of housing types for the area.

- ***The residents of the proposed dwellings are likely to have more than one vehicle and possibly up to four vehicles. The proposal does not provide adequate facilities to park this number of vehicles.***

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

Comment:

As previously discussed, each dwelling is proposed to contain a double garage and the proposal achieves compliance with the requirements of *WDCP 2013 – Chapter 2.11 – Parking and Access*. It is considered that the extent of car parking proposed is adequate to cater for the development.

- ***The proposal is located on a prominent site within the estate and will provide for a poor first impression for visitors to the estate.***

Comment:

The proposal was amended during the assessment phase to provide for additional architectural variety and streetscape interest between the dwellings. The proposal complies with the setback and design controls within *WDCP 2013 – Chapter 2.1 – Dwelling Houses, Secondary Dwelling and Ancillary Development*.

- ***The setback of the garages do not allow for a vehicle to be parked to the front of the garages without impeding the footpaths.***

Comment:

WDCP 2013 – Chapter 2.1 – Dwelling Houses, Secondary Dwellings and Ancillary Development requires a minimum front setback of three metres on lots with a site area up to 300m² and garages are required to be set back a minimum of one metre behind the front boundary setback. The front setbacks of the garages on proposed Lots B, C and D comply with these setbacks.

With regard to the dwellings on proposed Lots A and E, the *WDCP 2013* requires a minimum secondary front boundary setback of two metres. The dwellings comply with this control. The applicant was requested to consider amending the design of the dwellings to accommodate a parked vehicle to the front of the garages and opted not to. Given that *WDCP 2013* compliance was achieved, this request was not further pursued.

- ***The proposal will result in increased noise pollution for adjoining properties.***

Comment:

It is noted that the proposal includes five private open space areas associated with the proposed dwellings which are located adjacent to the western boundary. Any noise resulting from these private open space areas would be commensurate with a typical dwelling private open space area. The vehicle parking areas are all located adjacent to the street frontages and will not result in unreasonable acoustic impact. The proposal is not considered to be unreasonable in relation to acoustic impact.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

- ***The dwellings on proposed Lots A and E have garage setbacks of only two metres. This is one third of the required building line of six metres that the objector was required to adhere to for their dwelling.***

Comment:

The proposed setbacks of the Lot A and E garages achieve compliance with the secondary boundary setback (on corner lots) control of two metres under *WDCP 2013 – Chapter 2.1 – Dwelling Houses, Secondary Dwellings and Ancillary Development*.

- ***The proposal will result in drainage issues due to additional roof space and less pervious area.***

Comment:

It is acknowledged that the proposal seeks an increase in hard surface area generating runoff when compared to the original subdivision design. Therefore, an on-site stormwater detention and drainage system will be required to control the rate of runoff leaving the site. The detention system must be designed to attenuate post developed flow rates to pre-development flow rates for a full range of storm durations for the 5, 20 and 100 year average reoccurrence interval (ARI) design storms. Conditions of consent are recommended in this regard.

Submissions from Public Authorities

There were no public authorities required to be consulted in relation to the application.

Internal Consultation

The application was referred to the following internal officers and the following comments have been provided:

- ***Senior Development Engineer***

The application has been assessed by Council's Senior Development Engineer and is considered satisfactory subject to recommended conditions of consent.

- ***Contributions Officer***

The application has been reviewed by Council's Contributions Officer. The proposal is subject to Section 7.11 contributions set out in Council's Warnervale District Section 7.11 Contributions Plan.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

A condition of consent is recommended requiring that the applicable development contributions be paid prior to the issue of a Subdivision Certificate.

Ecologically Sustainable Principles:

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

The proposed development is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations. The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments. However, a number of issues have been identified in relation to the proposed stormwater drainage arrangements, which are discussed in detail later in this report.

Climate Change

The potential impacts of climate change on the proposed development have been considered by Council as part of its assessment of the application.

This assessment has included consideration of such matters as potential rise in sea level; potential for more intense and/or frequent extreme weather conditions including storm events, bushfires, drought, flood and coastal erosion; as well as how the proposed development may cope/combat/withstand these potential impacts.

Assessment:

Having regard for the matters for consideration detailed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* and other statutory requirements, Council's policies and Section 10.7 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

Section 4.15 (1)(a) of the EP&A Act: Provisions of any environmental planning and assessment instruments/Plans/Policies

State Environmental Planning Policy No. 55 – Remediation of Land

State Environmental Planning Policy No. 55 (SEPP No. 55) – *Remediation of Land* applies to the proposal. Clause 7 of the SEPP requires a consent authority to consider whether the land is contaminated, and if so, if that contamination can be remediated to allow for the proposed use of the land.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

The potential contamination of the parent lot was investigated as part of the subdivision application which resulted in the creation of the two lots forming the subject site. A contamination assessment was submitted as part of that application which advised that the likelihood of contamination from historical land use activities was considerably low. Therefore, the proposal is considered satisfactory with regard to *SEPP No. 55*.

Wyong Local Environmental Plan 2013

Zoning & Permissibility

The subject site is zoned R2 Low Density Residential under the provisions of *Wyong Local Environmental Plan 2013 (WLEP 2013)*. The proposal seeks consent for the subdivision of the subject site to create five lots. Clause 2.6 of *WLEP 2013* permits the subdivision of land to which the Plan applies with development consent. The proposal also includes the construction of a dwelling house on each of the five proposed lots. *WLEP 2013* defines a dwelling house as follows:

Dwelling house means a building containing only one dwelling.

Development for the purpose of a dwelling house is permissible with consent within the R2 Low Density Residential zone.

The R2 Low Density Residential zone is based on the following objectives:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To maintain and enhance the residential amenity and character of the surrounding area.*
- *To provide a residential character commensurate with a low density residential environment.*

The proposal assists in providing for the housing needs of the community within an emerging low density residential environment. The development will enhance the residential amenity and character of the surrounding area and will provide for variation in built form. The proposal provides for suitable architectural variation and interest and will have a positive influence on the streetscape. The proposal is considered to be satisfactory with regard to the objectives of the R2 Low Density Residential zone.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

Clause 1.9A - Suspension of Covenants, Agreements and Instruments

It is noted that the lots comprising the subject site are burdened by the following restriction on the Section 88B Instrument for Deposited Plan No. 1242457:

No dwelling shall be erected or be permitted to remain on any lot burdened unless the gross floor area of any dwelling including garaging is equal to or greater than two hundred and twenty (220) square metres.

The proposed gross floor areas of the dwellings including garaging range from 185.73m² to 190.24m² and therefore do not comply with the Section 88B restriction.

The restriction was not imposed on the lot/s by Council, but rather originated from the developer responsible for the parent subdivision.

It is noted that the applicant has sought to rely on Clause 1.9A of *WLEP 2013* which outlines the following in relation to the suspension of covenants, agreements and instruments:

(1) For the purpose of enabling development on land in any zone to be carried out in accordance with this Plan or with a consent granted under the Act, any agreement, covenant or other similar instrument that restricts the carrying out of that development does not apply to the extent necessary to serve that purpose.

Therefore, in order to permit the carrying out of development in accordance with *WLEP 2013*, the restriction does not apply to the extent necessary to serve that purpose.

The use of Clause 1.9A of *WLEP 2013* can be relied upon for the purpose of enabling development in accordance with the small lot housing provisions of *WLEP 2013*.

Clause 4.1 - Minimum Lot Size

Under the provisions of Clause 4.1 of *WLEP 2013*, which applies to land within the R2 Low Density Residential zone, the subject site is mapped as having a minimum permitted subdivision lot size of 450m². The proposal seeks consent for the creation of five lots with an area of 240m².

Clause 4.1B of *WLEP 2013* provides for exceptions to minimum lot sizes for certain residential development and states the following:

(3) Development consent may be granted to a single development application for development on land to which this clause applies that is both of the following:
(a) the subdivision of land into 5 or more lots of a size that is less than the minimum size shown on the Lot Size Map in relation to that land,
(b) the erection of a dwelling house on each lot resulting from the subdivision.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

The proposal is for the subdivision of the site into five lots of a size that is less than the minimum size shown on the lot size map and the erection of a dwelling house on each lot resulting from the subdivision.

Subclause 4.1B(5) states that in determining whether to grant development consent for development under Subclause (3), the consent authority must consider the following:

- (a) *the likely impact of the height of the development on development located on adjoining land in relation to visual impacts and overshadowing,***

Comment:

The proposal was amended during the assessment phase to reduce the roof pitches and therefore reduce the maximum height. The maximum proposed ridge height is now 8.24 metres (from natural ground level), which is considered to be commensurate with a low density residential zone. Further, the proposal was amended to provide for increased architectural variation to the streetscape. It is noted that the site benefits from being located on three street frontages and only results in overshadowing impact on the adjoining properties to the west from approximately 9:00am to 11:00am on June 21. Therefore, the impact of the height of the development on development on adjoining land is considered to be reasonable.

- (b) *whether the development provides adequate pedestrian, vehicular and service access and car parking,***

Comment:

Suitable vehicular and service access has been proposed from the relevant street frontages and the development has been designed to integrate with the existing footpaths and pram ramps fronting the site. Each dwelling is proposed to contain a double garage which achieves compliance with *Wyang Development Control Plan 2013 (WDPC 2013) – Chapter 2.11 – Parking and Access* for a dwelling containing four or more bedrooms.

- (c) *whether the development incorporates the principles of ecologically sustainable development,***

Comment:

The development incorporates the principles of ecologically sustainable development through the provision of rainwater tanks and insulation to comply with BASIX commitments. Suitable stormwater drainage measures are proposed to cater for the development and integrate with the existing infrastructure.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

(d) *the relationship between each of the dwellings comprising the development in relation to location and siting.*

Comment:

The relationship between each of the dwellings comprising the development in relation to location and siting is considered to be satisfactory for a small lot housing development. The proposal achieves compliance with Council's controls which relate specifically to small lot housing developments.

Accordingly, the proposal is considered satisfactory with regard to Subclause 4.1B(5) of *WLEP 2013* and that granting development consent under Subclause (3) above is suitable in this instance.

Clauses 4.3 & 4.4 - Principal Development Standards

The subject site is not mapped as having any building height or floor space ratio limitations under Clauses 4.3 or 4.4 of *WLEP 2013*.

Part 6 - Urban Release Areas

The subject site is located within an urban release area and therefore, Part 6 of *WLEP 2013* is applicable. Clause 6.1 outlines that satisfactory arrangements are to be made for provision of designated State public infrastructure before the subdivision of land in an urban release area. However, subclause 6.1(4) states that subclauses (2) and (3) do not apply to:

- (a) any lot identified in the certificate as a residue lot, or*
- (b) any lot to be created by a subdivision of land that was the subject of a previous development consent granted in accordance with this clause, or*
- (c) any lot that is proposed in the development application to be reserved or dedicated for public open space, public roads, public utility undertakings, educational facilities or any other public purpose, or*
- (d) a subdivision for the purpose only of rectifying an encroachment on any existing lot.*

The proposal involves the further subdivision of land that was subject of a previous development consent granted in accordance with the Clause as per point (b) above (being the original subdivision which created the two lots forming the subject site (DA/715/2015)). Therefore, there are no satisfactory arrangements to be satisfied for the subject proposal.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

Clause 6.2 of *WLEP 2013* states that development consent must not be granted for development on land in an urban release area unless the Council is satisfied that any public utility infrastructure that is essential for the proposed development is available or that adequate arrangements have been made to make that infrastructure available when it is required.

The subject site was provided with essential public utility infrastructure as part of the subdivision works and the infrastructure is capable of being augmented to cater for the proposed development.

Clause 6.3 of *WLEP 2013* states that development consent must not be granted for development on land within an urban release area unless a development control plan that provides for the matters specified in subclause (3) has been prepared for the land *WDCP 2013 – Chapter 6.5 – Warnervale South* is applicable to the site and provides for the matters specified in subclause (3). Therefore, the proposal is considered satisfactory in relation to Part 6 of *WLEP 2013*.

Clause 7.9 - Essential Services

Clause 7.9 of *WLEP 2013* states that development consent must not be granted to development unless the consent authority is satisfied that services that are essential for the development are available or that adequate arrangements have been made to make them available when required. The applicant has demonstrated that each of the required essential services are available to service the lots and can be augmented to suit the proposed development.

Section 4.15(a)(ii) of the EP&A Act: Any draft environmental planning instrument

Draft Central Coast Local Environmental Plan 2018

Draft Central Coast Local Environmental Plan 2018 (CCLEP 2018) was exhibited from 2 December 2018 until 28 February 2019 and will consolidate the planning instruments of the former Local Government Areas. Draft CCLEP 2018 introduces Clause 4.1E which provides for exceptions to minimum subdivision lot sizes for certain residential development. Subclause (3) states the following:

- (3) *Development consent may be granted to a single development application for development on land to which this clause applies that is both of the following:*
 - (a) *the subdivision of land into 5 or more lots of a size that is less than the minimum size shown on the Lot Size Map in relation to that land,*
 - (b) *the erection of a dwelling house on each lot resulting from the subdivision.*

However, it is noted that Clause 4.1E is only applicable to land within the R1 General Residential zone. The subject site is located within an R2 Low Density Residential zone.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

The net result is that small lot housing is not permitted within the R2 Low Density Residential zone under the provisions of Draft CCLEP 2018 and the minimum permitted lot size is 450m² for the subject site.

Consideration must be given to the fact that the subject Development Application was lodged on 5 November 2018, prior to the exhibition of Draft CCLEP 2018 and Draft CCLEP 2018 is not regarded as being imminent and certain at the time of writing this report. Therefore, this matter has not been given determinative weight in the assessment of the application.

Section 4.15 (a)(iii) of the EP&A Act: Provision of any development control plan

Wyong Development Control Plan 2013

Part 4 – Subdivision

The application has been assessed against the requirements of *Wyong Development Control Plan 2013 (WDCP 2013) – Part 4 – Subdivision* (a table of compliance is included with this report as Attachment No. 1) and a variation has been identified relating to corner lot size. This variation is discussed below:

a) Corner Lots

Section 4.1.2 of *WDCP – Part 4 – Subdivision* states the following in relation to corner lot sizes:

- a) *Corner lots should have a minimum area of 700m² for the purpose of providing adequate area for addressing dual streetscape impacts, privacy issues, setback implications and intersection sight lines. The larger area will also provide opportunities for subdividable corner lot Dual Occupancies.*

It is noted that the subject site comprises two existing corner lots each with an area of 600m². Therefore, the existing corner lots do not comply with the above control and the proposal seeks to further reduce the size of the existing lots. The proposal will result in corner lots of 240m², which equates to a 66% variation to the control.

WDCP 2013 – Part 4 – Subdivision does not specify a specific minimum corner lot size for small lot housing developments, therefore, the proposal has been considered against the general corner lot minimum of 700m² in the absence of a specified minimum corner lot size for small lot housing developments.

The proposed corner lot sizes are considered satisfactory in the context of a small lot housing development as the proposal includes dwelling designs and the impacts of the proposed built form can be considered concurrently with the subdivision.

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

The minimum corner lot size requirement of 700m² is considered to be more applicable to a general subdivision where the future nature of the built form is not known. Further, a key intent of the minimum corner lot size control is to result in the creation of corner lots which lend themselves to future corner lot dual occupancy developments.

The proposed development is considered to result in a similar outcome to two corner lot attached dual occupancy developments. As a result, the proposed corner lot sizes are considered satisfactory in the context of a small lot housing development.

Chapter 2.1 – Dwelling Houses, Secondary Dwellings and Ancillary Development

The proposal has been assessed against the requirements of *WDCP 2013 – Chapter 2.1 – Dwelling Houses, Secondary Dwellings and Ancillary Development* and achieves compliance. A table of compliance is included with this report as Attachment No. 2.

Chapter 2.11 – Parking and Access

Under *WDCP 2013 – Chapter 2.11 – Parking and Access*, car parking is to be provided at the following rate for a dwelling house containing four or more bedrooms:

- Two spaces per dwelling if four or more bedrooms
- At least one fully enclosed garage carpark is required for new dwelling houses in urban areas

All proposed dwellings contain four bedrooms and each is provided with a double garage. Therefore, the proposal achieves compliance with *WDCP – Chapter 2.11 – Parking and Access*.

Chapter 3.1 – Site Waste Management

A site waste management plan was submitted with the application which is considered adequate for the type of development proposed.

Chapter 6.5 – Warnervale South

The proposal has been assessed against the requirements of *WDCP 2013 – Chapter 6.5 – Warnervale South* and achieves compliance. It is noted that this Chapter largely relates to initial, large scale subdivisions as opposed to smaller subdivisions and developments on already subdivided land.

Section 4.15 (a)(b) of the EP&A Act: Likely impacts of the development

(a) Built Environment

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

A thorough assessment of the aspects of the proposed development on the built environment has been undertaken in terms of DCP compliance and in terms of submissions received.

The proposed development is for a two storey, five dwelling small lot housing development located within an emerging low density residential precinct. It is noted that the surrounding development under construction comprises a mix of one and two storey dwellings.

It is considered that the proposal is consistent with the emerging streetscape of the locality and is satisfactory in relation to its impact on the built environment.

(b) Natural Environment

The subject site is located in a new subdivision, is vacant and contains no vegetation. As such, there will be no significant impact on the natural environment as a result of the proposal.

Section 4.15 (1)(c) of the EP&A Act: Suitability of the site for the development

There are no site constraints that would render the site unsuitable for development.

Any Submission made in Accordance with this Act or Regulations

The application was not required to be referred to any public authorities for comment.

Section 4.15 (1)(e) of the EP&A Act: The Public Interest

As discussed in this report, the proposal is for a five lot subdivision and five x two storey small lot housing dwellings within an emerging low density residential precinct. The proposal has been amended during the assessment phase to provide additional architectural variation and interest and reduce potential privacy impacts on the adjoining properties to the west. It is considered that the approval of the application is within the public interest.

Other Matters for Consideration:

Section 7.11 Contributions

The site is located within the Warnervale District Section 7.11 Contributions Plan area and development contributions are required to be paid based on five x four bedroom dwellings with a credit for the two existing serviced lots prior to the issue of a Subdivision Certificate. A suitable condition of consent is recommended in this regard.

Water and Sewer Contributions

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace (contd)

Water and sewer contributions are required for the proposal and will be outlined in the Section 306 Certificate under the *Water Management Act 2000*, which will be issued with any development consent granted.

Conclusion:

The development application seeks consent for a five lot subdivision and construction of five (two-storey) dwellings (as small lot housing) in accordance with the provisions of clause 4.1B(3) of Wyong Local Environmental Plan 2013.

The application has been assessed against the matters for consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* and *Wyong Development Control Plan 2013* and is considered satisfactory.

The proposal results in a variation to the minimum corner lot size requirement outlined in *Wyong Development Control Plan – Part 4 – Subdivision*, however, the proposed variation is considered to be satisfactory in the context of a small lot housing development.

Accordingly, the development application is recommended for approval subject to the recommended conditions of consent.

Reasons for the decision

The reasons for the decision as recommended under the assessment of this application are as follows:

1. The proposal is satisfactory having regard for the relevant environmental planning instruments, plans and policies.
2. The proposal has been considered against the provisions of *Wyong Local Environmental Plan 2013* and has been found to be satisfactory.
3. The proposal has been considered under the provisions of *State Environmental Planning Policy No. 55 – Remediation of Land* and has been found to be satisfactory.
4. The proposal is considered satisfactory having regard to the requirements of Part 4 – Subdivision, Chapter 2.1 – Dwelling Houses, Secondary Dwellings and Ancillary Development, Chapter 2.11 – Parking and Access, Chapter 3.1 – Site Waste Management and Chapter 6.5 – Warnervale South of *Wyong Development Control Plan 2013*.
5. There are no significant issues or impacts identified with the proposal under Section 4.15 of the *Environmental Planning and Assessment Act 1979*.

**2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings
(Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn
Terrace (contd)**

Attachments

- | | | |
|----------|--|-----------|
| 1 | WDCP 2013 - Part 4 - Subdivision - Table of Compliance | D13703724 |
| 2 | WDCP 2013 - Chapter 2.1 - Table of Compliance | D13703729 |
| 3 | Architectural Plans and Shadow Diagrams | D13658827 |
| 4 | Landscaping Plan | D13380431 |
| 5 | Recommended Conditions of Consent | D13703751 |

Attachment 1 – Wyong DCP 2013 - Part 4 – Subdivision – Table of Compliance

Requirement	Proposed	Compliance
2.0 Application Requirements		
General Requirements (cl 2.1)	The proposal complies with the general requirements.	Yes
Site Analysis (cl 2.2)	A suitable site analysis has been submitted.	Yes
Landscape Assessment Report and Vegetation Management Plan (cl. 2.3)	A suitable landscape assessment report has been submitted.	Yes
Service Plan (cl. 2.4)	A suitable service plan has been submitted.	Yes
Street Plan (cl. 2.5)	The proposal does not include the provision of any streets and is located within an established subdivision.	Yes
Lot Layout Plan (cl. 2.6)		
2.7 Other Requirements		
Developer Contributions (cl. 2.7.1)	A condition of consent is recommended requiring the payment of Development Contributions.	Yes
Traffic Assessment Report (cl. 2.7.5)	Given the small scale of the development, a Traffic Assessment Report is not warranted.	N/A
3.0 General Design Principles		
3.1 Stormwater Management and Flooding		
Site works are not to obstruct or divert overland flows from upstream (cl. 3.1.1.a)	The proposed works will not obstruct or divert overland flows from upstream.	Yes
Adequate provision for gravity drainage (cl. 3.1.1.c)	The proposal seeks gravity drainage to Columbus Street.	Yes
Stormwater runoff shall discharge into inter-allotment or street drainage (cl. 3.1.1.d)	Stormwater runoff is proposed to discharge to the Columbus Street drainage infrastructure.	Yes
Where easements may be required over downstream properties, evidence of the agreement shall be submitted with DA (cl. 3.1.1.e)	There are no easements required over downstream properties.	N/A
Measures to be included to protect wetlands and waterways in accordance with WSUD for Catchments Above Wetlands by Ecological Engineering (cl. 3.1.1.g)	There are no wetlands or waterways in the vicinity of the site.	Yes
WSUD principles to be adopted (cl. 3.1.1.i)	WSUD principles have been adopted.	Yes

Requirement	Proposed	Compliance
3.1.2 Erosion and Sediment Control		
Small sites 0-250m ² - No formal plan required (cl. 3.2.1.a)	N/A	N/A
Site Disturbance 250m ² -2500m ² - Erosion and Sedimentation Control Plan required (ESCP) (cl. 3.1.2.b)	A suitable ESCP has been submitted.	Yes
Site Disturbance 2500m ² or greater – Soil and Water Management Plan (SWMP) (cl. 3.1.2.c)	N/A	N/A
Environmentally Sensitive Sites – Require more detail and if less than 250m ² require ESCP; Sites 250m ² to 2500m ² require a SWMP (cl. 3.1.2.d)	N/A	N/A
3.1.3 Flooding		
Subdivision of land on floodplain not encouraged. Development must comply with DCP 3.3 Floodplain Management.	The site is not identified as being flood affected.	N/A
3.2 Services		
In established areas, new services shall have regard to the existing mode of installation (cl. 3.2.c)	New services are proposed to be installed in a manner consistent with the existing subdivision.	Yes
All services shall be provided underground (cl. 3.2.d)	All services are proposed underground.	Yes
The location of utility services not to affect significant vegetation or waterways (cl. 3.2.f)	The proposed utility services will not impact upon vegetation or waterways.	Yes
Functional energy efficient and appropriately located lighting is required in streets and public places (cl. 3.2.g)	Lighting is already established in the parent subdivision.	Yes
3.3 Cut, Fill and Earthworks		
Cut, fill or retaining works shall not be permitted within close proximity to sewer, drainage or inter-allotment easements (cl. 3.3.a)	There are no retaining walls proposed within the development.	Yes
Disturbance to natural drainage patterns avoided where possible (cl. 3.3.b)	The proposal does not result in any significant disturbance to natural drainage patterns.	Yes
Boundary retaining walls shall not exceed 900mm in height for residential zones and shall not extend for more than two lots (cl. 3.3.c)	There are no retaining walls proposed within the development.	N/A

Requirement	Proposed	Compliance
Retaining walls subject to significant load shall be designed by a suitably qualified engineer (cl. 3.3.d)	There are no retaining walls proposed which will be subject to significant load.	Yes
Any fill is to be contained within the boundaries of the site (cl. 3.3.e)	All fill is proposed to be contained within the boundaries of the site.	Yes
Retaining walls that are visible from the street shall be designed and constructed with a high quality decorative masonry product (cl. 3.3.h)	There are no retaining walls proposed within the development.	N/A
3.4 Street Layout and Design		
A road hierarchy is to be established which distinguishes between access lanes/paths, access streets, local streets, collector streets and distributor roads (cl. 3.4.a)	There are no new roads or streets proposed in the application.	N/A
The street network shall respond to the areas topography and natural features (cl. 3.4.g)	N/A	N/A
Streets shall be designed in accordance with the table in Appendix B (cl. 3.4.h)	N/A	N/A
The street network must interconnect between neighbourhood elements, transport modes and integrate with adjoining development (cl. 3.4.i)	N/A	N/A
Streets are to be designed to enable each lot to access street frontage (cl. 3.4.j)	N/A	N/A
The street design should consider adequate sight distance in regard for lot access (cl. 3.4.n)	N/A	N/A
Residential street blocks shall be no more than 80m deep and 160m long (cl. 3.4.o)	N/A	N/A
Where the land abuts open space or bushland, an urban interface area is required (UIA) as outlined in s.3.9 (cl. 3.4.q)	N/A	N/A
Appropriate intersection controls are to be provided (cl. 3.4.r)	N/A	N/A
3.5 Footpaths and Cycleways		
Footpaths are to be provided on one side of the street for access places/lanes, access streets and local roads (cl. 3.5.a)	Footpaths are existing within the subdivision and will be amended to suit the proposal.	Yes
Subdivisions are to provide pedestrian links between street networks. Cul de sacs where possible are to be designed in accordance with CPTED principles (cl. 3.5.b)	The proposal does not result in any impact on the surrounding street network.	Yes
Shared pedestrian/cycleways are to be provided in all new residential estates as identified in the Transport Report (cl. 3.5.d)	Pedestrian paths are existing within the subdivision.	Yes

Requirement	Proposed	Compliance
3.6 Street Trees and Landscaping		
Subdivisions are to incorporate street trees at a minimum rate of 1 semi-advanced tree per 15m frontage (cl.3.6.a)	Suitable semi-advanced street trees are proposed.	Yes
A street tree planting plan is to be included as part of the Landscape Assessment and Design Report (cl.3.6.b)	A street tree planting plan has been submitted.	Yes
3.7 Public Open Space and Parks		
No residential lot is to be located more than 400m from public open space (cl. 3.7.c)	The lots are located within 400m of a public open space area.	Yes
No residential lot is to be located more than 500 metres walking distance from a playground (cl. 3.7.d)	There is a playground located within 500m of the site.	Yes
The design shall include provision for foot/cycle paths on perimeter of open space linking to other destinations (cl. 3.7.g)	Footpaths are existing within the subdivision.	Yes
3.8 Heritage		
Provide details of any identified heritage item or aboriginal site and proposed treatment (cl. 3.8.a)	This matter was addressed in the parent subdivision application.	Yes
3.9 Vegetation Management, Threatened Species and Urban Interface		
To clear land an ecological assessment and management plan is likely to be required which includes Threatened Species Assessment (cl.3.9.1.c)	There is no clearing proposed.	N/A
Subdivision should be designed appropriately to so as not to effect any threatened species or ecological communities on site or adjoining land (cl. 3.9.2.b)	There will be no impact on threatened species or ecological communities.	N/A
An urban interface required on land that contains or adjoins significant vegetation (cl. 3.9.3.a)	N/A	N/A
3.10 Community Safety and Security		
Street design is to limit vehicular speed (cl.3.10.a)	There are no new streets proposed.	N/A
Lot design must enable appropriate surveillance while protecting privacy of residents (cl.3.10.b)	The lot design enables appropriate surveillance whilst protecting privacy.	Yes
Sight lines are to be preserved at all intersections (cl.3.10.d)	The proposal does not impede sight lines.	Yes
Lighting shall be provided to satisfy the relevant Australian Standard (cl.3.10.e)	Lighting is existing within the subdivision.	Yes

Requirement	Proposed	Compliance
4.0 Residential Subdivision		
4.1 Lot Size		
The minimum lot size within R2 zone is 450m ² under WLEP 2013. Areas and dimensions to have regard for Table 2. (cl.4.1.a)	The proposal seeks to rely on the small lot housing provisions of WLEP 2013.	Yes
Lot size in other residential zones is generally 450m ² , will range according to site characteristics (cl.4.1.b)	Small lot housing is proposed.	N/A
Minimum lot width is 15m (cl.4.1.c)	Refer to small lot housing controls.	N/A
For multi-lot subdivision a range of lot size is to be provided (cl.4.1.d)	All lots are 240m ² , however, it is noted that the proposal is only a five lot subdivision and this control is most applicable to an initial subdivision of a greenfield site.	Yes
Where subdivision under 450m ² is permissible, subdivisions of land with slopes less than 10% and proposing 10 or more lots is required to have at least 10% but not more than 20% of lots at 450m ² (cl.4.1.e)	The slope of the site is less than 10%, however, less than 10 lots are proposed.	Yes
Lots are to have street access and frontage or legal and physical access to street frontage (cl.4.1.f)	All lots have street access and frontage to a public road.	Yes
Battle-axe lots are in accordance with Table 2 (cl.4.1.g)	There are no battle-axe lots proposed.	N/A
4.1.1 Slope		
Table 2 shows recommended lot size for various slopes and lot types. Table 3 shows recommended information to be submitted for various slope categories (cl.4.1.1.g)	The proposal complies with the slope requirements.	Yes
4.1.2 Corner Lots		
Corner lots to have a minimum of 700m ² (cl.4.1.2.a)	The proposed corner lots are 240m ² .	Variation proposed. Addressed in report.
5m x 5m corner boundary splay to improve sight distance (cl.4.1.2.c)	Suitable corner splays are proposed.	Yes
Driveways to be setback a minimum 6m from the tangent point on the kerb return (cl.4.1.2.d)	The driveways are proposed to be adequately setback from the tangent points.	Yes
Driveways at signalised intersections to be setback beyond queue lengths (cl.4.1.2.e)	There are no signalised intersections in the vicinity of the site.	N/A
Driveways for lots adjacent to roundabouts or channelled intersections are to be clear of islands and pavement marking. Alternate access or right of carriageway from another street may be required (cl.4.1.2.f)	Complies.	Yes

Requirement	Proposed	Compliance
4.1.4 Battle Axe Lots		
Recommended lot size for battle axe lots is 750m ² . The access handle is excluded from this calculation. (cl.4.1.4.b)	There are no battle-axe lots proposed.	N/A
Minimum access handle width varies depending on number of lots refer to Table 4 (cl.4.1.4.c)	N/A	N/A
The maximum number of allotments or dwellings to share an access handle is 4 lots (cl.4.1.4.d)	N/A	N/A
The maximum longitudinal grade for an access handle shall be 20% and comply with AS/NZS 2890.1 (cl.4.1.4.e)	N/A	N/A
Passing bays may be required where an access handle contains a bend (cl.4.1.4.f)	N/A	N/A
Services are to be provided within the access handle (cl.4.1.4.g)	N/A	N/A
Where access handle services more than one lot the handle shall be supported by a right of carriageway (cl.4.1.4.h)	N/A	N/A
Where the handle serves 3 or more dwellings or is greater than 50m in length, vehicles must be able to enter and exit the access handle in a forward direction. Turning heads must be provided at the end of the handle & have a right of carriageway (cl.4.1.4.j)	N/A	N/A
4.1.4.1 Access Location Restrictions Affecting Lot Layout and Design		
Right of carriageway or access to battle-axe handles are not permitted to be located within the restricted areas to intersections as defined in AS/NZS 2890, Parts 1 and 2 (cl.4.1.4.1.a)	N/A	N/A

Requirement	Proposed	Compliance
4.1.5 Small Lot Housing Development		
4.1.5.1 Small Lot Housing in the R2 Low Density Residential Zone		
Applications for Small Lot Housing must address the requirements of Clause 4.1B of WLEP 2013 (cl.4.1.5.1.a)	The SEE addresses Clause 4.1B.	Yes
<p>Building Design:</p> <ul style="list-style-type: none"> i. small lot housing development proposals shall include the submission of individual dwelling designs for each lot. ii. Designs to have regard for Chapter 2.1 Housing and Ancillary Structures. iii. Dwelling designs shall provide for variation and architectural interest. (cl.4.1.5.1.b) 	<p>Dwelling designs have been submitted for the five proposed lots.</p> <p>The dwellings have been designed in accordance with Chapter 2.1.</p> <p>The proposal provides for suitable architectural interest.</p>	Yes
<p>Lot Size and Design:</p> <ul style="list-style-type: none"> i. Small lot housing development is to be confined to areas where the natural slope of the land is no greater than 15%; ii. Lot size is within the range of 200m² to 450m². Lot sizes only considered when lodged as part of a small lot housing development. iii. Lots to have a minimum lot area of 200m² and a minimum width of 7.5m at the building line. iv. Lots are generally rectangular in shape. (cl.4.1.5.1.c) 	<p>The slope of the site is under 15%.</p> <p>All proposed lots are 240m² and have a minimum width of 12.435m at the building line.</p> <p>All proposed lots are rectangular in shape.</p>	Yes

Requirement	Proposed	Compliance
Setbacks: ii. A zero side or rear boundary setback will not be permitted where the land adjoins a conventional housing lot. iii. Where a zero side boundary is proposed no windows or openings will be permitted. A 1.0m wide easement for maintenance is to be created on the adjoining property. No gutter, downpipe, eave etc shall project onto the adjoining lot (cl.4.1.5.1.d)	Zero side setbacks are proposed for three of the dwellings and none adjoin a conventional housing lot. Suitable easements for maintenance are depicted on the subdivision plan.	Yes
Summary of application requirements: i. all applications for 'small lot housing development' as defined in this Part, shall include complete details of the proposal which identify: <ul style="list-style-type: none"> • site analysis; • proposed lot boundaries and dimensions; • proposed house designs; • side and front setbacks; • driveway and car parking locations; • relationship of private open space to neighbouring properties; • the length of any external wall on a boundary and proposed easements for maintenance, etc.; • details of any retaining walls (including height, location and extent of cut and/or fill, drainage details, etc.). 	The application includes all the required information listed.	Yes
4.2 Street Orientation and Lot Design for Solar Access		
Streets are to be aligned generally east-west and north-south where possible (cl.4.2.a)	The proposal does not include any additional streets.	N/A
Where streets are not orientated N-S and E-W, lots shall be angled to achieve better solar access and achieve maximum exposure to cooling breezes in summer (cl.4.2.c)	N/A	N/A

Requirement	Proposed	Compliance
4.3 Urban Design		
The subdivision shall demonstrate best practice design in terms of individual elements including lot orientation, streetscape and landscape design (cl.4.3.a)	The orientation, streetscape and landscape design are considered satisfactory.	Yes
In new areas, the design allows for a mix of housing opportunities within a locality (cl.4.3.e)	The proposal allows for a mix of housing opportunities within the locality.	Yes
In established areas, the design preserves the essential character of the locality while providing for contemporary housing needs (cl.4.3.f)	N/A – located in a new estate.	N/A

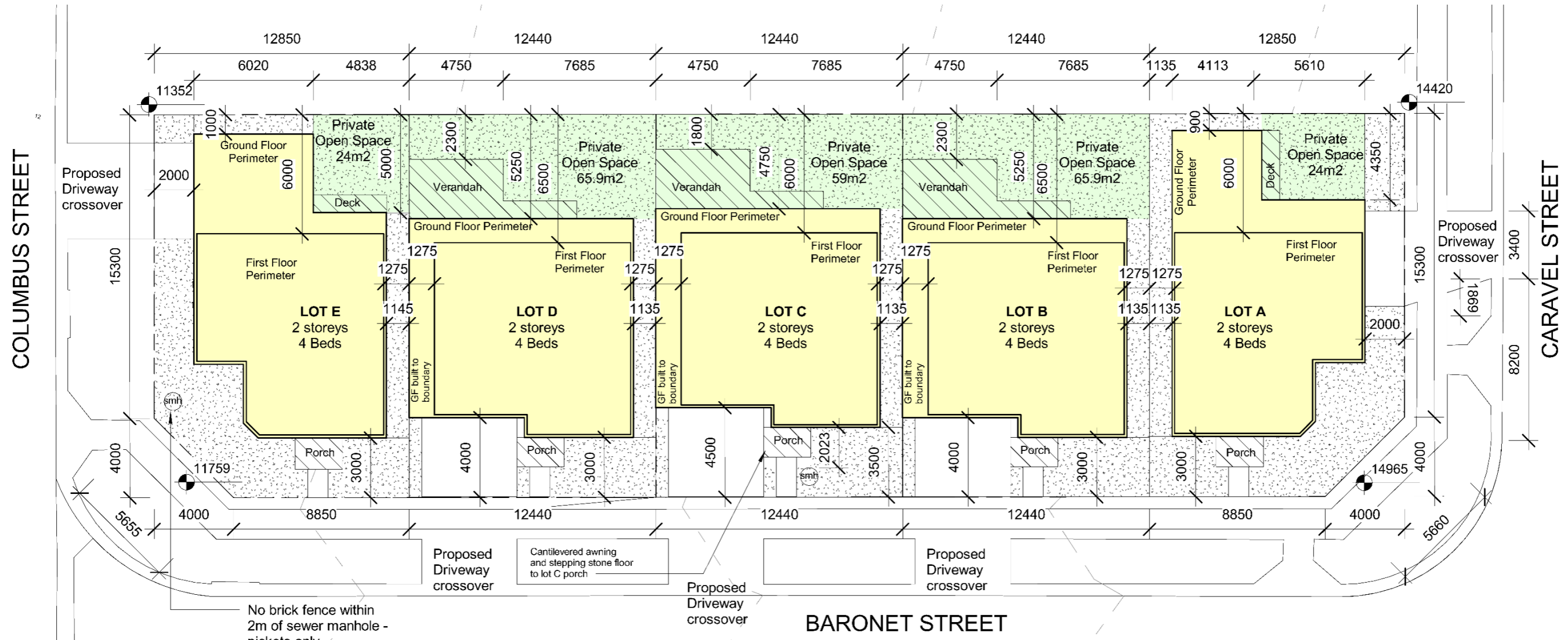
WDCP 2013 - Chapter 2.1- Dwelling Houses, Secondary Dwellings and Ancillary Development - Table of Compliance

Note: Only relevant controls are addressed.

Required	Proposed	Compliance
The maximum building height for dwellings if not specifically mapped is 10m (2.1a)	The maximum proposed height to the ridge is 8.24m.	Yes
Building height shall generally not exceed two storeys (2.1d)	All proposed dwellings are two storeys in height.	Yes
The site coverage of dwellings and all ancillary development shall not exceed (2.2): - 60% on a lot that has a site area greater than or equal to 250m ² . - 65% on a lot that has a site area less than 250m ² .	The maximum proposed site coverage is 49.7%.	Yes
The maximum floor space ratio for any building is not to exceed the FSR shown in the Wyong LEP 2013 FSR maps (2.3).	LEP 2013 does not impose an FSR restriction for the subject site.	N/A
Front setback: - to a local roadway on lots with a site area up to 300m ² = 3m -Secondary boundary setback (on corner lot)	The proposed front setbacks comply. There are front porches which rely on the articulation zone requirements. The widths of the articulated areas are under 25% of the overall widths in each case. The proposed secondary boundary setbacks are 2m.	Yes
Rear setback: - to a private allotment for any part of the building with a height of up to 4.5m – 0.9m for a maximum width of 50% of the length of the rear boundary. - for any part of the building with a height of more than 4.5m – 3m. - for any part of the building with a height greater than 4.5m – 6m	Ground floor rear setbacks range from 4.75m to 5.25m. First floor rear setbacks range from 6m to 6.5m.	Yes
Side boundary: - For lots up to 12.5m at the building line: - zero to one side only for a maximum length of 10m. Remainder:	The zero setback lengths are under 10m. The remainder of the dwellings exceed 0.9m with heights under 4.5m and meet the control for heights over 4.5m.	Yes

Required	Proposed	Compliance
<ul style="list-style-type: none"> - For any part of the building with a height up to 4.5m – 0.9m - For any part of the building with a height over 4.5m – 0.9m plus one-quarter of the height of the building above 4.5m. 		
Articulation zone	The front porches that encroach achieve compliance with the articulation zone requirements being under 25% of the width of the dwellings.	Yes
<p>Private open space is to be provided as follows:</p> <ul style="list-style-type: none"> - Lots with a width greater than 10m at the building line= 24m². -The principal private open space should be sited behind the front building line and should be generally level and may be in the form of a deck, terrace or paved area. 	<p>All lots have a width of over 10m at the building line.</p> <p>The proposed POS areas range from 24m² to 65.9m².</p> <p>The Lot A POS area has been amended to be located behind the building line.</p>	Yes
On June 21, 50% of the required principal private open space area for all dwellings should receive at least 3 hours of unobstructed sunlight access between 9am and 3pm.	Over 50% of the POS area of all dwellings receive 3 or more hours of direct solar access between 12noon and 3pm on 21 June.	Yes
On June 21, 50% of the required principal private open space on adjoining land should receive at least 3 hours of unobstructed sunlight access between 9am and 3pm.	Given the corner location of the site, the proposal will only impact on the solar access on the PPOS on the adjoining properties from 9am to 11am on June 21.	Yes
<p>Off-street car parking is to be provided for dwelling houses as follows:</p> <ul style="list-style-type: none"> a 1 space if dwelling has 3 or less bedrooms. b 2 spaces if dwelling has 4 or more bedrooms. c An open hard stand car parking space must measure at least 2.6m wide and 5.4m long. 	All dwellings are proposed to contain double garages with compliant dimensions.	Yes
Excavation for the purposes of development must not exceed a maximum depth measured from	The proposed retaining walls achieve compliance.	Yes

Required	Proposed	Compliance
<p>existing ground level of 1m if less than 1m from any boundary, or 3m if located more than 1m from any boundary.</p> <p>Fill for the purpose of erecting a dwelling must not exceed 1m above existing ground level. No retaining wall for fill is to be within 1m of a side or rear boundary unless within 1.5m of any external wall of a dwelling.</p>	<p>The maximum retaining wall height proposed is 800mm.</p>	



Legend:

- Built Area
- Balconies & Verandahs
- Private Open Space
- Deep Soil Area

1 Site Plan
1: 200

LOT E		
Site Area: 240m ²		
Total Allowable FSR: Not applicable		
Max. Site Coverage: 60%		
Site Coverage: 125.15m ² (52.1%)		
Deep Soil Area: 96.8m ² (40.3%)		

LOTS B / C / D		
Site Area: 240m ²		
Total Allowable FSR: Not applicable		
Max. Site Coverage: 60%		
Site Coverage: 118.82m ² (49.5%)		
Deep Soil Area: 78.9m ² (32.9%)		

LOT A		
Site Area: 240m ²		
Total Allowable FSR: Not applicable		
Max. Site Coverage: 60%		
Site Coverage: Lot A - 122.1m ² (50.9%)		
Deep Soil Area: 100m ² (41.7%)		

Gross Floor Area (Lot E)		
Level	Area	Comments
Ground Floor	82.00 m ²	
Ground Floor	30.86 m ²	Garage
Level 1	77.39 m ²	
Grand total	190.24 m ²	

Gross Floor Area (Lots B, C & D)		
Level	Area	Comments
Ground Floor	76.59 m ²	
Ground Floor	30.89 m ²	Garage
Level 1	80.71 m ²	
Grand total	188.19 m ²	

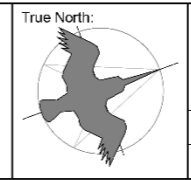
Gross Floor Area (Lot A)		
Level	Area	Comments
Ground Floor	75.02 m ²	
Ground Floor	33.00 m ²	Garage
Level 1	77.71 m ²	
Grand total	185.73 m ²	

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J	DA AMENDMENTS	31/07/2019
K	DA AMENDMENTS	30/08/2019

0m 4m 8m 12m 16m 20m

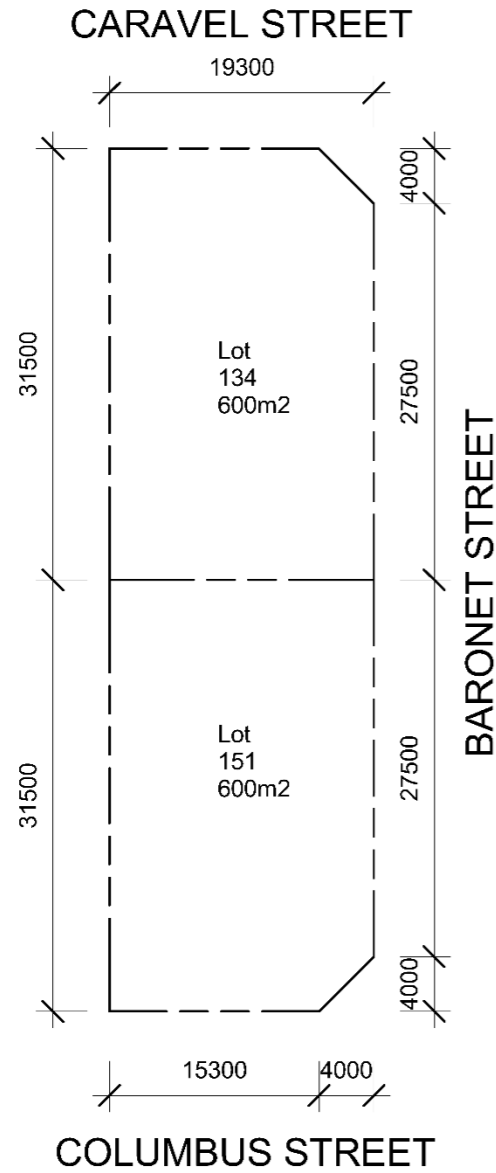
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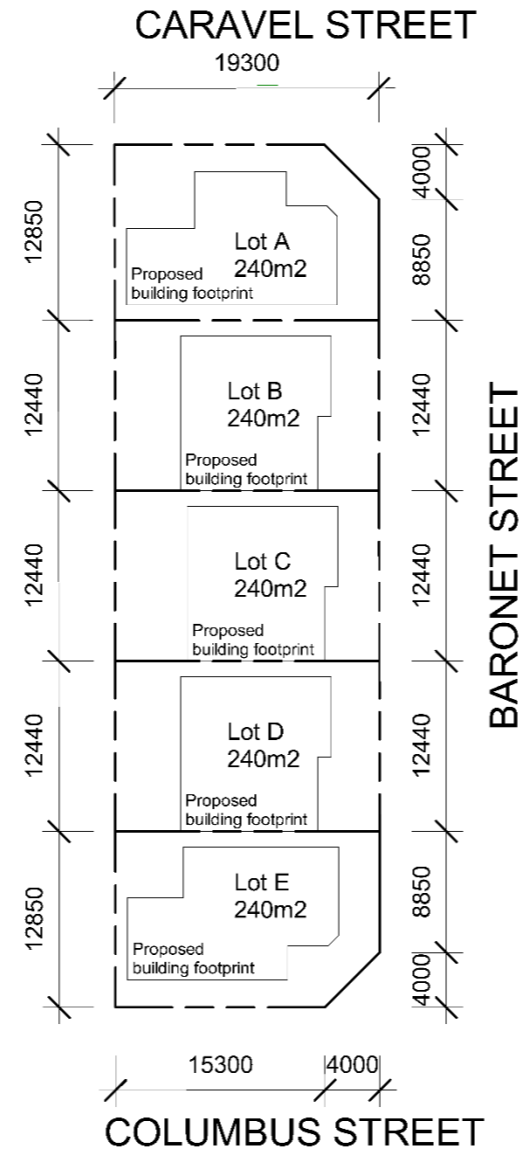
MASTERS EMPIRE GROUP
Subdivision & Dwellings at Lots 134 & 151 Warnervale Rd, Hamlyn Terrace

SITE PLAN
Scale 1:200 Drawn by FS Project no. 18141

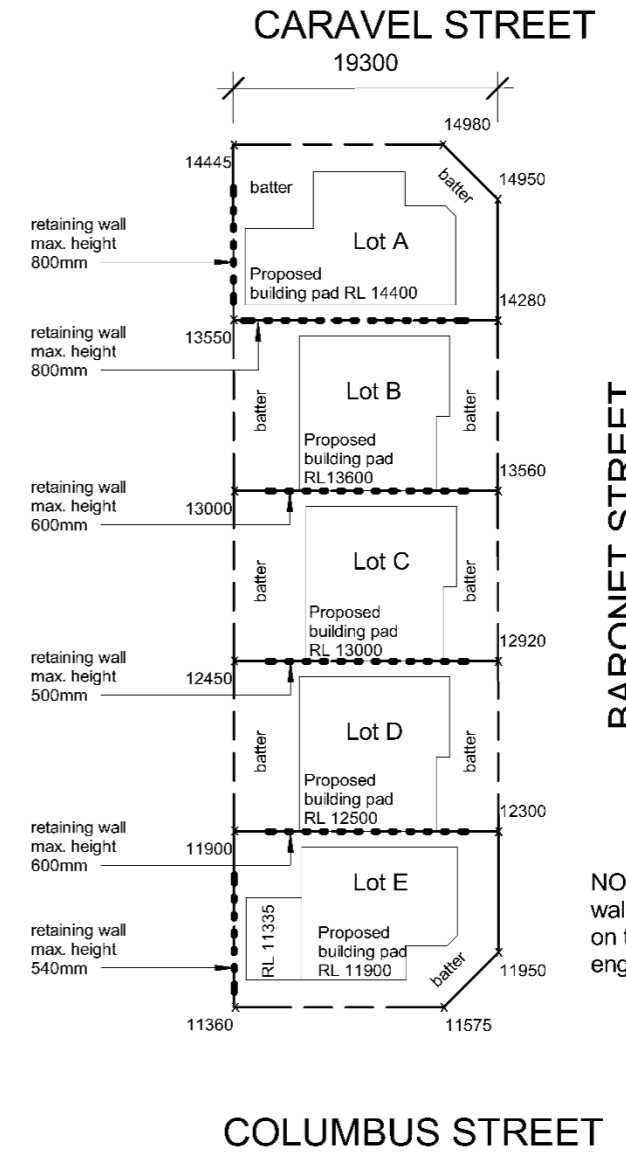
Sheet no. **DA02**
Issue K



1 Existing Lots
1 : 500



2 Proposed Lots
1 : 500



3 Cut & Fill Plan
1 : 500

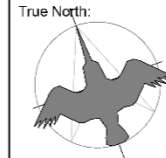


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K	DA AMENDMENTS	30/08/2019

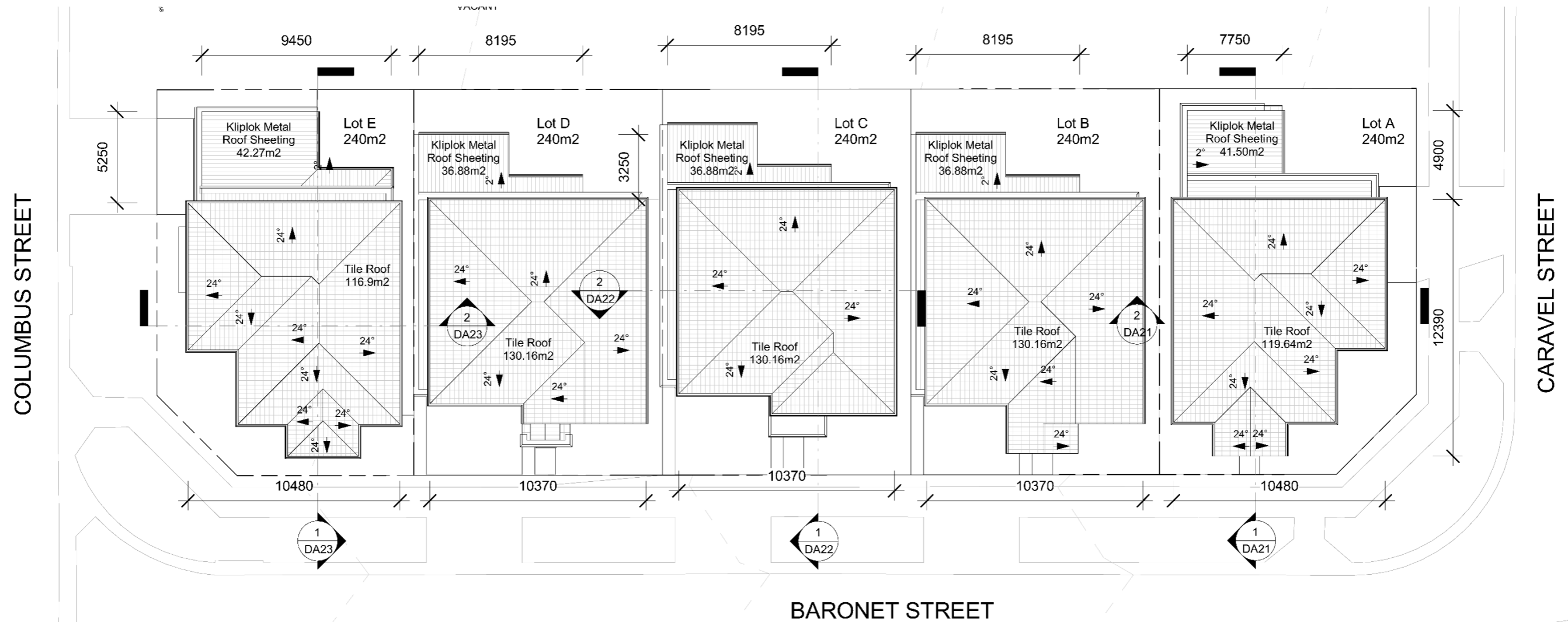


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Subdivision & Dwellings at Lots 134 & 151 Warnervale Rd, Hamlyn Terrace
SUBDIVISION PLAN
Scale 1:500 Drawn by FS Project no. 18141

Sheet no.
DA03
Issue K



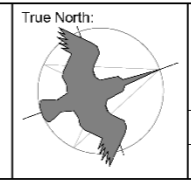
1 Roof Plan
1 : 200



ISSUE	PURPOSE OF ISSUE	DATE
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K	DA AMENDMENTS	30/08/2019

0m 4m 8m 12m 16m 20m

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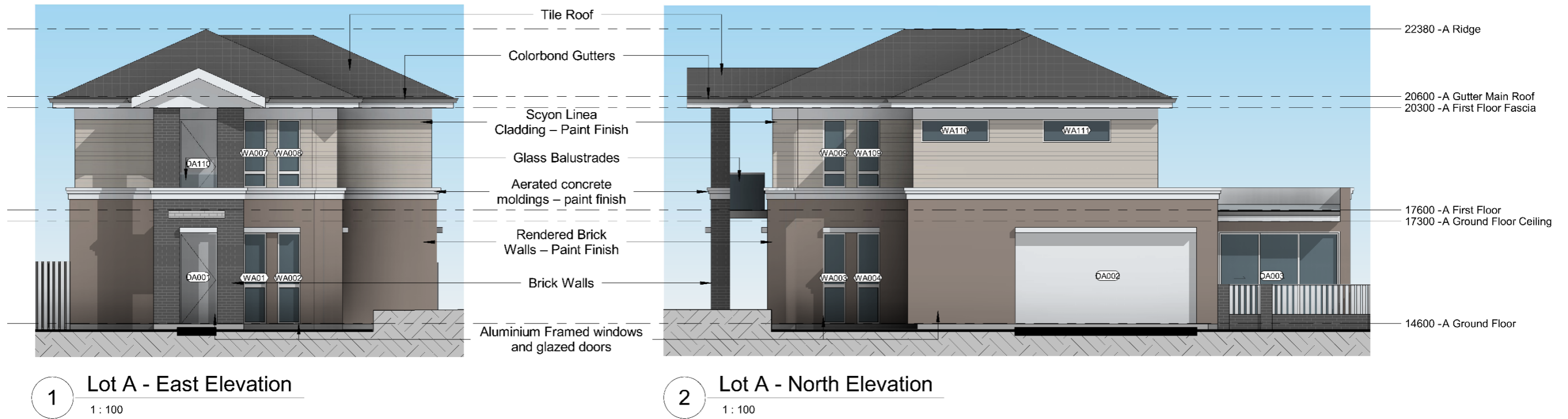
ROOF PLAN

Scale 1:200 Drawn by FS Project no. 18141

Sheet no.
DA16

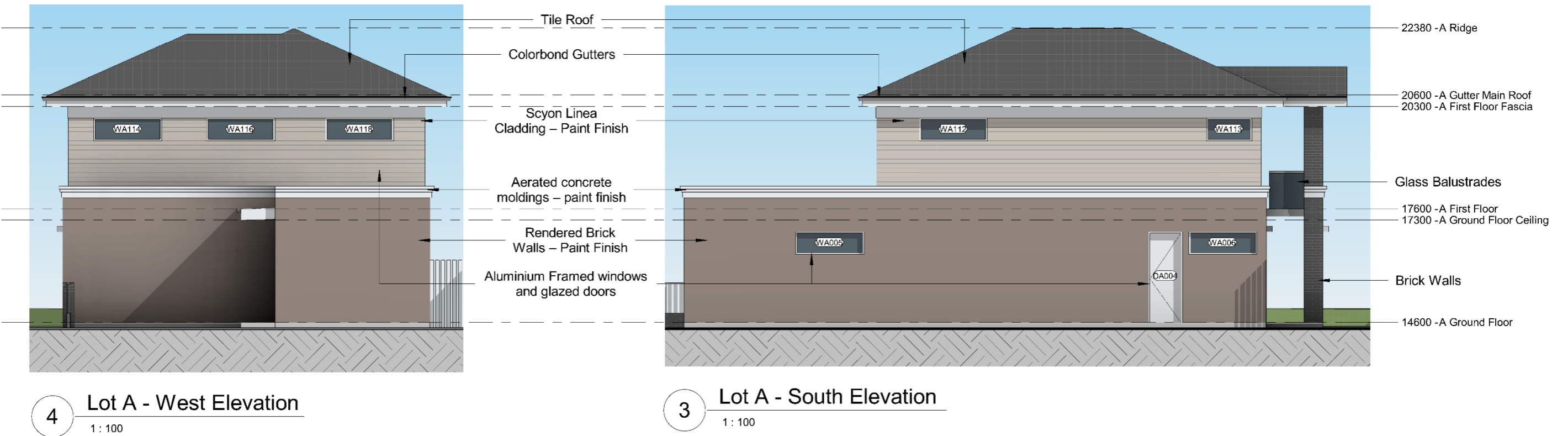
Issue K

30/8/19 5:05:41 PM



1 Lot A - East Elevation
1 : 100

2 Lot A - North Elevation
1 : 100



4 Lot A - West Elevation
1 : 100

3 Lot A - South Elevation
1 : 100



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True North:

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Subdivision & Dwellings at Lots 134 &
151 Warnervale Rd, Hamlyn Terrace

ELEVATIONS - LOT A

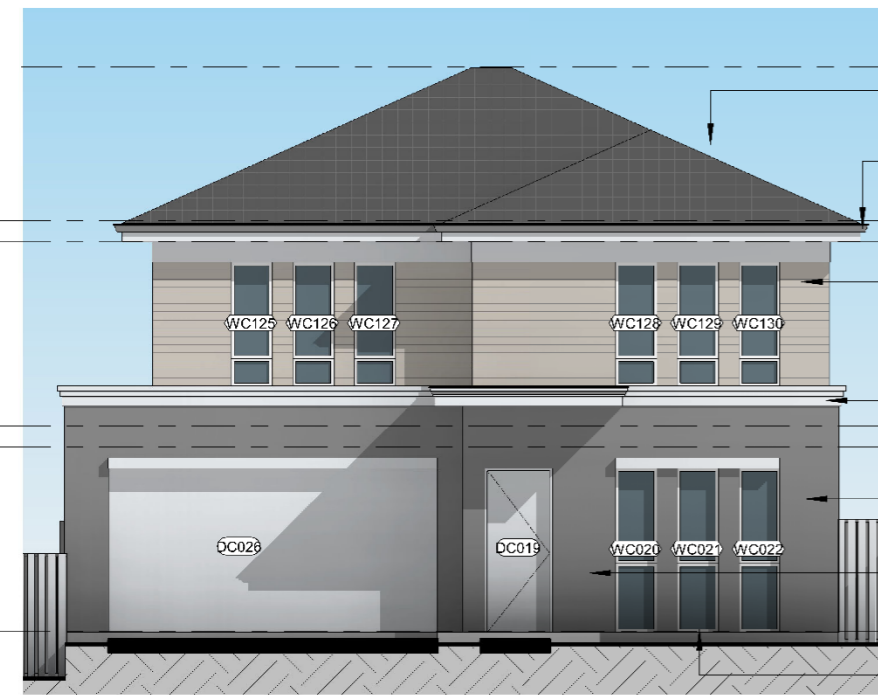
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Sheet no.

DA17

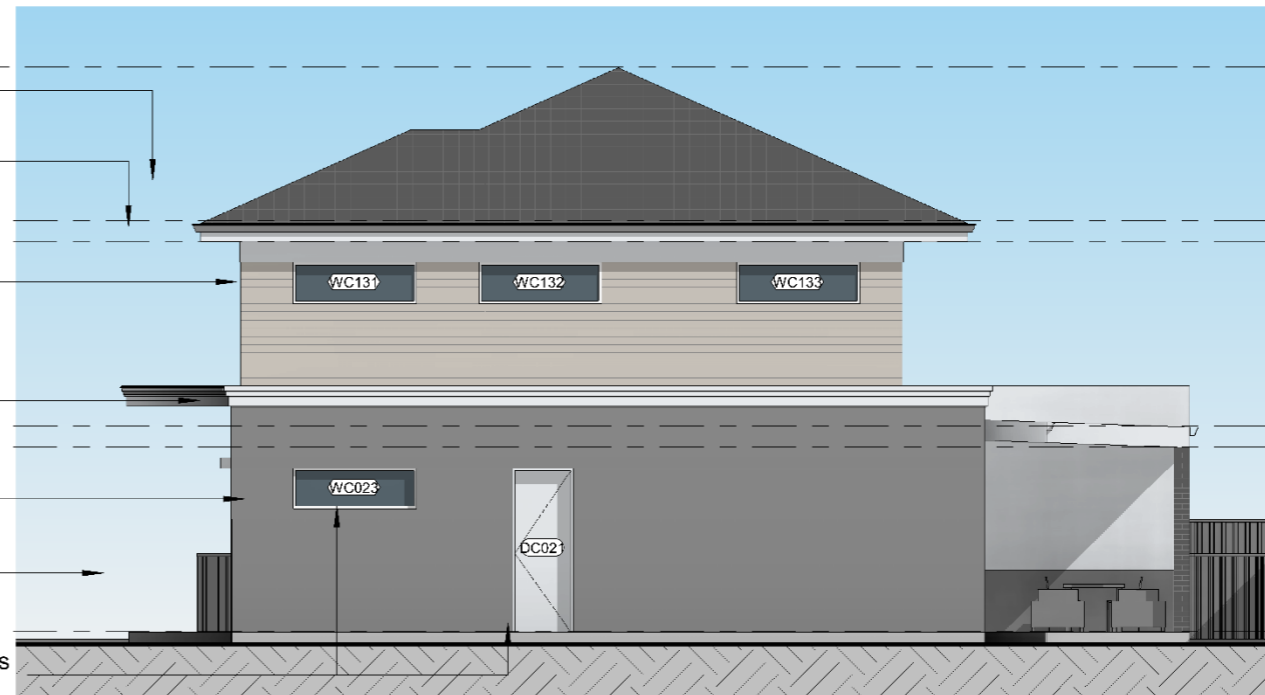
Issue K

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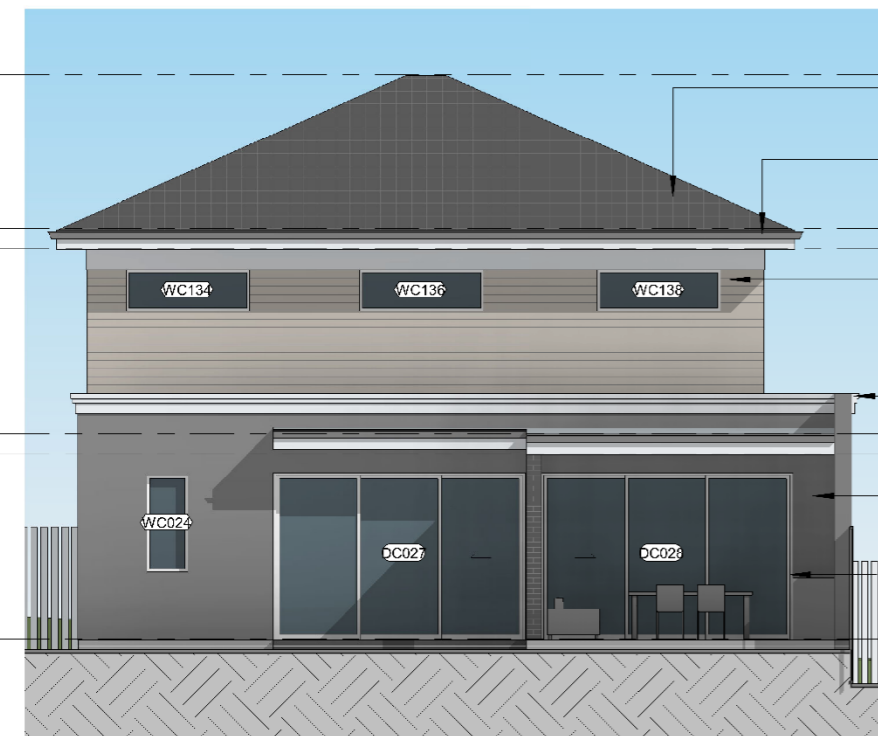


- Tile Roof
- Colorbond Gutters
- Scyon Linea Cladding – Paint Finish
- Aerated concrete moldings – paint finish
- Rendered Brick Walls – Paint Finish
- Brick Walls
- Aluminium Framed windows and glazed doors

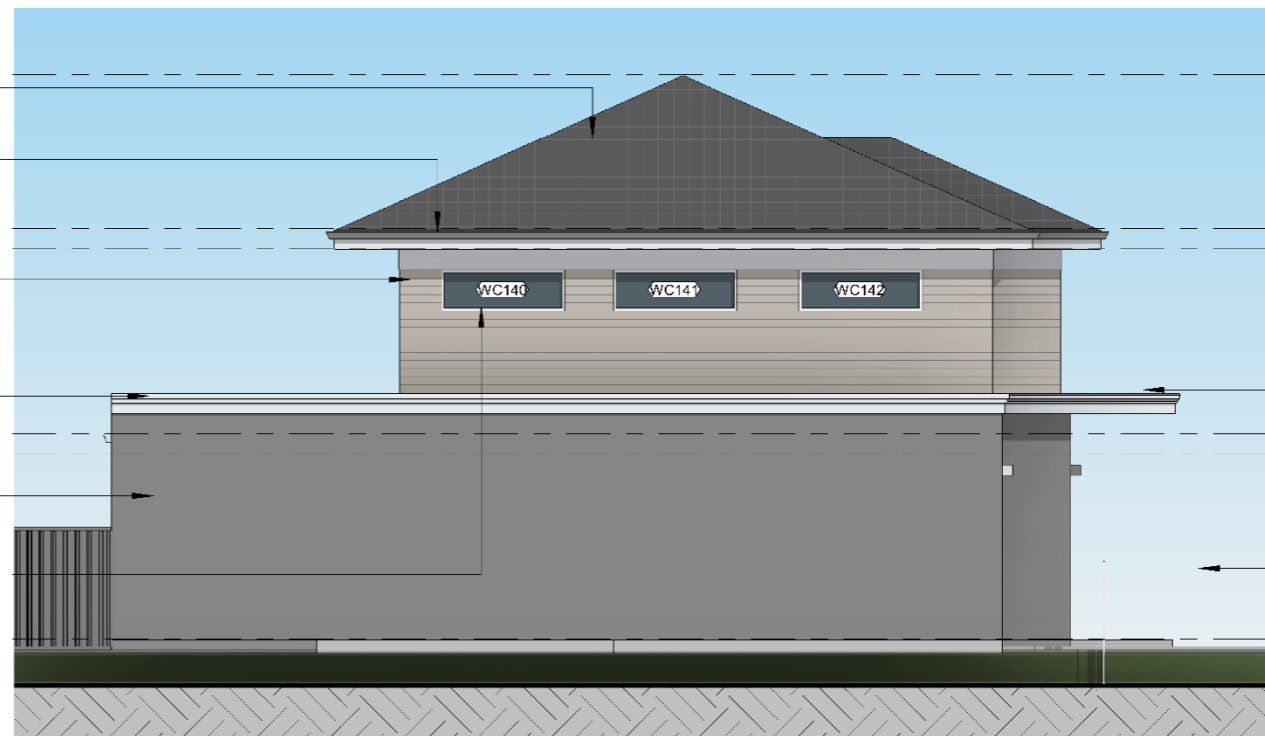
1 Lot C - East Elevation
1 : 100



2 Lot C - North Elevation
1 : 100

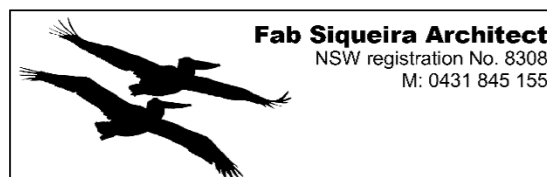


4 Lot C - West Elevation
1 : 100



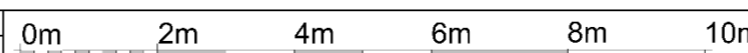
3 Lot C - South Elevation
1 : 100

NOTE: Refer to streetscape elevation on page DA24 for differences between East elevations in Lots B, C & D



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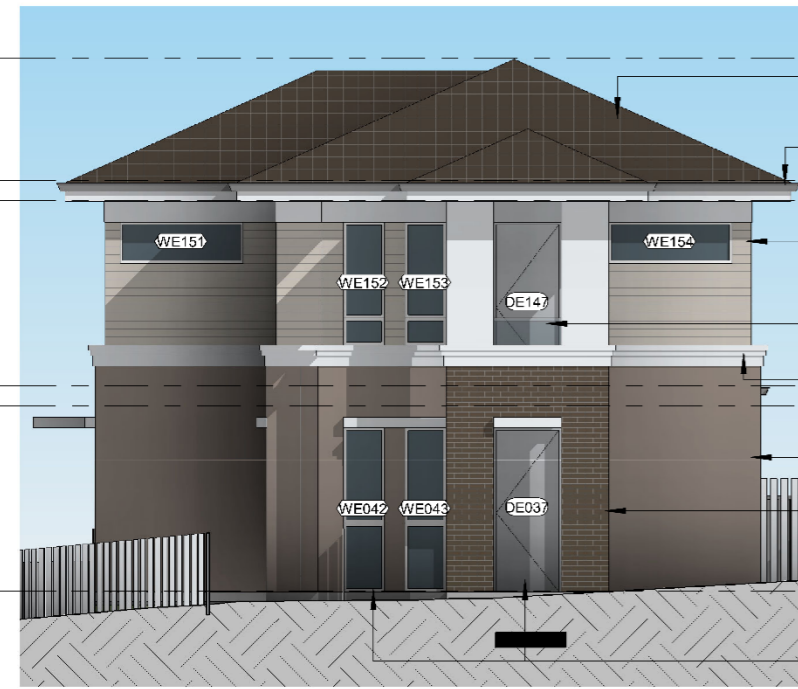
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ELEVATIONS - LOT B, C & D
Scale 1:100 Drawn by FS Project no. 18141

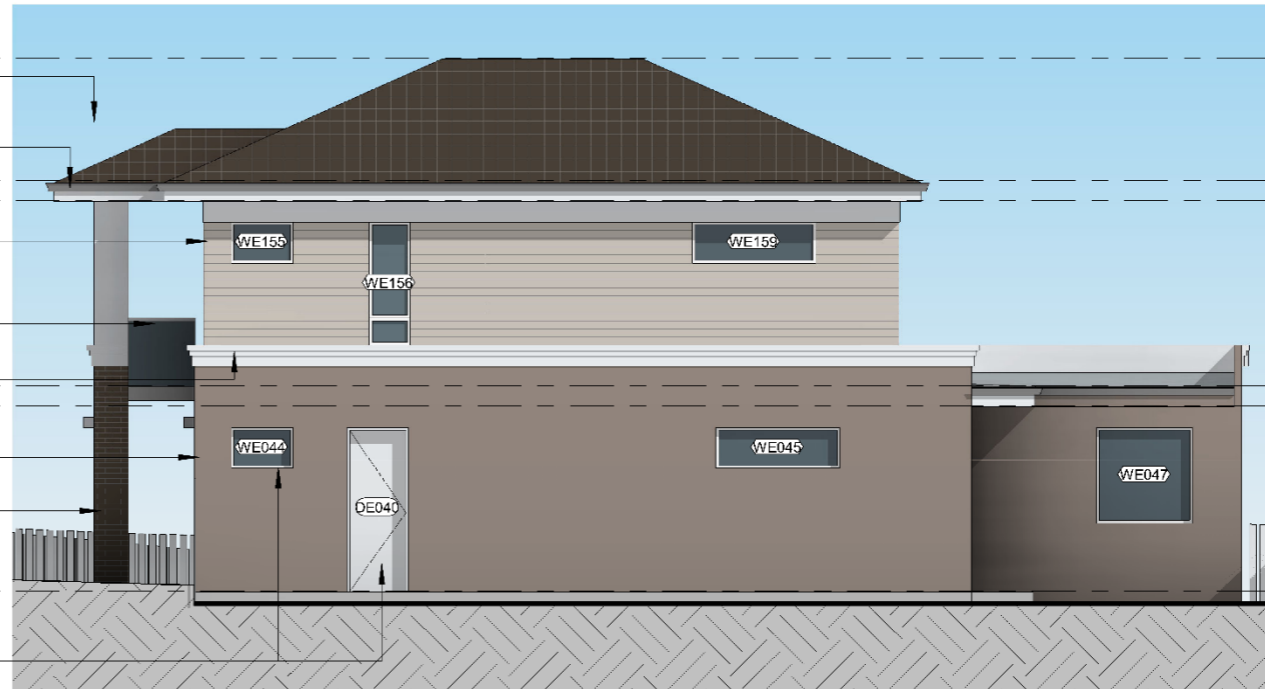
Sheet no.
DA18
Issue K

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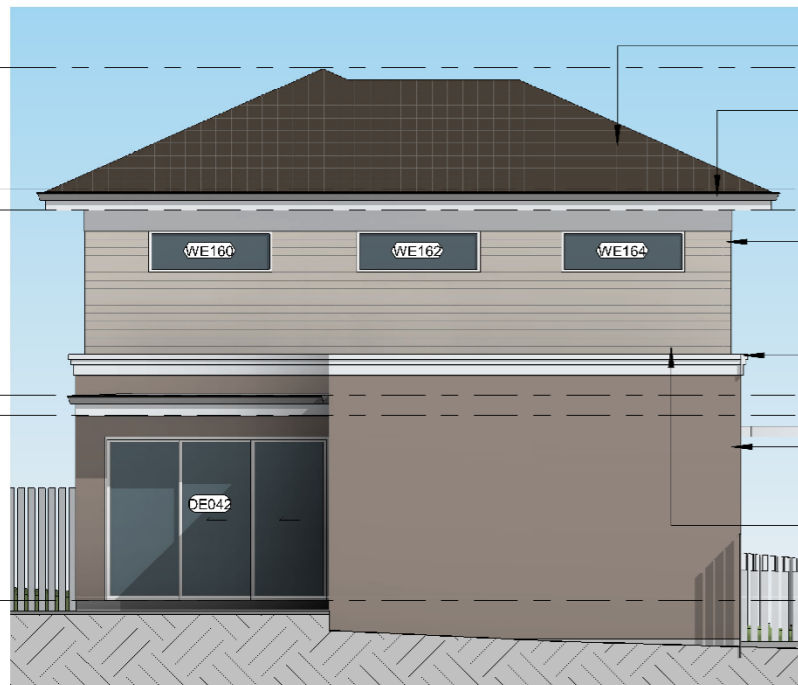
- Tile Roof
- Colorbond Gutters
- Scyon Linea Cladding – Paint Finish
- Glass Balustrades
- Aerated concrete moldings – paint finish
- Rendered Brick Walls – Paint Finish
- Brick Walls
- Aluminium Framed windows and glazed doors

1 Lot E - East Elevation
1: 100



- 19877 - E Ridge
- 18100 - E Gutter Main Roof
- 17800 - E First Floor Fascia
- 15100 - E First Floor
- 14800 - E Ground Floor Ceiling
- 12100 - E Ground Floor

2 Lot E - North Elevation
1: 100



- Tile Roof
- Colorbond Gutters
- Scyon Linea Cladding – Paint Finish
- Aerated concrete moldings – paint finish
- Rendered Brick Walls – Paint Finish
- Aluminium Framed windows and glazed doors

4 Lot E - West Elevation
1: 100



- 19877 - E Ridge
- 18100 - E Gutter Main Roof
- 17800 - E First Floor Fascia
- Glass Balustrades
- 15100 - E First Floor
- 14800 - E Ground Floor Ceiling
- Brick Walls
- 12100 - E Ground Floor

3 Lot E - South Elevation
1: 100



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Subdivision & Dwellings at Lots 134 &
151 Warnervale Rd, Hamlyn Terrace

ELEVATIONS - LOT E

Scale 1:100 Drawn by FS Project no. 18141

Sheet no.

DA19

Issue K

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Roof Bristile Planum Truffle



Roof Bristile Planum Baltic



Roof Bristile Planum Wallaroo



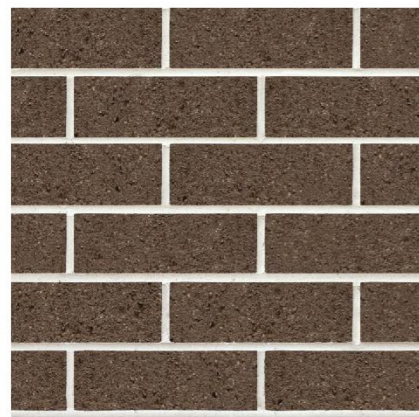
Dulux S40A4 Stowaway



Dulux G6H5 Reckless Grey



Dulux Clay Pipe



Austral Bricks Everyday Life Freedom



Austral Bricks Gun Metal Blue



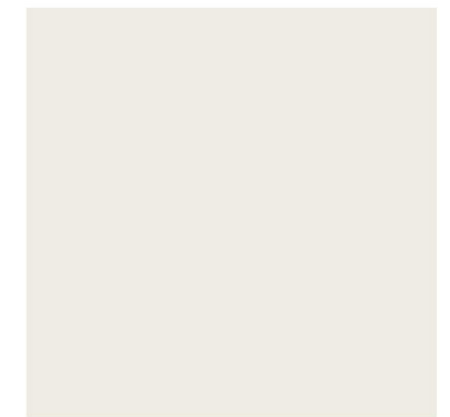
Austral Bricks Metalix Titanium



Dulux Dark Mint



Dulux Clay Pipe



Dulux Natural White



Timber Pailing Fence (Side)



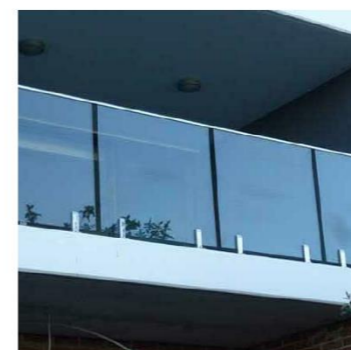
Brick & Picket Fence (Front)



Gutter Colorbond Surfsmist



Scyon Linea



Glass balustrade



Aluminium Framed Window White Colour



Kliplok roof sheeting - colorbond surfsmist finish

NOTE: Builder to ensure that building products meet the required standards for the intended use and comply with NSW Building Products (Safety) Act

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Subdivision & Dwellings at Lots 134 & 151 Warnervale Rd, Hamlyn Terrace

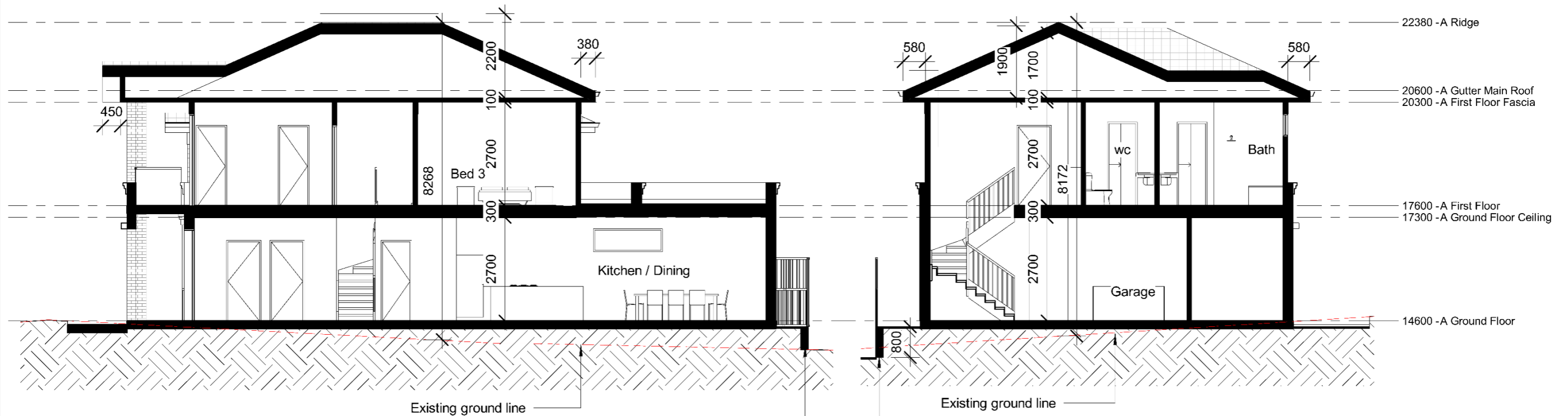
SCHEDULE OF MATERIALS AND FINISHES

Scale Drawn by FS Project no. 18141

Sheet no.
DA20

Issue K

30/8/19 5:05:59 PM



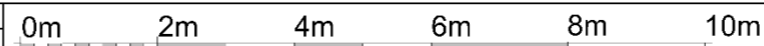
1 SECTION 1 LOT A
1 : 100

2 SECTION 2 LOT A
1 : 100



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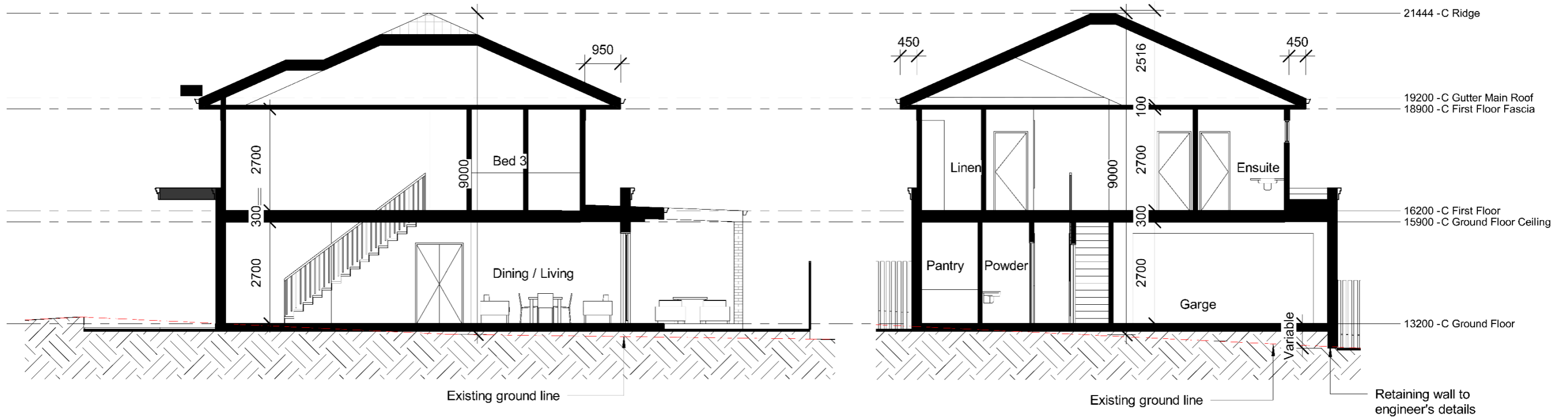
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MASTERS EMPIRE GROUP
Subdivision & Dwellings at Lots 134 & 151 Warnervale Rd, Hamlyn Terrace
SECTION 1 & 2 (LOT A)
Scale 1:100 Drawn by FS Project no. 18141

Sheet no.
DA21
Issue K

30/8/19 5:05:59 PM



1 SECTION 3 LOTS B,C & D
1 : 100

2 SECTION 4 LOTS B,C & D
1 : 100



Fab Siqueira Architect
NSW registration No. 8308
M: 0431 845 155

ISSUE	PURPOSE OF ISSUE	DATE
F	DA AMENDMENTS	30/01/2019
G	DA AMENDMENTS	18/03/2019
H	DA AMENDMENTS	07/05/2019
I	DA AMENDMENTS	04/07/2019
J	DA AMENDMENTS	31/07/2019
K	DA AMENDMENTS	30/08/2019



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True North:

MASTERS EMPIRE GROUP
Subdivision & Dwellings at Lots 134 &
151 Warnervale Rd, Hamlyn Terrace

SECTION 3 & 4 (LOT B, C & D)

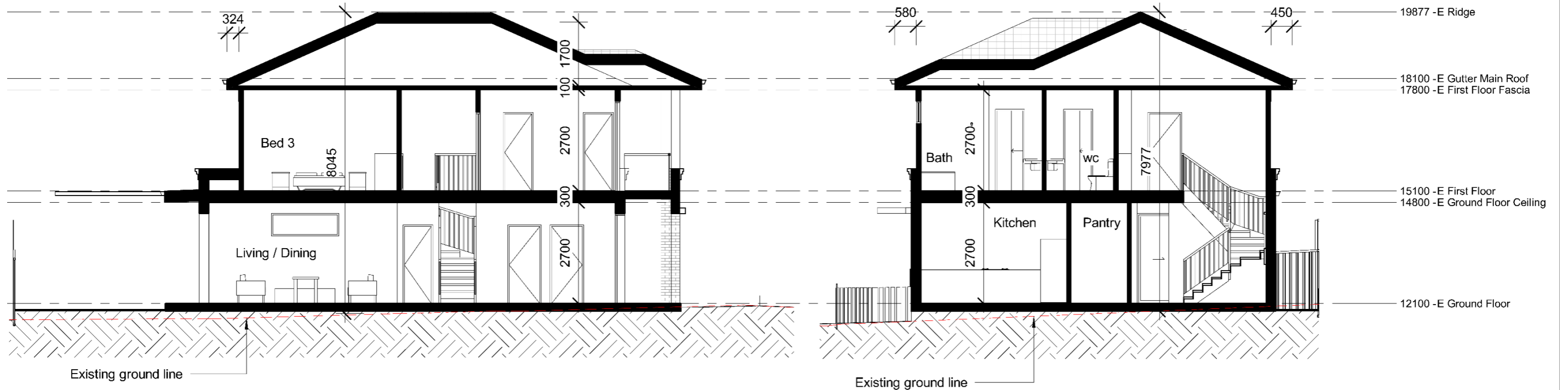
Scale 1:100 Drawn by FS Project no. 18141

Sheet no.

DA22

Issue K

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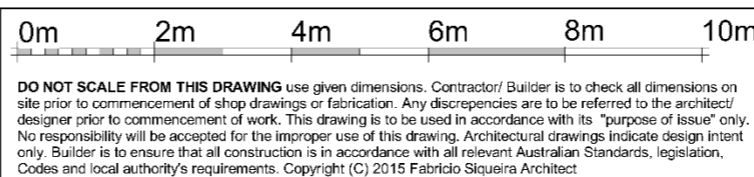


1 SECTION 5 LOT E
1: 100

2 SECTION 6 LOT E
1: 100



ISSUE	PURPOSE OF ISSUE	DATE
F	DA AMENDMENTS	30/01/2019
G	DA AMENDMENTS	18/03/2019
H	DA AMENDMENTS	07/05/2019
I	DA AMENDMENTS	04/07/2019
J	DA AMENDMENTS	31/07/2019
K	DA AMENDMENTS	30/08/2019

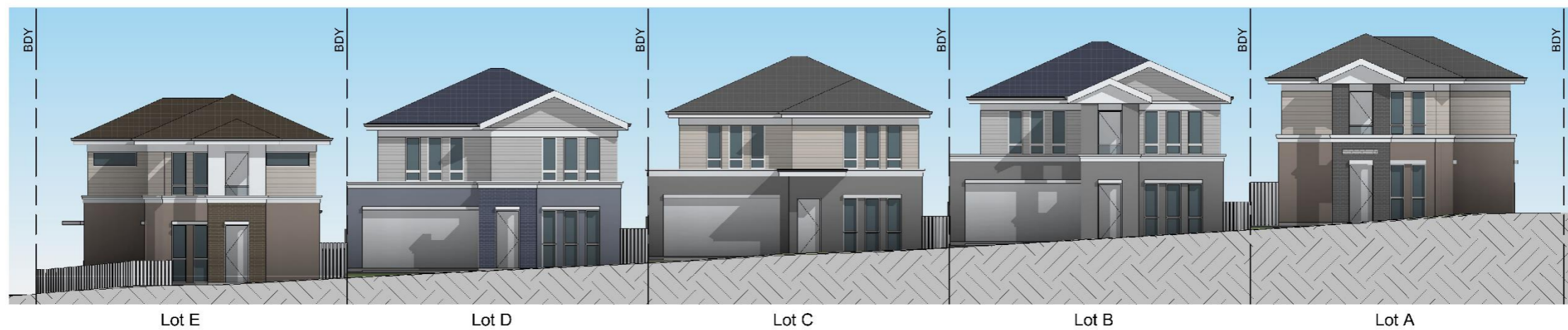


True North:

MASTERS EMPIRE GROUP Subdivision & Dwellings at Lots 134 & 151 Warnervale Rd, Hamlyn Terrace SECTION 5 & 6 (LOT E)				Sheet no. DA23			
Scale	1:100	Drawn by	FS	Project no.	18141	Issue	K



1 3D View - Lots A-E



2 Streetscape - Lots A to E
1 : 200



Fab Siqueira Architect
NSW registration No. 8308
M: 0431 845 155

ISSUE	PURPOSE OF ISSUE	DATE
F	DA AMENDMENTS	30/01/2019
G	DA AMENDMENTS	18/03/2019
H	DA AMENDMENTS	07/05/2019
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Subdivision & Dwellings at Lots 134 &
151 Warnervale Rd, Hamlyn Terrace

STREETSCAPE & PERSPECTIVE

Scale 1:200 Drawn by FS Project no. 18141

Sheet no.

DA24

Issue K

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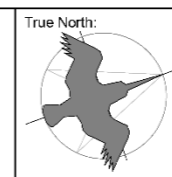
1 Shadow Study 9am
1 : 200



ISSUE	PURPOSE OF ISSUE	DATE
F	DA AMENDMENTS	30/01/2019
G	DA AMENDMENTS	18/03/2019
H	DA AMENDMENTS	07/05/2019
I	DA AMENDMENTS	04/07/2019
J	DA AMENDMENTS	31/07/2019
K	DA AMENDMENTS	30/08/2019

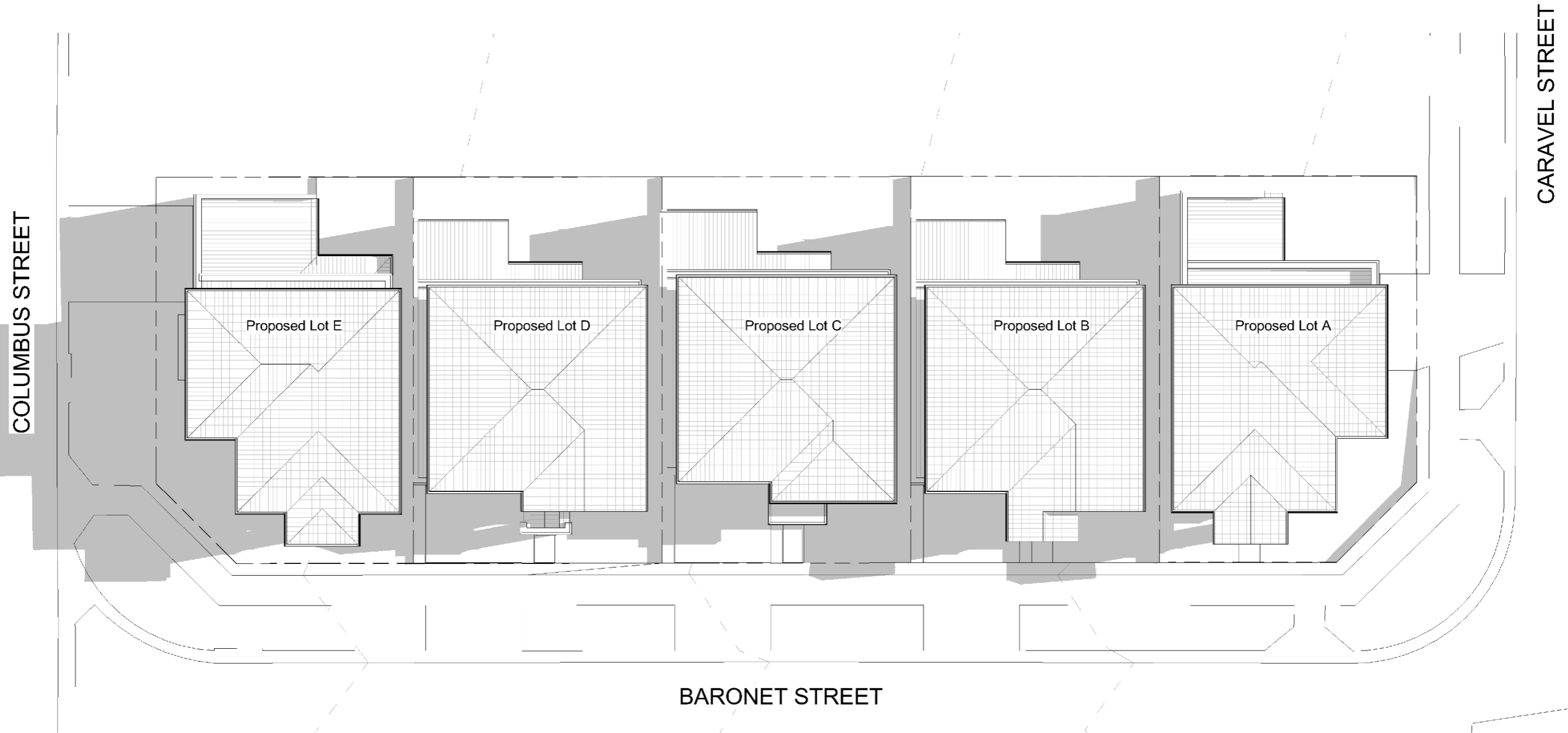


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MASTERS EMPIRE GROUP Subdivision & Dwellings at Lots 134 & 151 Warnervale Rd, Hamlyn Terrace SHADOWS STUDY 9AM		Sheet no. SD01
Scale 1:200	Drawn by FS	Project no. 18141 Issue K

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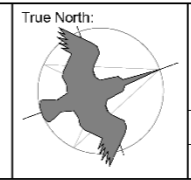
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1 : 200



ISSUE	PURPOSE OF ISSUE	DATE
F	DA AMENDMENTS	30/01/2019
G	DA AMENDMENTS	18/03/2019
H	DA AMENDMENTS	07/05/2019
I	DA AMENDMENTS	04/07/2019
J	DA AMENDMENTS	31/07/2019
K	DA AMENDMENTS	30/08/2019

0m 4m 8m 12m 16m 20m

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MASTERS EMPIRE GROUP
Subdivision & Dwellings at Lots 134 & 151 Warnervale Rd, Hamlyn Terrace

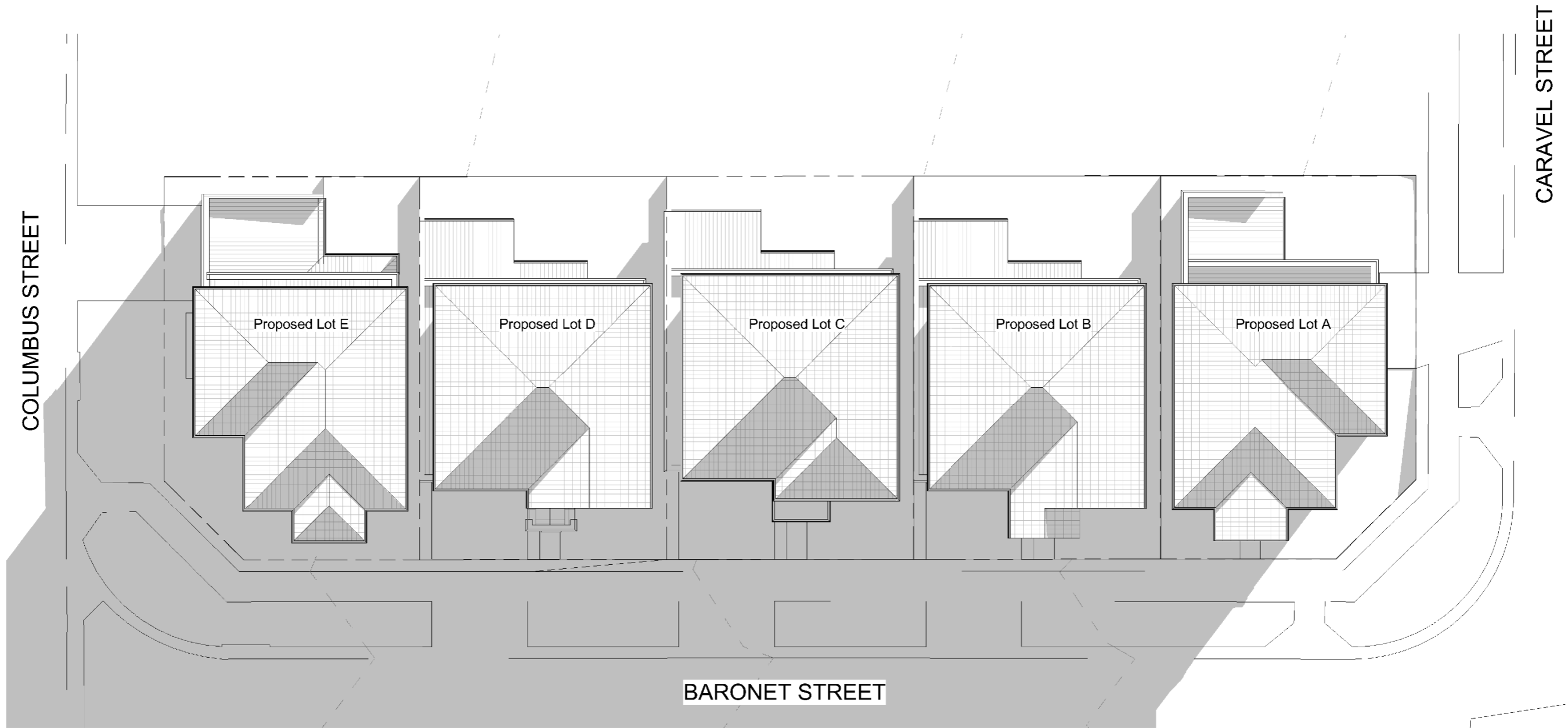
SHADOWS STUDY 12PM

Scale 1:200 Drawn by FS Project no. 18141

Sheet no.
SD04

Issue K

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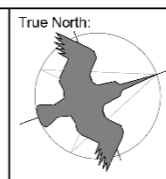
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ISSUE	PURPOSE OF ISSUE	DATE
F	DA AMENDMENTS	30/01/2019
G	DA AMENDMENTS	18/03/2019
H	DA AMENDMENTS	07/05/2019
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MASTERS EMPIRE GROUP Subdivision & Dwellings at Lots 134 & 151 Warnervale Rd, Hamlyn Terrace		Sheet no. SD07
SHADOWS STUDY 3PM Scale 1:200 Drawn by FS Project no. 18141		Issue K

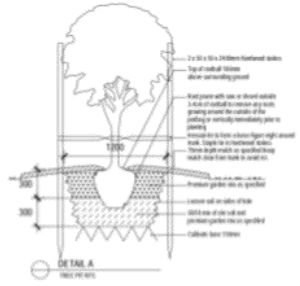
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LEGEND

- BOUNDARY
- SEWER
- EXISTING CONTOURS
- PROPOSED SPOT LEVEL
- TIMBER GARDEN EDGE
- CONCRETE
- PAVERS
- TURF
- MULCH

PROPOSED PLANT SCHEDULE

KEY	BOTANICAL NAME	COMMON NAME	QTY	NATURE	POT SIZE
TREES					
BM	DACRYDIA DISTYCA	COROMANDEL WHEATE	1	Tree	450L
CS	CENOTHEPE PALM	CUMMERBUM	1	Tree	450L
CO	CALLISTEMON SALICOIDES	WILLOW PAPERBARK	2	Tree	450L
EA	ELAEAGNUS MYRTILLARIS	BEHEMOTH ASH	3	Tree	450L
MT	MANGROVA GRANIFLORA	TIDEY BEAR MANGROVA	1	Tree	450L
CF	CORYMBIA FICIFOLIA	RED FLOWERING GUM	6	Tree	180L
SHRUBS					
BS	BANKSIA INTEGERRIMA	SENTINEL BANKSIA	3	Shrub	250L
BJ	BURGOSIA SCOPULI	JAPANESE BOB	12	Shrub	200mm
BS	BANKSIA SPRAUENSIS	HARPUR BANKSIA	4	Shrub	250L
CK	CALLISTEMON VIMINALIS	NAGAIWA WAX	2	Shrub	450L
CP	CALLISTEMON VIMINALIS	SUN BUTTERFLIES	4	Shrub	200mm
DK	DOONAN'S EXCELIA	SCARLETT	1	Shrub	200mm
CV	SYZYGIUM PARVIFOLIUM	SHERRY LILLY BELL	18	Shrub	450L
WB	WESTRINGIA SUE CENS	BUSY GEM WESTRINGIA	2	Tree	200mm
WF	WESTRINGIA FRUTICOSA	COASTAL ROCKWORTHY	4	Shrub	200mm
GRASSES / GROUND COVERS					
AC	ANTHROPPOCLERMUS CRASSIFOL	NEW ZEALAND ROCK LILY	3	Grass	300mm
DB	DANIELLA CARIBOLLA	BRETT'S FLAX LILY	20	Grass	180mm
DC	DANIELLA CARIBOLLA	BRETT'S FLAX LILY	1	Grass	180mm
GC	GAYNELLA CHEERY	CHEERY GUSSON	6	Grass	200mm
WF	WANDERBOSCHIA VIOLESCA	PURPLE CORAL PEA	2	Grass	200mm
LM	LIROPE MISCARAE	JUST BRIGH	8	Grass	180mm
LT	LOMANIA LONGIFOLIA	TAMBAR	4	Grass	180mm
VA	VIOLA HEDERACEA	NAIVE VIOLET	4	Grass	180mm



LANDSCAPE SPECIFICATION NOTES

SITE PREPARATION
Locate any existing (above and below ground) services & ensure no damage occurs. Levels on plan on vertical only & all dimensions to be checked on site prior to commencement. Final structural integrity of all items shall be the sole responsibility of landscape contractor.

CLIMATE ZONES
Remove all existing weeds by hand, spraying or spraying with a glyphosate based herbicide. Worst control shall now be performed by mechanical cultivation or by scraping. Herbicide spraying is to be used to eliminate all existing weeds. 20 days prior to planting.

PREPARATION & SOIL TEST, FERTILIZATION
Excavate garden beds to the depth required and top or relevel base & sides of pit to a minimum depth of 150mm.

SOIL SIZE GRADING
Install drainage layer where there is surface water runoff draining into garden bed areas & where the existing sub-soil has more than 5% clay composition & there is a risk of subsurface water ponding around perimeter of raised edging. Use 75-100mm Dia. with geotextile filter sock & backfill to a minimum 200mm using free draining material, enclosed by geotextile where available. (Overflows & re-nourish 0.75 Dia. 50L capacity, to avoid random free overwatering system on water & backfill on appropriate water dispersion pit).

REUSE EXISTING TOPSOIL
Existing site topsoil should be salvaged & appropriately stockpiled where possible.

IMPORTED TOPSOIL
All construction must comply with AS 4570-2003 Code for Landscaping and Garden Site. Soil Areas: 'Topsoil Underlay', 'Tree Pit and Shrub Planting', 'Premium Garden Mix' as supplied by ANI, p/ 02 9439 5444 or approved alternative.

TREE STOCK
Tree stock to be supplied by production nurseries in accordance with AS 2365-2010 Tree Stock for Landscape Use and conform to ANSI/SPCC Grade 1. Specifying Stock to Grade in Assessment of Tree Quality. Plants & Vigour. Supply plants with foliage size, texture & colour consistent with that shown in healthy specimens of the species. Balance of Green. Supply plants with roots, variation in crown bulk as appropriate to crown size, <= 20%.

STAKING
Install 2 x 240mm Dia. 20' hardwood timber stakes with friction bars to all trees. Provide appropriate support considering exposure to prevailing winds. Stakes and friction bars to be removed as soon as the tree is self supporting.

TIMBER GARDEN EDGING
Supply and install timber garden edging as per Landscaping Plan. Refer to Detail D.

MULCHING
All construction must comply with AS 4570-2003 Climates, soil conditions and weather. All planting area impacted by building works to receive 50 Litres of garden Mulch, (Organic Matter, ANI p/ 02 9439 5444 or approved alternative. Keep mulch 100mm away from plant stems & in a well to stop moisture water runoff. Finish back with adjacent surface).

TAMPING
New turf to be watered until settled. Excess water all areas to be tamped to 150mm below finished levels. Ensure that all surface runoff is directed away from buildings. Ensure that no ponding will occur. Further top up substrate to 100mm. Install 100mm of expanded polystyrene. Backfill to steady natural and soil in a brickwork pattern. Fill any small gaps with light weight water permeable.

WATERING
Water as frequently after plant installation & allow for soil settlement. For the first 2 to 3 weeks after planting, the root zone & immediate surrounds must be kept moist. Continue watering until plants have established.

STEPPING STONES
Install each stepping stone on a 100mm brick mortar bed and space according to plan. Stones to finish above stone adjacent surface. Fill gaps as specified.



NOTES

1	Check	Issue	Revised
1	10/10/2018	10/10/2018	10/10/2018
2	10/10/2018	10/10/2018	10/10/2018

SPACE LANDSCAPE DESIGNS | **Masters Empire Group** | **LANDSCAPE PLAN STREETScape PLAN L-01**

Warramboola Road, Mandurah, Western Australia | DATE: 08/10/2018 | SCALE: 1:100 @ A1, 1:200 @ A3 | DRAWING NO: 181595



Name: Masters Empire Group
Address: Hamlyn Terrace



BACKHOUSIA MYRTIFOLIA



CERATOPETALUM GUMMIFERUM



CALLISTEMON SALIGNUS



ELAEOCARPUS RETICULATUS



MAGNOLIA GRANDIFLORA 'TEDDY BEAR'



CORYMBIA FICIFOLIA



BANKSIA INTEGRIFOLIA FASTIGIATA 'SENTINEL'



BUXUS MICROPHYLLA 'JAPONICA'



BANKSIA SPINULOSA



CALLISTEMON 'HANNAH RAY'



CALLISTEMON VIMINALIS 'SLIM'



DORYANTHES EXCELSA



SYZYGIUM PANICULATUM 'DWARF'



WESTRINGIA FRUTICOSA 'BLUE GEM'



WESTRINGIA FRUTICOSA



ARTHROPODIUM CIRRATUM



DIANELLA CAERULEA 'BREEZE'



DIANELLA CAERULEA



GREVILLEA 'CHERRY CLUSTER'



HARDENBERGIA VIOLACEA



LIROPE MUSCARI 'JUST RIGHT'



LOMANDRA LONGIFOLIA 'TANKA'



VIOLA HEDERACEA

Date: 15 November 2018
Responsible Officer: Shannon Butler
Location: 38 Caravel St & 27 Columbus St, HAMLIN TERRACE
 Lot 134 and 151 DP 1242457
Owner: Prospective Developments Pty Ltd
Applicant: Mr G Connaughton
Date Of Application: 5 November 2018
Application No: DA/1284/2018
Proposed Development: 5 Lot Subdivision & Small Lot Housing
Land Area: 1,200m²
Existing Use: Vacant land

1. PARAMETERS OF THIS CONSENT

- 1.1. Implement the development substantially in accordance with the plans and supporting documents listed below as submitted by the applicant and to which is affixed a Council stamp "Development Consent" unless modified by any following condition.

Architectural Plans by: Fab Siqueira Architect

Drawing	Description	Issue	Date
DA02	Site Plan	K	30/08/2019
DA03	Subdivision Plan	K	30/08/2019
DA10	Ground Floor Lot A	K	30/08/2019
DA11	First Floor Lot A	K	30/08/2019
DA12	Ground Floor Lot B, C & D	K	30/08/2019
DA13	First Floor Lot B, C & D	K	30/08/2019
DA14	Ground Floor Lot E	K	30/08/2019
DA15	First Floor Lot E	K	30/08/2019
DA16	Roof Plan	K	30/08/2019
DA17	Elevations Lot A	K	30/08/2019
DA18	Elevations Lot B, C & D	K	30/08/2019
DA19	Elevations Lot E	K	30/08/2019
DA20	Schedule of Colours and Finishes	K	30/08/2019
DA21	Section 1 & 2 (Lot A)	K	30/08/2019
DA22	Section 3 & 4 (Lot B, C & D)	K	30/08/2019
DA23	Section 5 & 6 (Lot E)	K	30/08/2019
DA34	Door & Window Schedule	K	30/08/2019

Landscaping Plans by: SPACE Landscape Designs

- Amendments in red – Amendments to landscaping plan to reflect the approved architectural plans.

Drawing	Description	Issue	Date
L01	Landscape Plan	B	19/10/2018

Supporting Documentation

Document	Prepared by	Date
Waste Management Plan	Masters Empire Group	19/10/2018

- 1.2. Dwellings - Carry out all building works in accordance with the Building Code of Australia.
- 1.3. Dwellings - Comply with all commitments listed in BASIX Certificate as required under clause 97A of the *Environmental Planning and Assessment Regulation 2000*.
- 1.4. Subdivision & Dwellings - A Construction Certificate is to be issued by the Principal Certifying Authority prior to commencement of any construction works. The application for this Certificate is to satisfy all of the requirements of the Environmental Planning and Assessment Regulation 2000.
- 1.5. Subdivision - An application for a Subdivision Certificate must be submitted to and approved by the Council/Certifying Authority prior to endorsement of the plan of subdivision.
- 1.6. Dwellings - Prior to the occupation of the dwellings, an application for an Occupation Certificate for the development must be submitted to and approved by the Principal Certifying Authority.

2. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1. All conditions under this section must be met prior to the issue of any Construction Certificate.
- 2.2. Subdivision & Dwellings - Where conditions of this consent require approval from Council. An application for:
 - Subdivision Works Construction Certificate,
 - Section 68 Local Government Act Works Approval – stormwater drainage,
 - Section 138 Roads Act Works Approval,
 - Water Authority, water and sewer works approval.

Must be lodged with Council and be accompanied by detailed design drawings and supporting information. Upon submission to Council, fees and charges will be calculated in accordance with Council's Management Plan. The fees and charges must be paid prior to Council commencing the design assessment.

2.3 Dwellings - The submission to Council of Civil Works design drawings and specifications detailing the following design requirements:

- Columbus Street - Concrete footpath 1.5 metres wide
- Vehicle access crossing(s).
- Any associated works to ensure satisfactory transitions to existing infrastructure
- Adjustment of services as required.

Required design drawings are to be prepared in accordance with Council's *Civil Works Specification Design Guidelines 2018* and must be approved by Council as the Roads Authority prior to the issue of a Construction Certificate.

2.4 Subdivision & Dwellings - Prior to the commencement of detailed design works within any public road, contact should be made with the National Community Service "Dial before you Dig" on 1100 regarding the location of underground services in order to prevent injury, personal liability and even death. Enquiries should provide the property details and the nearest cross street/road.

2.5 The submission to the Accredited Certifier of a detailed stormwater management plan featuring:

- Subdivision & Dwellings – Stormwater to either the existing interallotment drainage easement or Columbus Street.
- Dwellings A-C - The provision of an onsite stormwater detention system. The detention system must be designed to attenuate post developed flow rates to a maximum outlet flow to the existing interallotment drainage system of 25 litres / second for a full range of storm durations for the 5, 20 and 100 year average reoccurrence interval (ARI) design storms. This must include a revised DRAINS model consistent with the as approved stormwater and site arrangement.
- Dwellings D & E - The provision of an onsite stormwater detention system. The detention system must be designed to attenuate post developed flow rates to predevelopment flow rates for a full range of storm durations for the 5, 20 and 100 year average reoccurrence interval (ARI) design storms. This must include a revised DRAINS model consistent with the as approved stormwater and site arrangement.
- Subdivision - Interallotment drainage including calculations
- Dwellings – Above-ground rainwater / OSD tank for Proposed Lot A located behind the building line.

The plans must be prepared by a suitably qualified and experienced civil / hydraulic engineer in accordance with AS/NZS3500.3:2018, BASIX and Council's *Civil Works Specification Design Guidelines 2018*, and be approved by the Accredited Certifier prior to issue of the Construction Certificate.

- 2.6 Subdivision & Dwellings – Stormwater drainage works external to the site and discharging into a public system or public land requires approval from Council under Section 68 of the *Local Government Act 1993*. Detailed design drawings prepared in accordance with Council's *Civil Works Specification Design Guidelines 2018* must be approved by Council prior to the issue of a Construction Certificate. All other stormwater management works must be approved by the Accredited Certifier.
- 2.7 Dwellings - Prior to the issue of a Construction Certificate, satisfactory structural plans prepared by a suitably qualified Registered Structural Engineer are to be submitted for the approval of the Accredited Certifier, for the following building elements:
- Retaining walls and integrated house slabs
- 2.8 Dwellings - The submission to the Accredited Certifier of a detailed vehicle access design. The design shall include:
- Longitudinal driveway profiles detailing Council's approved driveway grades within the road reserve and the correct proposed garage levels.

The revised design drawings shall be prepared by a suitably qualified and experienced civil engineer in accordance with the requirements of AS/NZS 2890 – Part 1, and be approved by the Accredited Certifier prior to the issue of a Construction Certificate.

- 2.9 Subdivision & Dwellings – All water and sewer works or works impacting on water and sewer assets must be designed and constructed to the requirements of Council as the Water Supply Authority. The requirements are detailed in the Section 306 Notice of Requirements letter attached to this consent. **Note:** The Section 306 Notice contains requirements associated with the development that must be completed prior to the issue of the Construction Certificate.
- 2.10 Dwellings - The submission to Council as the Water Supply Authority of detailed structural design drawings and supporting information for structures within the zone of influence of the sewer main. The design shall indicate the proposed method of protecting the sewer main in accordance with Council's *Requirements for Building Over or Adjacent to Sewer Mains* policy. Design details must be approved by Council as the Water Supply Authority prior to the issue of a Construction Certificate.

3. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1. All conditions under this section must be met prior to the commencement of any works.
- 3.2. Subdivision & Dwellings - No activity is to be carried out on-site until the Construction Certificate has been issued, other than:
 - Site investigation for the preparation of the construction, and / or
 - Implementation of environmental protection measures, such as erosion control and the like that are required by this consent
 - Demolition approved by this consent.
- 3.3. Subdivision & Dwellings - Appoint a Principal Certifying Authority for the building work:
 - The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
 - Submit to Council a Notice of Commencement of Building Works or Notice of Commencement of Subdivision Works form giving at least two (2) days' notice of the intention to commence building or subdivision work. The forms can be found on Council's website: www.centralcoast.nsw.gov.au
- 3.4. Subdivision & Dwellings - Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
 - The name, address and telephone number of the Principal Certifying Authority for the work; and
 - The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
 - That unauthorised entry to the work site is prohibited.
 - Remove the sign when the work has been completed.
- 3.5. Subdivision & Dwellings – Prior to the commencement of construction an initial Erosion and Sediment Control Plan (ESCP) prepared in accordance with the latest edition of the Landcom Publication *'Soils and Constructions- Volume 1'* (The Blue Book) shall be provided to the Principal Certifying Authority. This plan shall be modified and updated during construction to reflect any changes due to the on-ground/site conditions. A copy of any modifications or updates to the ESCP shall be provided to the PCA and provided to Council upon request.

Erosion and sediment controls shall be monitored, maintained and adapted in accordance with the most recent ESCP until the site is fully stabilised and landscaped. Failure to comply with this condition may result in fines under the provision of the Protection of the Environment Operations Act

- 3.6 Subdivision & Dwellings – Prior to commencing any works upon public roads the developer and their contractor will be required to:
- Obtain a copy of the Council approved Civil Works plans and pavement design (if applicable).
 - Obtain a copy of Council's *Civil Works Specification Construction Guidelines 2018*. This is Council's Specification for Civil Works and is available on Council's web site.
 - Arrange a meeting on-site with Council's Principal Development Construction Engineer on 1300 463 954.
- 3.7 Subdivision & Dwellings – Prior to works associated with development commencing, a dilapidation report must be prepared and submitted to Council as the Roads Authority. The required dilapidation report must document and provide photographs that clearly depict any existing damage to the road, kerb, channel, footpath, driveways, water supply, sewer works, street trees, street signs or any other Council assets in the vicinity of the development. **Note:** The report will be used by Council to determine the extent of damage arising from site and construction works.
- 3.8 Subdivision & Dwellings – Prior to works associated with the development commencing, the existing inter-allotment drainage pit located upon the site, is to be located and suitably protected to prevent damage during the construction phase of the development.
- 3.9 Dwellings - Prior to the commencement of any works, the Applicant shall prepare a Construction Traffic Management Plan for the development. The plan shall include Traffic Control Plans prepared by a suitably qualified and experienced consultant. All works must ensure the safety of all vehicles and pedestrians within the frontage service road.

4. DURING WORKS

- 4.1. All conditions under this section must be met during works.
- 4.2. Subdivision & Dwellings - Carry out construction or demolition works during the construction phase of the development only between the hours as follows:

7.00am and 5.00pm Monday to Saturday

No construction or demolition works associated with the development are permitted to be carried out at any time on a Sunday or a public holiday.

- 4.3. Subdivision & Dwellings - During the construction phase of the development, if any Aboriginal object (including evidence of habitation or remains), is discovered during the course of the work:
- All excavation or disturbance of the area must stop immediately in that area, and
 - The Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.
- Note:** If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the *National Parks and Wildlife Act 1974*.
- 4.4. Subdivision & Dwellings - Implement and maintain all erosion and sediment control measures at or above design capacity for the duration of the construction works and until such time as all ground disturbed by the works has been stabilised and rehabilitated so that it no longer acts as a source of sediment.
- 4.5. Subdivision & Dwellings - Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.
- 4.6. Subdivision & Dwellings - The developer is solely responsible for any costs relating to alterations and extensions of existing roads, drainage, water and sewer infrastructure and other utilities for the proposed development.

5. PRIOR TO ISSUE OF ANY SUBDIVISION CERTIFICATE

- 5.1. All conditions under this section must be met prior to the issue of any Subdivision Certificate.
- 5.2. Subdivision - Pay developer contributions to Council as calculated in the formula below:

$$\text{Developer contribution} = \$93,290.17 \times \text{Current CPI} \div \text{Base CPI}$$

where "Current CPI" is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the time of payment of developer contributions pursuant to this condition, and "Base CPI" is the Consumer Price Index (All Groups Index) for Sydney as published by the Australian Statistician at the date of this consent.

This condition is imposed pursuant to Section 7.11 or 7.12 of the *Environmental Planning and Assessment Act 1979*.

Note: Any works required for the development that are also identified in the relevant Contributions Plan may be subject to a credit in accordance with that Plan. Any request

for a credit for works to be carried out in accordance with the Plan must be requested and agreed to by Council via a Works-in-Kind Agreement prior to the commencement of any works.

- 5.3 Subdivision - The certification by a Registered Surveyor, prior to issue of a Subdivision Certificate that all construction has been affected within the appropriate property, easement boundaries and rights of carriageway. The certification shall be accompanied by a copy of the final subdivision or easement plan, with the distances from the boundaries to the edges of these structures endorsed in red thereon and signed by the surveyor.
- 5.4 Subdivision - Prior to issue of a Subdivision Certificate the provision of written confirmation from the relevant service authorities that satisfactory arrangements have been made for the provision of the following services to each lot:
- telecommunications
 - electricity supply
 - gas supply
 - national broadband network
 - water supply
 - sewerage

The location of services must be shown on a copy of the final subdivision plan, with the distances from the boundaries to each service endorsed in red thereon.

- 5.5 Subdivision - All subdivision works must be approved by Council prior to the issue of a Subdivision Certificate.
- 5.6 Subdivision - The plan of subdivision and Section 88B instrument shall establish the following title encumbrances with Council being nominated as the sole authority to release, vary or modify each encumbrance unless specifically noted otherwise. Wherever possible the extent of the land affected shall be defined by bearings and distances shown on the plan of subdivision:
- 'Restriction on the Use of Land' prohibiting any alteration to the on-site stormwater detention system. The terms of the restriction are to be prepared to Council's standard requirements.
 - 'Restriction on the use of land' for all created lots prohibiting the construction of dwellings on these lots other than buildings approved under Development Consent No. DA/1284/2018.

- 'Positive Covenant' requiring the registered proprietor to ensure on-going maintenance is completed for the on-site stormwater detention system. The terms of the covenant are to be prepared to Council's standard requirements.
- Easement for Support' shall be created over the boundary retaining walls
- 'Easement for Overhang'
- 'Easement for Access & Maintenance'
- Easement to Drain Water' as identified on the approved development plans.
- 'Easement for Services' as required.

The encumbrances must be shown on the final plan of subdivision and Section 88B instrument, and be approved by Council with the Subdivision Certificate.

- 5.7 Subdivision - Legal and physical access to the subdivision is to be provided to Council's satisfaction prior to issue of the Subdivision Certificate.
- 5.8 Subdivision - Prior to the issue of a Subdivision Certificate, all water and sewer works for the development must be approved by Council as the Water and Sewer Authority.
- 5.9 Subdivision - The obtaining of a Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Central Coast Council as the Water Supply Authority, prior to issue of the Subdivision Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.

6. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE FOR DWELLINGS

- 6.1. All conditions under this section must be met prior to the issue of any Occupation Certificate for the dwellings.
- 6.2 An Occupation Certificate for any dwelling shall not be issued until the allotment associated with the dwelling has been registered.
- 6.3 Complete the landscaping works in accordance with the approved landscaping plan.
- 6.4 Dwellings - Prior to the issue of an Occupation Certificate, any damage not shown in the Dilapidation Report submitted to and approved by the Principal Certifying Authority prior to site works commencing, will be assumed to have been caused as a result of the site works undertaken with respect to the development and must be rectified at the applicant's expense.

- 6.5 Dwellings - Prior to the issue of an Occupation Certificate, the developer must comply with the requirements (including financial costs) of any relevant utility provider (for electricity, water, sewer, drainage, gas, telecommunications, roads, etc) in relation to any connections, works, repairs, relocation, replacements and/or adjustments to public infrastructure or services affected by the development.
- 6.6 Dwellings - Prior to the issue of an Occupation Certificate, the required rainwater tank is to be provided in the location as detailed within the approved development plans with suitable plumbing connections provided to collect rainwater from the roof area as detailed within the BASIX Certificate applicable to the development. The required rainwater tank is to be installed in accordance with the requirements of the National Plumbing and Drainage Code AS/NZS 3500 and shall be provided with first flow diversion devices fixed to all inflows and a functioning pressure pump plumbed to service all fixtures as detailed within the BASIX Certificate applicable to the development. The required tank must be controlled in order that supplemental flow from domestic mains does not take place until the capacity of the tank has been reduced to 20%.
- 6.7 Dwellings - All works within the public road must be completed in accordance with the approved Civil Works design drawings and Council's *Civil Works Specification Construction Guidelines 2018* and be approved by Council as the Roads Authority prior to the issue of any Occupation Certificate.
- 6.8 Dwellings - The construction of the stormwater management system in accordance with the approved Stormwater Management Plan and *AS/NZS 3500.3-2018*. Certification of the construction by a suitably qualified consultant shall be provided to the Principal Certifying Authority prior to issue of the Occupation Certificate.
- 6.9 Dwellings - The construction of stormwater drainage works external to the site and discharging into a public system or public land in accordance with the approved Stormwater Management Plan and Council's *Civil Works Specification Construction Guidelines 2018*. All works must be approved by Council under Section 68 of the *Local Government Act 1993* prior to issue of the Occupation Certificate. All other stormwater management works must be approved by the Principal Certifying Authority.
- 6.10 Dwellings - Prior to the issue of an Occupation Certificate, all water and sewer works for the development must be approved by Council as the Water and Sewer Authority.

- 6.11 Dwellings - The obtaining of a satisfactory final plumbing & drainage inspection advice or Section 307 Certificate of Compliance under the *Water Management Act 2000* for water and sewer requirements for the development from Central Coast Council as the Water Supply Authority, prior to issue of the Occupation Certificate. All works for the development must be approved by Council prior to the issue of a Certificate of Compliance.

7. ONGOING

- 7.1 Dwellings - The non-habitable rooms such as garages, storerooms or outbuildings must not be adapted or used for habitable purposes.
- 7.2 Dwellings - All stormwater treatment devices (including drainage systems, sumps and traps) must be regularly maintained in order to remain effective.



Item No: 2.3
Title: DA 55728/2018 - 54 Assisted Care Apartments & Ancillary Maintenance/Staff building - 6 Tarragal Glen Avenue, Erina
Department: Environment and Planning

11 November 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13680625
 Author: Chris Ross, Senior Development Planner
 Manager: Andrew Roach, Unit Manager, Development Assessment
 Executive: Scott Cox, Director Environment and Planning

Summary

An application has been received for 54 assisted care apartments and Ancillary Maintenance/Staff Building under *State Environmental Planning Policy - Housing for Seniors and People with a Disability (SEPP HSPD)*

The proposed development would result in a variation to the maximum height of buildings applicable to the site in excess of 10%. A delegate of Council may not assume the concurrence of the Secretary when considering exceptions to development standards under Clause 4.6 of GLEP 2014 if the development contravenes a development standard by greater than 10%. As such, the application is required to be reported to Council for determination.

The application has been examined having regard to the matters for consideration detailed in section 4.15 of the Environmental Planning and Assessment Act and other statutory requirements with the issues requiring attention and consideration being addressed in the report.

Delegation Level	Council
Property Lot & DP	LOT: 1, DP: 852827
Property Address	6 Tarragal Glen Avenue Erina
Site Area	2.989 hectares
Zoning	R1 General Residential
Application Type	Development Application – Integrated
Application Lodged	29/11/2018
Proposed Development	Construction of 54 Assisted Care Apartments under <i>SEPP – Housing for Seniors or People with a Disability (SEPP HSPD)</i> and Ancillary Maintenance/Staff Building
Applicant	Retire Australia Pty Ltd c/o Tim Shelley Planning

2.3 DA 55728/2018 - 54 Assisted Care Apartments & Ancillary Maintenance/Staff building - 6 Tarragal Glen Avenue, Erina (contd)

Estimated Cost of Works	\$19,591,000
Advertised and Notified / Notified Only	Exhibition period closed on 8 February 2019
Submissions	One
Disclosure of Political Donations & Gifts	Nil

Recommendation

- 1 That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.**
- 2 That Council advise those who made written submissions of its decision.**

Precis:

Proposed Development	Construction of 54 Assisted Care Apartments (under <i>SEPP – Housing for Seniors or People with a Disability</i>) and Ancillary Maintenance/Staff Building
Permissibility and Zoning	The site is zoned R1 General Residential. Development for the purposes of assisted care apartments under <i>SEPP – Housing for Seniors or People with a Disability</i> is permissible with Consent. Development for the purposes of ancillary maintenance/staff building within the R1 General Residential zone is permissible with Consent.
Relevant Legislation	<ul style="list-style-type: none"> • <i>Environmental Planning and Assessment Act 1979 – s. 4.15 (EP&A Act)</i> • <i>Rural Fires Act 1997 (Rural Fires Act)</i> • <i>State Environmental Planning Policy No 55 - Remediation of Land (SEPP 55)</i> • <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development (SEPP 65)</i> • <i>Gosford Local Environmental Plan 2014 (GLEP 2014)</i> • <i>Draft Central Coast Local Environmental Plan 2018 (Draft CCLEP 2018)</i>

	<ul style="list-style-type: none"> • <i>Gosford Development Control Plan 2013 (GDGP 2013)</i> • <i>Apartment Design Guide. Tools for improving the design of residential apartment development (ADG)</i> • <i>Gosford City Council Climate Change Policy.</i>
Current Use	Assisted care living
Integrated Development	<ul style="list-style-type: none"> • NSW Rural Fire Services • Water Management Act 2000
Submissions	One

Variations to Policies

Policy	Clause / Description	Variation
Gosford Local Environmental Plan 2014	Clause 4.3(2) (Height of Buildings)	<p>Maximum permitted building height: 11m.</p> <p>The development has a proposed maximum height of 14.123m, resulting in a 3.123m (or 28%) non-compliance with the development standard for the entirety of the proposed residential hostel component of the building.</p>

Summary of Development

Proposed Development	Construction of 54 Assisted Care Apartments Under <i>SEPP HSPD</i> and Ancillary Maintenance/Staff Building
Permissibility and Zoning	<p>The site is zoned R1 General Residential. Development for the purposes of assisted care apartments under <i>SEPP – Housing for Seniors or People with a Disability</i> is permissible with Consent.</p> <p>Development for the purposes of ancillary maintenance/staff building within the R1 General Residential zone is permissible with Consent.</p>
Relevant Legislation	<ul style="list-style-type: none"> • <i>Environmental Planning and Assessment Act 1979 – s. 4.15 (EP&A Act)</i> • <i>Rural Fires Act 1997 (Rural Fires Act)</i> • <i>State Environmental Planning Policy No 55 - Remediation of Land (SEPP 55)</i>

	<ul style="list-style-type: none"> • <i>State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development (SEPP 65)</i> • <i>Gosford Local Environmental Plan 2014 (GLEP 2014)</i> • <i>Draft Central Coast Local Environmental Plan 2018 (Draft CCLEP 2018)</i> • <i>Gosford Development Control Plan 2013 (GDCCP 2013)</i> • <i>Apartment Design Guide. Tools for improving the design of residential apartment development (ADG)</i> • <i>Gosford City Council Climate Change Policy.</i>
Current Use	Assisted care living
Integrated Development	<ul style="list-style-type: none"> • NSW Rural Fire Services • Water Management Act 2000
Submissions	One

Background

Council has received a Development Application for the construction of 54 assisted care apartments (in a four-storey building) under *State Environmental Planning Policy (SEPP) – Housing for Seniors or People with a Disability (SEPP HSPD)*, and an ancillary (two-storey) maintenance/staff building, plus demolition and other works on land at No. 6 Tarragal Glen Avenue, Erina.

The Site

The site is identified as lot 1, DP 852827 (commonly known as 6 Tarragal Glen Avenue) located on the southern side of Terrigal Drive, Erina. The site is part of the existing assisted care retirement facility known as 'Tarragal Glen Retirement Village'.

The property is generally rectangular in shape save for a triangular portion in the north-west corner where the maintenance/staff building is proposed to be erected. The property has a frontage to Terrigal Drive of 200 metres, an eastern boundary along the eastern bank of Worthing Creek, a southern boundary of 200 metres abutting Worthing Creek Reserve and an irregular western boundary to Tarragal Glen Avenue where Erina MacDonaldis carpark and a medical centre adjoin the site. See Figure 1.

The site is developed and operated as an existing assisted care retirement village ('Tarragal Glen Retirement Village'). This development contains an existing 438 homes of varying types located amongst parklands with country club facilities, pools, and a bowling green. Assisted care units, independent living units and terraces are located on the wider site.

The development of additional assisted care units is proposed to the south east of the existing 'Manor' building and is proposed to be linked via an enclosed walkway. The proposed maintenance/staff building is to be constructed on a vacant triangular section of the site just to the north-west of 'The Manor', immediately to the east of the McDonalds car park.

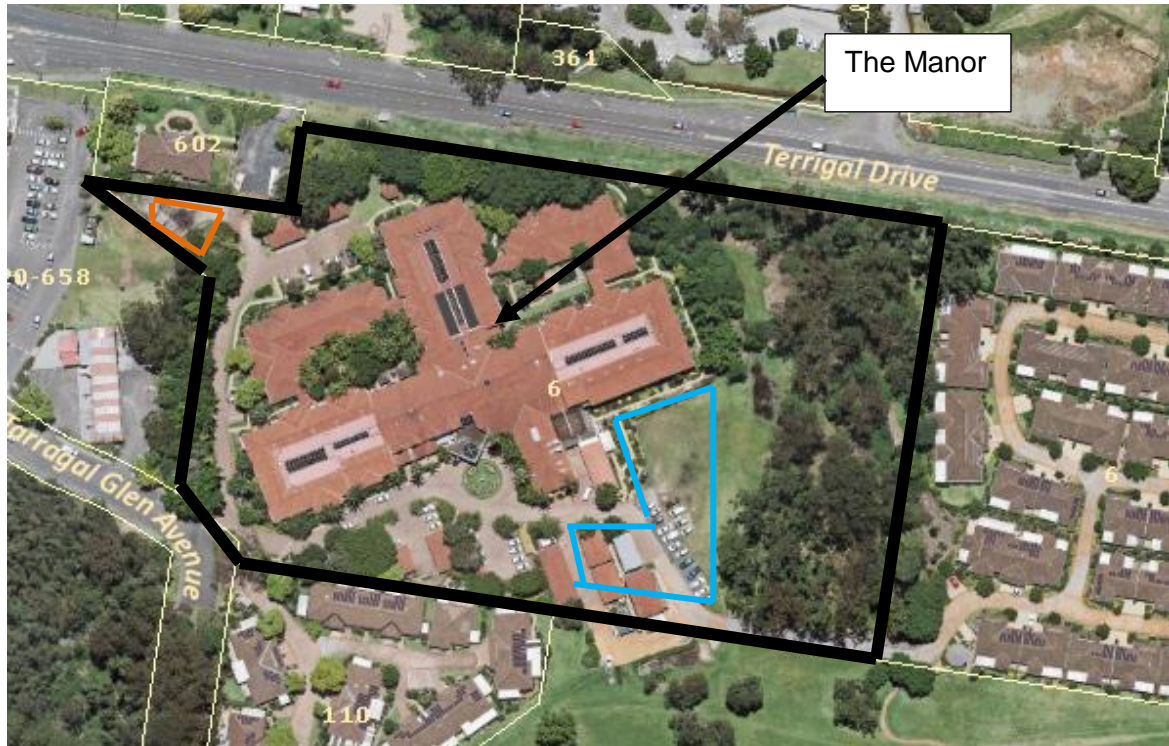


Figure 1 - Aerial photograph of the site, (outlined in black). Proposed hostel unit building (outlined in blue). Proposed machinery shed/staff rooms (outlined in orange).



Figure 2 - Zoning of the site (edged in black) and adjoining properties

Surrounding Development

Surrounding development consist of:

- independent living villas on the eastern adjoining property (under common ownership with the subject property) and residential dwellings beyond;
- Worthing Creek Reserve and independent living villas to the South (the villas under common ownership with the subject property); and
- a McDonalds Restaurant with carparking, and medical centre to the west. The medical centre carpark exits through an easement which burdens the subject site to Tarragal Glen Ave.

The site has road frontage to both Tarragal Glen Avenue and Terragal Drive. The primary vehicular access is from Tarragal Glen Avenue. There is also a vehicular access driveway provided from Terragal Drive over a right of way on an adjoining property and business (602 Terragal Drive, a medical centre).

The Proposed Development

The proposed development includes;

- Demolition of an existing two (2) storey maintenance and staff building;
- Civil works within the site including the reconfiguration of internal roadways and construction of footpaths into and around the proposed apartment building and car park;
- Construction of fifty-four (54) x one (1) bedroom assisted-care apartments in a four (4) storey building joined by walkaway to the existing 'The Manor' which is located in the north-west corner of the Tarragal Glen Retirement Village. The proposed assisted care building will include a resident's café and barbeque area, outdoor terrace, landscaped gardens and communal areas, multi-purpose rooms, residents' lounges, lobby, village workshop and back-of-house facilities, as well as car parking on the ground floor. (Refer Figure 3 through 7 for perspective and elevation drawings). Constructing the new building with direct links to the Manor will allow use of the existing kitchen and dining room and recreational and support services already provided in that building.
- The construction of a two (2) storey maintenance shed and staff room building in the north-west corner of the site adjacent to the western property boundary near the McDonalds carpark, to the south of the medical centre. The maintenance and staff building will replace existing staff and maintenance buildings located in an ad-hoc arrangement within the site. The new facility proposes to comprise a maintenance workshop on the ground floor (approximately 154m² in area) and a first-floor staff and lunch room (approximately 81m² in area). A vehicle turning head will be constructed in front of the building, with metal fencing and gates to be erected across the eastern boundary of the site to provide screening and security for the facility. (Refer Figures 8 and 9).
- There are currently 20 staff employed at The Manor and this is expected to increase by six (6) to 26 to cater for the additional rooms and residents. The extended complex would continue to be staffed 24 hours a day in two shifts.
- The proposal is classified as integrated development in that seniors housing constitutes a special fire protection purpose under s.100B of the *Rural Fires Act 1997*. Furthermore, the proposed development requires a controlled activity approval under the *Water Management Act 2000* from the Department of Primary Industries Water (DPI Water).



Figure 3 – Perspective of proposed assisted care building



Figure 4 – North elevation of proposed assisted care building



Figure 5 – East elevation of proposed assisted care building



Figure 6 – South elevation of proposed assisted care building



Figure 7 – West elevation of proposed assisted care building

History

Council's records show that the following applications were previously lodged on this site:

- [DA21544/1996](#) Development Application: RETIREMENT VILLAGE / SEPP 5
Lodged: 01/05/1996 (Approved under Delegation : 27/06/1996)
- [DA21790/1996](#) Development Application: RETIREMENT VILLAGE/SEPP 5 ADD
Lodged: 07/08/1996 (Approved under Delegation : 10/10/1996)
- [DA21831/1996](#) Development Application: RETIREMENT VILLAGE/SEPP 5 ADD
Lodged: 22/08/1996 (Approved under Delegation : 17/10/1996)
- [DA23066/1998](#) Development Application: MISC
Lodged: 26/03/1998 (Refused under Delegation : 02/12/1998)
- [DA8422/2000](#) Development Application - BOUNDARY REALIGNMENT
Lodged: 23/05/2000 (Approved under Delegation : 30/05/2001)
- [DA27823/2005](#) Development Application - Extension to Existing Hostel (16 apartments) Senior Living Accommodation Under SEPP Lodged: 10/06/2005 (Approved under Delegation : 06/07/2006)

Section 4.15(1)(d) of the EP&A Act: Submissions

Public Consultation

The Development Application was notified in accordance with Part 7.3 - Notification of Development Proposals of Gosford DCP 2013 from Thursday, 20 December 2018 until close of business on Friday, 8 February 2019. One (1) submission was received in response to the notification.

During the assessment process amended plans were submitted by the applicant in order to provide additional detail as to the precise height of the proposed assisted care building.

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As no significant alterations were made to any elevation, appearance of the development or internal apartment configuration, the amended plans were not required to be re-notified. In accordance with Chapter 7.3 of the *Gosford Development Control Plan 2013*, specifically clause 7.3.2.10 (c), applications which have been amended do not require re-notification where '... *the amendments are minor, or will result in no additional impacts*'.

The following is a summary of the issues raised:

- **Potential impacts to the medical centre on Terrigal Drive from the proposed maintenance workshop, being:**
 - **Windows may look over or into the existing medical centre.**

Comment:

The first-floor windows from the staff room face north-west and would offer limited opportunities for employees to either overlook or look into rooms of the medical practice.

It is not considered that there would be any significant impact upon the privacy of the medical centre because of the proposed built form. Nevertheless, a recommendation for external screening to window 4 is included should approval be granted for the development (**See Condition 2.14.**) This screening will ensure no privacy impact occurs from the development. (refer figure 8, 9 and 10)

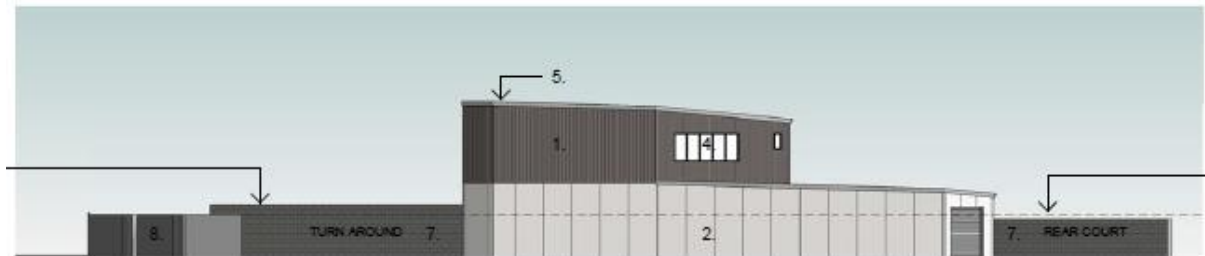


Figure 8 – North elevation of proposed maintenance workshop and staff rooms.

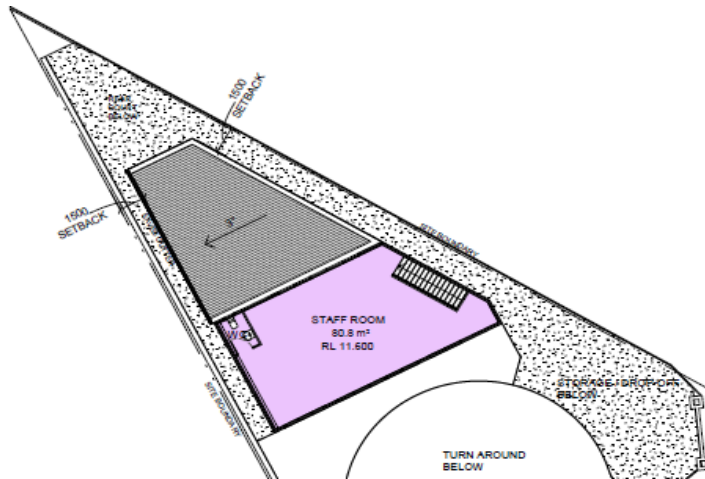


Figure 9 – Floor plan of the proposed first floor staff room



Figure 10 – Aerial image showing location of medical centre in relation to the proposed maintenance workshop and staff rooms (indicated in red).

- **Shadowing and lack of light may occur to the rear portion of the medical centre.**

Comment:

The proposed maintenance workshop and staff rooms are located to the south of the medical centre and would will not cast shadow onto or reduce the natural light received by the medical centre.

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- ***The patients of the medical centre exit through a right of way over the subject site and may be affected during the development of the site.***

Comment:

The existing right of carriageway and access through the site from the medical centre is to be retained .

- ***Damage may occur to the medical practice because of the building works required for the maintenance shed.***

Comment:

A condition requiring a dilapidation report on the existing medical centre will be imposed should the application be granted approval (**See Condition 2.15**). Whilst damage is not anticipated to occur the dilapidation report will ensure that any damage realized will be rectified at cost to the developer.

- ***The roundabout at the corner of Tarragal Glen Ave and Tarragal Glen Ave (McDonalds and Carwash access roundabout) may not cope with the additional traffic movements associated with the new apartments proposed to the Manor.***

Comment:

The application included a Traffic Impact Assessment prepared by Intersect Traffic, dated October 2018. The report concludes that the existing road network is capable of absorbing the additional traffic load resulting from the proposed development. This has been reviewed by Council’s Traffic Engineer who agrees with the report.

The development is not anticipated to have any adverse impacts on the existing road network, including the roundabout at the corner of Tarragal Glen Ave.

Public Authority Consultation

Integrated Approval Referral Body	Comments
Rural Fire Service	Supported, subject to conditions
NSW Resource Regulator	Supported, subject to conditions

Internal Consultation

Internal Referral Body	Comments
Development Engineer	Supported, subject to conditions
Traffic and Transport Planner	Supported, without conditions.

Internal Referral Body	Comments
Building Surveyor	Supported, subject to conditions
Architect	Supported, subject to conditions
Ecologist	Supported, subject to conditions
Waste Services	Supported, subject to conditions
Water and Sewer	Supported, subject to conditions
Tree Management	Supported, no conditions
Environmental Health	Supported, subject to conditions

Ecologically Sustainable Principles:

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

The proposed development is considered to incorporate satisfactory stormwater, drainage and erosion control and the retention of vegetation where possible and is unlikely to have any significant adverse impacts on the environment and will not decrease environmental quality for future generations.

The proposal does not result in the disturbance of any endangered flora or fauna habitats and is unlikely to significantly affect fluvial environments. As such, the proposed works will not decrease environmental quality for future generations.

Climate Change

The potential impacts of climate change on the proposed development have been considered by Council as part of its assessment of the application.

This assessment has included consideration of such matters as potential rise in sea level; potential for more intense and/or frequent extreme weather conditions including storm events, bushfires, drought, flood and coastal erosion; as well as how the proposed development may cope, combat, withstand these potential impacts. The proposed development is considered satisfactory in relation to climate change.

Assessment

Having regard for the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other statutory requirements, Council's policies and Section 10.7 Certificate details, the assessment has identified the following key issues, which are elaborated upon for Council's information. Any tables relating to plans or policies are provided as an attachment.

Draft Central Coast Local Environmental Plan 2018

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Following a review of the *Draft Central Coast Local Environmental Plan 2018* (Draft CCLEP 2018) which finished exhibition on 27 February 2018, the zoning of the subject site remains *R1 General Residential*, where Seniors Housing remains permissible uses with development consent.

The application has been lodged under the provisions of *SEPP - Housing for Seniors or People with a Disability* which applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if -

- (a) *development for the purpose of any of the following is permitted on the land—*
 - (i) *dwelling-houses,*
 - (ii) *residential flat buildings,*
 - (iii) *hospitals,*
 - (iv) *development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries, or*
- (b) *the land is being used for the purposes of an existing registered club.*

As the land is proposed to remain zoned *R1 General Residential*, where dwelling houses and residential flat buildings are permitted, the provisions of SEPP HSPD will continue to apply to the site.

State Environmental Planning Policy No 55 – Remediation of Land

The provisions of this *State Environmental Planning Policy No 55 – Remediation of Land* (SEPP 55) apply. The site has a history of being utilised as residential premises and so contamination is not likely to be present. In accordance with cl. 7(2) of the SEPP, no further consideration is required in this regard.

State Environmental Planning Policy -Housing for Seniors or People with a Disability

The development application has been submitted under the provisions of *State Environmental Planning Policy - Housing for Seniors or People with a Disability* (SEPP HSPD). The proposed development is permissible by virtue of the provisions of clause 4 (1)(a) of the SEPP which provides the policy applies to land being zoned primarily for residential purposes where dwelling houses are permitted.

Under cl. 10 of *SEPP HSPD*, the proposed development is considered to comprise seniors housing, being a hostel, which is defined as follows:

Seniors housing is residential accommodation that is, or is intended to be, used permanently for seniors or people with a disability consisting of:

- (a) *a residential care facility, or*
- (b) *a hostel, or*
- (c) *a group of self-contained dwellings, or*

2.3 DA 55728/2018 - 54 Assisted Care Apartments & Ancillary Maintenance/Staff building - 6 Tarragal Glen Avenue, Erina (contd)

(d) *a combination of these*

but does not include a hospital.'

Further,

Hostels

*In this Policy, a **hostel** is residential accommodation for seniors or people with a disability where—*

- (a) meals, laundering, cleaning and other facilities are provided on a shared basis, and*
- (b) at least one staff member is available on site 24 hours a day to provide management services.*

Note.

A facility may be a hostel (as defined by this Policy) even if it does not provide personal care or nursing care to its residents. A facility that provides such care may be a residential care facility (as defined by this Policy), regardless of how the facility may describe itself.

Under *SEPP HSPD*, the proposed development is required to comply with a range of location, siting and design requirements applicable to all types of accommodation as set out in Parts 2 and 3 of the *SEPP*, in addition to more detailed development standards pertaining specifically to 'hostels' under Clause 40, which cross references Schedule 3.

The extent to which the proposed development complies with each of the relevant criteria is summarised in the Compliance Table in **Attachment 3**. Having regard to the statutory requirements within *SEPP HSPD*, Council officers support the proposal in its current form.

State Environmental Planning Policy (Coastal Management) 2018

The provisions of State Environmental Planning Policy (Coastal Management) 2018 require Council consider the aims and objectives of the *SEPP* when determining an application within the Coastal Management Area. The Coastal Management Area is an area defined on maps issued by the NSW Department of Planning & Environment and the subject property falls outside of this zone.

State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development

Circular 17-001, dated 29 July 2017, identifies the different types of developments *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* (*SEPP 65*) and the Apartment Design Guide (ADG) apply to and how the standards and design criteria in the two policies are to be applied. Circular 17-001, dated 29 July 2017 states:

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'SEPP 65 and the ADG applies to residential flat buildings, shop top housing and the residential component of mixed-use developments'.

SEPP 65 is silent as to its applicability specifically to hostels. However, cl. 4(4) of SEPP 65 states that *'this Policy does not apply to a boarding house or a serviced apartment'.*

A serviced apartment is not otherwise defined in the SEPP HSPD, however, is defined in the standard template (and GLEP 2014) as:

serviced apartment

means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner's or manager's agents.

Note. Serviced apartments are a type of tourist and visitor accommodation—see the definition of that term in this Dictionary.'

The proposed development cannot be defined as either a serviced apartment or boarding house having regard to the definitions contained within GLEP 2014 nor SEPP HSPD. Whilst the proposed development is classified as a Class 3 building under the Building Code of Australia this does not preclude the applicability of SEPP No. 65.

Given the degree of uncertainty in the applicability of SEPP 65 and the ADG, a SEPP 65 Design Verification Statement has been submitted by Marchese Architects to address this issue.

SEPP 65 recognises the design quality of residential apartment development is of significance for environmental planning for the State due to the economic, environmental, cultural and social benefits of high-quality design.

Subclause 30(2)(b) of SEPP 65 provides that the consent authority should take into consideration the design quality of the proposed development. The Design Verification Statement which accompanies the application demonstrates consistency with the design quality principles. Council's Architect has reviewed the documentation and supports the design in relation to SEPP65 for the following reasons:

- **Context:** The location of works within the site is such that the only aspect visible to the public domain would be the maintenance workshop/staff room, located adjacent to the McDonalds carpark, which is considered to sit harmoniously with the varied architecture of the restaurant, car wash and medical centre.

The multi storey extension to the Manor is located to the south east of the existing facility, overlooking the existing public reserve to the south and sitting beside a densely planted creek to the east. This siting provides the residents a visual amenity of a predominately natural setting and locates the new building in a location shielded from the public domain. The proposed works are considered appropriate in this location as the design is compatible with the surrounding residential development and would not detract from the character of the area.

- **Built Form and Scale:** The application is 3.1 metres or approximately 28% above the complying height limit, however due to the location of the building this non-compliance is unseen from the public domain. Further, while the proposed built form is approximately one storey above the ridge line of the adjoining two storey Manor building, it is separated from it by approximately 9-10 metres of landscaped courtyard at its closest point and is considered generally compatible in scale to the existing building. It is screened from Terrigal Drive by the existing building and landscaping and has no detrimental impact on the streetscape.

The maintenance workshop/staff room is also designed and located in a manner that allows the two storey element to blend in to the surrounding development and be all but obscured from the public domain.

The new buildings are well articulated with projecting landscaped balconies and variation in materials to break up the building elevations and disguise their scale. As such, the proposed built form is considered suitable for the site.

- **Density:** The maximum FSR is 0.85: 1. The proposed development would result in an FSR of 0.66:1, which is below the mapped FSR of 0.85:1. The proposal complies with this control and is considered an appropriate density for the site.
- **Sustainability:** The proposed buildings are class 3 under the Building Code of Australia (BCA) and do not require BASIX certification, however a BCA Section J report has been completed with compliance for all relevant parts (energy efficiency and the like).
- **Landscape:** The proposed development would maintain all existing substantial vegetation on site and will incorporate a considered landscaped open space area for each each unit. A number of large planter boxes are proposed to soften the built form.
- **Amenity:** All rooms are well planned with complying solar access and good outlook. Privacy between the proposed apartments and existing units within the Manor development and other units /public space beyond the site is ensured through landscaping and appropriate location of windows to the units.
- **Safety:** The site in its entirety is managed as a residential retirement village with gated access. Safety is considered to be adequate.

2.3 DA 55728/2018 - 54 Assisted Care Apartments & Ancillary Maintenance/Staff building - 6 Tarragal Glen Avenue, Erina (contd)

- **Housing Diversity and Social Interaction:** The application provides suitable accommodation for proposed occupants and includes indoor and outdoor communal areas.
- **Aesthetics:** The aesthetics are acceptable. The building is well articulated and uses changes in materials and small-scale details such as sunscreens to disguise scale. The machinery workshop/staff room is well designed for the unique nature of this portion of the site on which it is to be built.

In view of the above considerations, the application is supported in its current form.

In addition to SEPP 65, the ADG provides objectives, design criteria and design guidance on how residential development proposals can meet the Design Quality Principles contained within Schedule 1 of SEPP 65, through good design and planning practice. An assessment of all relevant provisions of the ADG has been carried out and is provided in **Attachment 4**. Having regard to the design guidelines within the ADG, the variations are supported.

Gosford Local Environmental Plan 2014

Development Standard	Required	Proposed	Compliance with Controls	Variation	Compliance with Objectives
4.3 Height of Building	11m	Maximum height of 14.123m (3.123m variation)	No	28.39%.	Yes

Zoning & Permissibility

The subject site is zoned *R1 General Residential* under the provisions of *Gosford Local Environmental Plan 2014* (GLEP 2014). Development for the purposes of *Seniors Housing* is permissible with consent, however the application has been lodged under the provisions of SEPP HSPD.

SEPP HSPD applies to land within New South Wales that is land zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes, but only if -

- (a) *development for the purpose of any of the following is permitted on the land—*
 - (i) *dwelling-houses,*
 - (ii) *residential flat buildings,*
 - (iii) *hospitals,*
 - (iv) *development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries, or*
- (b) *the land is being used for the purposes of an existing registered club.*

**2.3 DA 55728/2018 - 54 Assisted Care Apartments & Ancillary
Maintenance/Staff building - 6 Tarragal Glen Avenue, Erina (contd)**

As the land is zoned *R1 General Residential*, where dwelling houses and residential flat buildings are permitted, the provisions of SEPP HSPD apply to the site. It is considered that the development application is consistent with the stated objectives of the R2 Low Density Residential zone.

Height of Buildings

The proposed development results in a maximum building height of 14.123m which is a 28.39% variation to cl. 4.3(2) of GLEP 2014. There is no building height limit under SEPP HSPD, therefore the height limit under GLEP 2014 applies.

The applicant has prepared a cl.4.6 variation to cl.4.3(2) of GLEP 2014 to justify the departures from the control. This document is provided at **Attachment 6**.

4.6 Exceptions to Development Standards

A formal submission in accordance with Clause 4.6 of the Gosford LEP 2014 has been provided by the applicant for the non-compliance associated with building height (cl. 4.3 GLEP 2014).

In accordance with cl. 4.6(4) of GLEP 2014, development consent must not be granted for a development that contravenes a development standard unless the consent authority is satisfied that the applicant's written request has adequately addressed the matters required to be demonstrated in subclause (3). Subclause 3 provides:

'Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:

- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.'*

The cl. 4.6 of GLEP 2014 request submitted by the applicant states how strict compliance with the development standards is unreasonable or unnecessary (having regard to the decision in *Wehbe v Pittwater Council [2007] NSW 827*) and how there are sufficient environmental planning grounds to justify the contravention. The submission from the applicant is summarised below:

- *Council's records indicate that the site is affected by flooding from Worthing Creek. In recent years Council completed works to raise the height of the basin wall to improve the free board to the flood levels to provide additional protection to the retirement village.*

A revised flood study for Worthing Creek that incorporated these works has resulted in the 1%AEP flood level of Worthing Creek being reduced on the downstream side of the basin in the area of the proposed development which also removed the flood affectation of the area of the site of the proposed aged car facility in the 1%AEP flood event. The resultant 1%AEP flood level on the downstream side of the basin wall is RL 8.0m AHD correlating to a minimum floor level of RL 8.5m AHD. As such, excavation for the purposes of basement carparking is not considered to be a suitable design option for this type of development on this location. The design is a direct response to the site constraints.

- The location and height of the building as proposed facilitates natural light, ventilation and in turn provides better energy efficiency of the development such that it is better able to meet the requirements of the ADG and the nine principles of SEPP 65 and the design requirements of SEPP Seniors Housing.*
- The additional height does not overshadow any existing dwellings in the Village to any significant degree (particularly the villas to the immediate south-west of the site). The shadow diagrams included in support of the application confirm that the proposed building does not unreasonably overshadow any surrounding villas, with the only loss of sunlight being a short period (approx. 2 hours) in the morning on the 21st June, with full solar access provided to the affected villas from approximately 11:00am onwards on this day.*
- Represents an appropriate built form, bulk and scale and land use intensity due to its location immediately adjacent the existing higher density Manor hostel building and the extensive setbacks to the surrounding dwellings within the village.*
- Consolidating the footprint and increasing the height of the building as proposed, the development provides greater areas of open space and increased landscaping around the site as encouraged by SEPP Seniors Housing, which would not be achieved via a lower, wider building built in strict compliance with the height limit.*
- The departure from the height controls allows for a site specific design that will provide additional hostel rooms that will help cater for the aging population of the Central Coast, whilst limiting impacts upon public infrastructure works undertaken along Worthing Creek to the east.*

In accordance with cl.4.6(4)(2)(ii) development consent must not be granted for development that contravenes a development standard unless the consent authority is satisfied that the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

In order to demonstrate if the proposal has merit, consideration of the proposed **building height** non-compliance has been provided with regard to the objectives of the control contained within cl. 4.3(1) of GLEP 2014:

(a) *to establish maximum height limits for buildings*

The maximum height limit for buildings has been identified for this property as 11m.

(b) *to permit building heights that encourage high quality urban form*

In this instance, it is considered that the 3.123m or 28.39% non-compliance with the development standard of 11m height limit does not detract from the attainment of providing quality urban form in accordance with parameters of SEPP 65. The design incorporates various design elements which activate the design as viewed from the existing areas within the retirement village. Further, the application offers a design that compliments the existing Manor building whilst not attempting to mimic or be overly sympathetic to the existing, somewhat dated, appearance of the building.

The areas of non-compliance of height are not considered to detract from the quality of the built form, rather the inclusion of the third-floor units of which the entire floorplate protrudes beyond the height limit (see Figure 12) helps establish a sense of modern architectural dominance in the setting, being higher and offset from the existing Manor building.

The location of the proposed development is set well back from any public roadway, and will not cause detrimental impact to the users of Worthing Creek Reserve to the south of the development. Figure 13 shows the existing street view from the only public location likely to have sight of the proposed building, where the building will barely be visible - the existing topography, tree line, and the Manor beyond would effectively prohibit the public view of the elements of the proposed building that protrude beyond the height controls. This is important to note as the concept of quality urban form is often considered to be as seen from the public domain. To this end the proposed built form is of nil impact to the public domain.

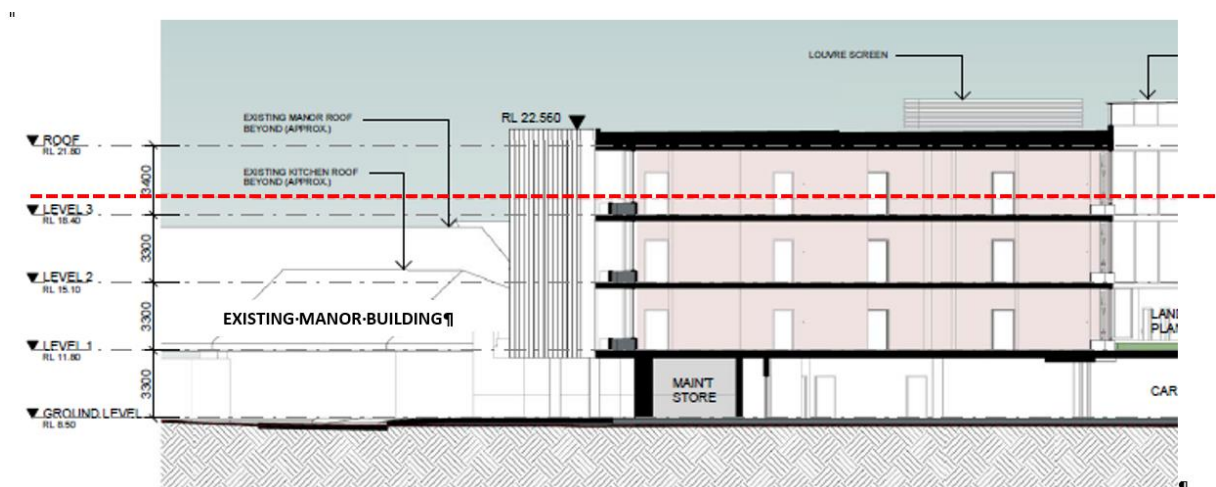


Figure 12 – Part section showing relationship of the Manor to the proposed building in height. (11m height limit in dashed red, with existing manor building indicated on the left of the image)



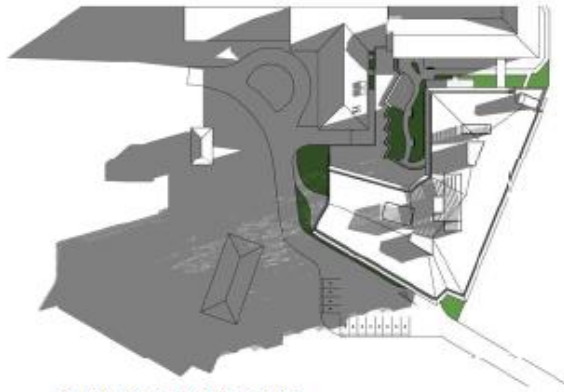
Figure 13 – Street view from Terrigal Drive looking south east. Proposed building would be obscured from view.

- (c) *to ensure that buildings and public areas continue to receive satisfactory exposure to sky and sunlight*

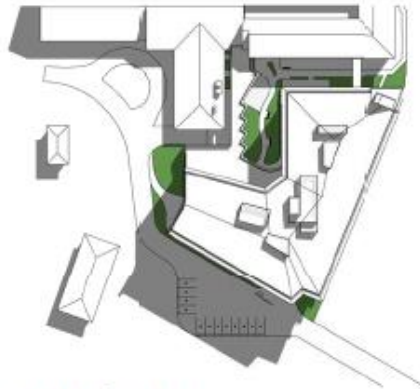
Shadow diagrams for 21 June (mid-winter) have been submitted which illustrate the overshadowing generated by the proposal. As indicated in Figure 14 the solar impacts from the development, inclusive of the elements breaching the height limit are negligible and would present an insignificantly greater impact than that of a complying development.

Similarly, solar access to Worthing Creek Reserve located to the south of the proposed building is maintained throughout the year, with the most significant impact being a shadow of approximately 4 hours at mid-winter across the northernmost edge of the reserve.

No part of the proposed assisted care building would cause any shadow to fall outside of the subject site.



WINTER SOLSTICE @ 9AM



WINTER SOLSTICE @ 12NOON



WINTER SOLSTICE @ 3PM

Figure 14 – Solar diagram – 9am, 12pm and 3pm Mid-winter.

- (d) to nominate heights that will provide an appropriate transition in built form and land use intensity

2.3 DA 55728/2018 - 54 Assisted Care Apartments & Ancillary Maintenance/Staff building - 6 Tarragal Glen Avenue, Erina (contd)

The desired height transition from the R1 General Residential zone to the R2 Low Density Residential zone will be maintained as a result of the proposed development. The location of the proposed assisted care building is such that the tree lined Worthing Creek provides a substantial buffer between the height proposed and the height of existing buildings to the east.

As shown in figure 15 the transition from the existing Manor building to the proposed assisted care building is approximately one storey and separated (save for the connecting walkway on one) by 9-10m, resulting in a form that compliments the existing built form and acts as a transition to the vegetated creek line. (Refer figure 16 for creek line)

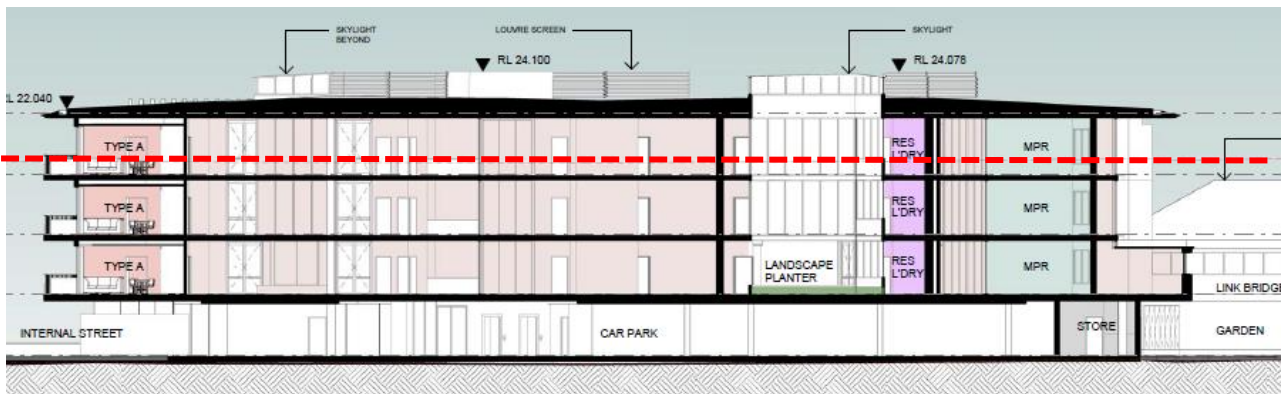


Figure 15 – Western section showing elements breaching the height plane (dashed red)



Figure 16 – Worthing creek and vegetation to the east of the proposed assisted care building

- (e) to ensure that taller buildings are located appropriately in relation to view corridors and view impacts and in a manner that is complementary to the natural topography of the area

The subject site has not been identified as being located within a protected view corridor.

- (f) *to protect public open space from excessive overshadowing and to allow views to identify natural topographical features*

The proposal does not cause overshadowing to public open space areas.

The cl.4.6 of GLEP 2014 variation request submitted by the applicant also provides assessment of the proposal against the relevant development standard and zone objectives, and Council officers are satisfied that the applicant has demonstrated consistency with these objectives.

Due to the minimum floor level of RL 8.5m AHD applying to the site, and the placement of car parking to meet GDCP 2013 requirements on the ground floor, the applicant has argued that the proposal requires the additional height to accommodate the 54 assisted care hostel rooms proposed. A compliant development (ie removing the uppermost level of the proposed development) would result in a development of 36 assisted care hostel rooms. This loss of 18 hostel rooms is not considered to be in the public interest given the aging population of the Central Coast and the limited opportunities available for residents to obtain appropriate aged care living facilities.

In accordance with cl. 4.6(4)(b) of GLEP 2014 development consent must not be granted for development that contravenes a development standard unless the concurrence of the Secretary has been obtained.

Planning Circular PS 18-003, issued 21 February 2018, states that a delegate of Council may not assume the concurrence of the Secretary when considering exceptions to development standards under cl.4.6 of GLEP 2014 if the development contravenes a development standard by greater than 10%. In this instance, the proposed variations exceed 10%, and the concurrence of the secretary cannot be assumed. As such the variation is to be considered by Council as decisions made by Council are subject to greater public scrutiny than decisions made by council staff under delegation.

This assessment has been carried out having regard to the relevant principles identified in the following case law:

1. *Wehbe v Pittwater Council [2007] NSWLEC 827*
2. *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 1009*
3. *Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90*
4. *Four2Five Pty Ltd v Ashfield Council [2015] NSWCA 248*

The cl. 4.6 (Exceptions to Development Standards) of GLEP 2014 request submitted by the applicant appropriately addresses the relevant principles and exhibits consistency with the relevant objectives under GLEP 2014.

This assessment concludes that the cl. 4.6 (Exceptions to Development Standards) of GLEP 2014 variation provided having regard to cl. 4.3 is well founded and worthy of support.

7.1 Acid Sulfate Soils

This land has been identified as being affected by the Acid Sulfate Soils Map and the matters contained in Clause 7.1 of GLEP 2014 have been considered. The site contains Class 4 Acid Sulfate Soils. It is unlikely that any disturbance of acid sulfate soils would result from the proposed works to the site.

s. 4.15(1)(a)(ii) of the EP& A Act: Draft Environmental Planning Instruments:

Provisions of any Development Control Plan

Gosford Development Control Plan 2013

An assessment of the proposed development against the relevant chapters of Gosford Development GDCP 2013 is provided in a Compliance Table under **Attachment 5**. The proposed works are consistent with the relevant chapters of GDCP 2013.

Section 4.15(1)(b) of the EP&A Act: Likely Impacts of the Development

a) Built Environment

A thorough assessment of the proposed development's impact on the built environment has been undertaken in terms of SEPP HSPD, SEPP 65, the ADG, GLEP 2014 and GDCP 2013 and in terms of submissions received. Council assessment staff raise no objection with regard to the likely impacts of the development to the built environment for the following reasons:

- The potential for adverse impacts to neighbouring properties in terms of solar impacts and noise generation from the facility are considered negligible.
- The size, location and design of communal open space is adequate having regard to the context and the scale of development.
- Units are well designed with the majority of units having acceptable solar access. All units open onto private balconies and looking beyond at landscaped areas.
- The proposed development is articulated and uses variation in materials and small scale details to assist in disguising the scale and providing visual interest.

b) Natural Environment

The proposal is satisfactory in relation to impacts on the natural environment as identified throughout this report. No tree is to be removed to accommodate the proposed built form, and the existing vegetated ridgeline will remain visible post development.

c) Economic Impacts

2.3 DA 55728/2018 - 54 Assisted Care Apartments & Ancillary Maintenance/Staff building - 6 Tarragal Glen Avenue, Erina (contd)

The proposed development will contribute to the supply of employment opportunities within the local area, contribute to the supply of seniors housing needs in the locality, and is considered to be satisfactory from an economic perspective.

d) Social Impacts

Residents will be able to access the recreational, social, and community facilities already available within the existing village, and the facilities and activities available within the nearby Erina Fair Shopping Centre. The additional traffic generated by the proposed development is minor and can be catered for by the existing road network.

Suitability of the Site for the Development:

A review of Council's records has identified the following constraints:

- Integrated Development:
 - DPI Water has provided General Terms of Approval in accordance with s.4.46 of the *Environmental Planning and Assessment Act 1979*, in that the proposed activity invokes s. 91E (1) of the *Water Management Act 2000*.
 - NSW Rural Fire Service has provided general terms of approval for the above Integrated Development in accordance with s.4.46 of the *Environmental Planning and Assessment Act 1979* by way of a bush fire safety authority as required under s.100B of the *Rural Fires Act 1997*.

It is considered the above-mentioned constraints do not render the site unsuitable for the proposed development.

The Public Interest:

Approval of the development application is considered to be in the public interest. It is considered the site is compatible for the construction of 54 assisted care apartments and Ancillary Maintenance/Staff Building under *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* and the built form of the development will not result in unacceptable visual and amenity issues for surrounding properties – especially considering that the location of the proposed development is set well-back from any public place/roadway and centrally located on the site.

Further, the construction of 54 assisted care hostel rooms will aid in provision of residential options for the aging population of the region, through the provision of expanded accommodation options within an existing aged care facility.

Other Matters for Consideration

Development Contribution Plan

2.3 DA 55728/2018 - 54 Assisted Care Apartments & Ancillary Maintenance/Staff building - 6 Tarragal Glen Avenue, Erina (contd)

The proposed development application is considered under the provisions of SEPP HSPD and the rooms proposed classified as hostel rooms. As such the development is not subject to the provisions of any Section 7.11 development contribution plan. The contributions plan extends to "dwellings", as confirmed by Council's Contributions Officer, therefore, no contributions are applicable.

Water and Sewer Contributions

Water and sewer is available to the land. The payment of water and sewer contributions is applicable and imposed by the Water Authority. The proponent must obtain a section 307 certificate for the development of the land.

Conclusion

This development application has been assessed under the heads of consideration of s.4.15 of the *Environmental Planning and Assessment Act 1979* and all relevant instruments and policies.

The potential constraints of the site have been assessed and it is considered that the site is suitable for the proposed development. Subject to the imposition of appropriate conditions, the proposed development is not expected to have any adverse social or economic impact.

It is considered that the proposed development will complement the locality and meet the desired future character of the area. Accordingly, the development application is recommended for approval in accordance with section 4.16 of the *Environmental Planning and Assessment Act*.

Attachments

1	Draft Conditions of Approval - DA 55728/2018 - 6 Tarragal Glen Avenue, Erina	D13691914
2	Final Plan Set - DA 55728/2018 - 54 Assisted Care Apartments & Ancillary maintenance/staff building - 6 Tarragal Glen Ave Erina	D13703930
3	SEPP HSPD Compliance Table - DA 55728/2018 - 6 Tarragal Glen Ave, Erina	D13708333
4	ADG Compliance Table	D13691937
5	GDCP Compliance Table	D13691940
6	Clause 4.6 submission	D13691943

ATTACHMENT 1 – DRAFT CONDITIONS OF CONSENT

1.. PARAMETERS OF THIS CONSENT

1.1. Approved Plans and Supporting Documents

Implement the development substantially in accordance with the plans and supporting documents listed below as submitted by the applicant and drawn by Marchese Partners and Xeriscapes and to which is affixed a Council stamp "*Development Consent*" unless modified by any following condition.

Architectural Plan

Drawing	Description	Sheets	Issue	Date
DA2.01	Site Context	1	D	09.11.2018
DA2.03	Site Survey	1	C	09.11.2018
DA2.04	Site Plan	1	E	09.11.2018
DA2.10	Ground Floor Plan	1	J	24.01.2019
DA2.11	First Floor Plan	1	J	24.01.2019
DA2.12	Level 2 & 3 Floor Plan	1	J	24.01.2019
DA2.13	Roof Plan	1	K	28.03.2019
DA3.01	East & South Elevations	1	K	28.03.2019
DA3.02	West & North Elevations	1	K	28.03.2019
DA6.02	Care Suite Types	1	D	09.11.2018
DA6.10	Maintenance Area – Plans	1	D	09.11.2018
DA6.11	Maintenance Area – Elevations & Sections	1	D	09.11.2018
L101	Overall Landscape Plan Ground Floor	1	E	26.09.2018
L102	Landscape Plan Ground Floor Courtyard	1	D	26.09.2018
L103	Overall Landscape Plan Level 01 Rooftop	1	E	26.09.2018
L104	Landscape Plan Level 01 Rooftop	1	D	26.09.2018

Supporting Documentation

ECM No.	Title	Date
26413319	Traffic Impact Assessment	October 2018
26413153	Survey Plan	September 2018
26413132	Operational Waste Management Plan	October 2018
26413155	Soil and Water Management Plan	September 2018
26413154	Statement of Environmental Effects	November 2018
26413150	Water Cycle Management Plan	October 2018
26413147	BCA Compliance Report	September 2018
26413146	Bushfire Report	May 2016
26413145	Concept Engineering Design	October 2018
26413143	Demolition and Construction Waste Management Plan	October 2018
26413140	Disability Access Report	November 2018
26413139	Geotechnical Report	November 2018

- 1.2 Comply with the General Terms of Approval from the Authorities as listed below and attached as a schedule of this consent.

Government Agency / Department / Authority	Description	Ref No	Date
NSW RFS	Recommended Conditions	D18/8658	11 January 2019
NSW Natural Resources Access Regulator	Recommended Conditions	IDAS1111661	06 February 2019

2.. PRIOR TO ISSUE OF ANY CONSTRUCTION CERTIFICATE

- 2.1 All conditions under this section must be met prior to the issue of any Construction Certificate.
- 2.2 No activity is to be carried out on-site until the Construction Certificate has been issued, other than:
- a. Site investigation for the preparation of the construction; and / or
 - b. Implementation of environmental protection measures, such as erosion control and the like that are required by this consent; and
 - c. Demolition.
- 2.3 Submit engineering details prepared and certified by a practising structural engineer that comply with Council's Building Over or Adjacent To Sewer and Water Main Guidelines to the satisfaction of Council. Engineering details must be submitted to Council's Water Assessment Team for approval. Plan assessment fees apply.

- 2.4 Submit an application to Council under section 305 of the Water Management Act 2000 to obtain a section 307 Certificate of Compliance. The Application for a 307 Certificate under section 305 Water Management Act 2000 form can be found on Council's website www.centralcoast.nsw.gov. Early application is recommended.

A section 307 Certificate must be obtained prior to the issue of any Construction Certificate.

- 2.5 New runoff from the development to the adjacent waterway should be controlled and managed so that it does not create an unacceptable impact either by sediment, chemical or nutrient loads or through concentrated flow causing erosion of banks or bed.

There should be no further intrusion of the development onto the adjacent reserve at any stage of the development.

No storage of materials, machines or building activities to occur on public reserve. Any damage to reserve to be rectified to approval of Section Manager Passive Open Space.

- 2.6 Provide to Councils Environment Officer for approval a Soil and Water Management Plan prepared in accordance with Section 2.3 of the 'Blue Book' (Managing Urban Stormwater: Soils and Construction, Landcom, 2004).

- 2.7 Submit a Vegetation Management Plan to Councils Ecologist prior to the issue of a construction certificate for all areas of retained native vegetation on LOT: 1 DP: 852827, 6 Tarragal Glen Avenue ERINA NSW 2250.

The Vegetation Management Plan must be prepared by a suitably qualified Ecologist in accordance with Wyong Shire Council: Flora and Fauna Survey Guidelines, 2016 and have duration of no less than 5 years. The Vegetation Management Plan must be prepared to Council's satisfaction for all areas of retained native vegetation on LOT: 1 DP: 852827, 6 Tarragal Glen Avenue ERINA NSW 2250.

The Vegetation Management Plan must:

- Integrate with other relevant plans eg. Landscape Plans or Erosion and Sediment Control Plans
- If relevant, integrate with NSW Department of Primary Industries: Water requirements.
- Recommend management actions to be undertaken during clearing, construction works and post construction.
- Clearly stage management actions to identify works required prior to commencement of construction works, during works, prior to subdivision certificate and ongoing.

-
- Include a protocol to prevent the transfer of weeds or pathogens onto or off the site.
 - Detail ongoing reporting requirements.
 - Be prepared by a suitably qualified and experienced restoration ecologist.
 - Be implemented for no less than five years.
 - Aiming to achieve the following outcomes by year 5 being:
 1. Less than 2% woody weed cover in any 1000m² of the subject site;
 2. Less than 20% exotic ground cover in any 1000m² of the subject site;
 3. If replanting is required, that replanted canopy species achieve a median height of no less than three metres;

Progress reports are to be submitted to Council's Ecologist by the 30th June each year for a minimum of 5 years after the commencement of works. Reports are to detail the progress of the works and any recommended additional actions, with a final report certifying completion of the Vegetation Management Plan at the end of the implementation period, or once the specific objectives of the plan have been met. Any recommended additional actions must be completed to the satisfaction of Council prior to lodgement of the final report.

- 2.8 Submit a dilapidation report to Council with the Roads Act application and / or Construction Certificate application. The report must document and provide photographs that clearly depict any existing damage to the road, kerb, gutter, footpath, driveways, street trees, street signs or any other Council assets in the vicinity of the development. The dilapidation report may be updated with the approval of the Principal Certifying Authority prior to the commencement of works.
- 2.9 Submit an application to Council, under section 68 of the Local Government Act 1993 for the approval of required drainage works associated with public stormwater / watercourse works.

Engineering plans for the works must be prepared and designed by a suitably qualified professional in accordance with Council's Civil Works Specification and Chapter 6.3 - Erosion Sedimentation Control of the Gosford Development Control Plan 2013, and submitted to Council for approval with the Local Government Act application.

The required works to be designed are as follows:

- a. connection of all stormwater from impervious areas associated with the aged care facility to Council's drainage system located in Worthing Creek.

The Local Government Act application must be approved by Council.

A fee for the approval of engineering plans under the Local Government Act 1993 applies. The amount of this fee can be obtained by contacting Council's Customer Service Centre on (02) 4325 8222.

- 2.10 Submit design details of the following engineering works within private property:
- a. driveways / ramps and car parking areas must be designed according to the requirements of Australian Standard AS 2890: Parking Facilities for the geometric designs, and industry Standards for pavement designs.
 - b. a stormwater detention system must be designed in accordance with Chapter 6.7 - Water Cycle Management of the Gosford Development Control Plan 2013 and Council's Civil Works Specification. The stormwater detention system must limit post development flows from the proposed development to less than or equal to predevelopment flows for all storms up to and including the 1% Annual Exceedance Probability (AEP) storm event. A runoff routing method must be used. An on-site stormwater detention report including an operation and maintenance plan must accompany the design. On-site stormwater detention is not permitted within private courtyards, drainage easements, and / or secondary flow paths.
 - c. nutrient/pollution control measures must be designed in accordance with Chapter 6.7 - Water Cycle Management of the Gosford Development Control Plan 2013. A nutrient / pollution control report including an operation and maintenance plan must accompany the design.
 - d. on-site stormwater retention measures must be designed in accordance with Chapter 6.7 - Water Cycle Management of the Gosford Development Control Plan 2013. A report detailing the method of stormwater harvesting, sizing of retention tanks for re-use on the site and an operation and maintenance plan must accompany the design.
 - e. piping of all stormwater from impervious areas associated with the assisted care facility via an on-site stormwater detention structure to Council's drainage system located in Worthing Creek.
 - f. Piping of stormwater from the proposed maintenance / staff building to Council's drainage system via the existing internal drainage system within the site.
 - g. the minimum floor level of all habitable rooms in the proposed assisted care facility development must be Reduced Level RL 8.5m Australian Height Datum (AHD)
 - h. All building materials used or located below Reduced Level RL 8.5m Australian Height Datum (AHD) must be of a type that is able to withstand the effects of immersion
 - i. No development is permitted on that part of the land affected by the 1% Annual Exceedance Probability (AEP) flood event (i.e. below RL 8.0m) with the exception of drainage to connect the stormwater from the development to Worthing Creek.

These design details and any associated reports must be included in the Construction Certificate.

- 2.11 Submit to the Accredited Certifier structural plans prepared by a suitably qualified Registered Structural Engineer for the following building elements:
- Footings
 - slabs and columns
 - retaining structures in excess of 0.6 metres in height
- 2.12 Submit details showing that the levels of fire safety within the premises will achieve total conformity with the Building Code of Australia / an adequate level of fire safety in accordance with a fire safety report prepared by a suitably qualified person.
- 2.13 Submit design details to the Accredited Certifier of the following demonstrating the plans have incorporated measures to ensure compliance with NSW RFS recommended conditions, Ref No D18/8658, dated 11 January 2019:
- a. At the commencement of building works, and in perpetuity, the area around the proposed works shall be managed as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones' as follows:
 - East: Inner Protection Area (IPA) for a distance of 21 metres and;
 - All other directions: IPA to the property boundaries.
 - b. The provision of water, electricity and gas shall comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.
 - c. A Bush Fire Emergency Management and Evacuation Plan shall be prepared (and or updated) to be consistent with 'Development Planning- A Guide to Developing a Bush Fire Emergency Management and Evacuation Plan December 2014'.
 - d. Proposed construction shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
 - e. Landscaping is to comply with the principles of Appendix 5 of PBP 2006.
- 2.14 Submit to the Accredited Certifier design details for screening of "window 4" as shown in elevations 2 and 3 on drawing DA6.11. The screening is to be designed so as to obscure any direct view obtained from within the first-floor staff rooms north toward the existing doctors surgery at land at 602 Terrigal Drive, Erina.
- 2.15 Submit a dilapidation report to Council, the Accredited Certifier and the adjoining property owners at 602 Terrigal Drive, Erina.

The report is to be prepared by a suitably qualified person detailing the structural characteristics of all buildings located on the abovementioned property (602 Terrigal Drive, Erina). The report must document and provide photographs that clearly depict any existing damage to the improvements erected upon said property.

In the event that access to an adjoining property for the purpose of undertaking the dilapidation report is denied, submit evidence in writing demonstrating that all steps were taken to obtain access to the adjoining property.

3.. PRIOR TO COMMENCEMENT OF ANY WORKS

- 3.1. All conditions under this section must be met prior to the commencement of any works.
- 3.2. Appoint a Principal Certifying Authority for the building work:
 - a. The Principal Certifying Authority (if not Council) is to notify Council of their appointment and notify the person having the benefit of the development consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work no later than two (2) days before the building work commences.
 - b. Submit to Council a Notice of Commencement of Building Works or Notice of Commencement of Subdivision Works form giving at least two (2) days' notice of the intention to commence building or subdivision work. The forms can be found on Council's website: www.centralcoast.nsw.gov.au
- 3.3. Erect a sign in a prominent position on any work site on which building, subdivision or demolition work is being carried out. The sign must indicate:
 - a. The name, address and telephone number of the Principal Certifying Authority for the work; and
 - b. The name of the principal contractor and a telephone number at which that person can be contacted outside of working hours; and
 - c. That unauthorised entry to the work site is prohibited.
 - d. Remove the sign when the work has been completed.
- 3.4. Submit both a Plumbing and Drainage Inspection Application, with the relevant fee, and a Plumbing and Drainage Notice of Work in accordance with the *Plumbing and Drainage Act 2011* (to be provided by licensed plumber). These documents can be found on Council's website at: www.centralcoast.nsw.gov.au

Contact Council prior to submitting these forms to confirm the relevant fees.

This condition only applies if installation/alteration of plumbing and/or drainage works are proposed (excludes stormwater drainage).

-
- 3.5. Obtain a Construction Certificate for the construction works within the private property.
- 3.6 Engage a suitably qualified Ecologist to oversee the protection of the Endangered Ecological Community / threatened species/ retained bushland along the eastern boundary of Lot: 1 DP: 852827, including the placement of a temporary fence along the edge of the development area. The ecologist must notify Council in writing of compliance with this condition, including where required, providing photos and other evidence within five business days after completing the fencing.
- 3.7 Install run-off and erosion controls to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land by:
- a. erecting a silt fence and providing any other necessary sediment control measures that will prevent debris escaping into drainage systems, waterways or adjoining properties, and
 - b. diverting uncontaminated run-off around cleared or disturbed areas, and
 - c. preventing the tracking of sediment by vehicles onto roads, and
 - d. stockpiling top soil, excavated materials, construction and landscaping supplies and debris within the lot
- 3.8 Erect a temporary hoarding or temporary construction site fence between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works, if the works:
- a. could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or
 - b. could cause damage to adjoining lands by falling objects, or
 - c. involve the enclosure of a public place or part of a public place

Note 1: A structure on public land or on or over a public road requires the prior approval of the relevant authority under the Local Government Act 1993 or the Roads Act 1993, respectively.

Note 2: The Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011 contain provisions relating to scaffolds, hoardings and other temporary structures.

- 3.9 Provide or make available toilet facilities at the work site before works begin and maintain the facilities until the works are completed at a ratio of one toilet plus one additional toilet for every twenty (20) persons employed at the site.

Each toilet must:

- a. be a standard flushing toilet connected to a public sewer, or

- b. have an on-site effluent disposal system approved under the Local Government Act 1993, or
 - c. be a temporary chemical closet approved under the Local Government Act 1993
- 3.10 Disconnect, seal and make safe all existing site services prior to the commencement of any demolition on the site. Sewer and water services must be disconnected by a licensed plumber and drainer with a Start Work Docket submitted to Council's Plumbing and Drainage Inspector as the Water and Sewer Authority.
- 3.11 Provide certification to the Principal Certifying Authority that the structural engineer's details have been prepared in accordance with the recommendations of the geotechnical report(s) listed as supporting documentation in this development consent.

4.. DURING WORKS

- 4.1. All conditions under this section must be met during works.
- 4.2. Carry out construction or demolition works during the construction phase of the development only between the hours as follows:
- 7.00am and 5.00pm Monday to Saturday
- No construction or demolition works associated with the development are permitted to be carried out at any time on a Sunday or a public holiday.
- 4.3. During the construction phase of the development, if any Aboriginal object (including evidence of habitation or remains), is discovered during the course of the work:
- a. All excavation or disturbance of the area must stop immediately in that area, and
 - b. The Office of Environment and Heritage must be advised of the discovery in accordance with section 89A of the *National Parks and Wildlife Act 1974*.
- Note:** If an Aboriginal object is discovered, an Aboriginal heritage impact permit may be required under the *National Parks and Wildlife Act 1974*.
- 4.4 Re-use, recycle or dispose of all building materials during the demolition and construction phase of the development in accordance with the Waste Management Plan signed by A. Stamatiou- ttm, dated 19 October 2018.
- 4.5 Implement all soil and water management control measures and undertake works in accordance with the Council approved Soil and Water Management Plan. Update the plan as required during all stages of the construction or in accordance with the 'Blue Book' (Managing Urban Stormwater: Soils and Construction, Landcom, 2004).

-
- 4.6 Classify all excavated material removed from the site in accordance with NSW EPA (1999) Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes prior to disposal. All excavated material must be disposed of to an approved waste management facility, and receipts of the disposal must be kept on-site.
- 4.7 Install a temporary fence with a height no less than one metre around the endangered ecological community / threatened species / Vegetation Management Zone along the eastern side of Lot: 1 DP: 852827.

All fenced conservation areas are to be clearly marked as a "No Go Area" on the fencing itself. No clearing of native vegetation threatened flora species, storage of vehicles or machinery, stockpiling, materials storage or unauthorised access is to occur within the fenced conservation area.

- 4.8 Maintain the temporary fencing surrounding the endangered ecological community / threatened species habitat.
- 4.9 Stockpiling will be undertaken within the approved works foot print.

Stockpiling will not be undertaken in locations that impact on adjacent areas of retained native, estuarine or aquatic vegetation or within a tidal zone or that has the potential to cause water pollution.

Stockpiles are to be managed to suppress dust, prevent erosion and reduce the impact of sediment and other contaminants on the environment. This may require compaction and the installation of adequate sediment and erosion control measures around the stockpiles in accordance with the Blue Book and Best Practice Erosion and Sediment Control (IECA) guidelines.

No contaminated material is permitted to be stockpiled onsite.

- 4.10 No removal of native vegetation or threatened flora species is permitted under this consent.
- 4.11 Demolish all buildings and / or building components in a safe and systematic manner in accordance with Australian Standard AS 2601-2001: The demolition of structures. Waste materials must be disposed of at a waste management facility.
- 4.12 Notify Council when plumbing and drainage work will be ready for inspection(s) and make the work accessible for inspection in accordance with the *Plumbing and Drainage Act 2011*.
- 4.13 Implement dust suppression measures on-site during works to suppress dust generated by vehicles and equipment. Dust must also be suppressed at all other stages of construction in order to comply with the *Protection of the Environment Operations Act 1997*.
- 4.14 Immediately notify Council of any new information which comes to light during works which has the potential to alter previous conclusions about site contamination.

- 4.15 Keep a copy of the stamped approved plans on-site for the duration of site works and make the plans available upon request to either the Principal Certifying Authority or an officer of Council.

5.. PRIOR TO ISSUE OF ANY OCCUPATION CERTIFICATE

- 5.1. All conditions under this section must be met prior to the issue of any Occupation Certificate.
- 5.2 Implement vegetation management activities in accordance with the Vegetation Management Plan prepared in response to Condition 2.7.
- 5.3 Complete the building in accordance with the relevant provisions and requirements of the National Construction Code Series.
- 5.4 Construct the stormwater management system in accordance with the approved Stormwater Management Plan and Australian Standard AS 3500.3-2004: Stormwater drainage systems. Certification of the construction by a suitably qualified consultant must be provided to the Principal Certifying Authority.
- 5.5 Rectify to the satisfaction of the Council any damage not shown in the dilapidation report submitted to Council before site works had commenced. Any damage will be assumed to have been caused as a result of the site works undertaken and must be rectified at the developer's expense.
- 5.6 Complete public stormwater / watercourse works that required approval under the Local Government Act 1993. The works must be completed in accordance with Council's Civil Works Specification and Chapter 6.3 - Erosion Sedimentation Control of the Gosford Development Control Plan 2013. Documentary evidence for the acceptance of such works must be obtained from Council.
- 5.7 Complete the internal engineering works within private property in accordance with the plans and details approved with the construction certificate.
- 5.8 Amend the Deposited Plan (DP) to:
- include an Instrument under the Conveyancing Act 1919 for the following restrictive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Wherever possible, the extent of land affected by these covenants must be defined by bearings and distances shown on the plan
 - a. create a Restriction as to use of land over all lots containing an on-site stormwater detention system and / or a nutrient / pollution facility restricting any alteration to such facility or the erection of any structure over the facility or the placement of any obstruction over the facility

And,

- include an instrument under the Conveyancing Act 1919 for the following positive covenants; with Council having the benefit of these covenants and having sole authority to release and modify. Contact Council for wording of the covenant(s)
 - a. to ensure on any lot containing on-site stormwater detention system and / or a nutrient / pollution facility that
 - II. the facility will remain in place and fully operational
 - III. the facility is maintained in accordance with the operational and maintenance plan so that it operates in a safe and efficient manner
 - IV. Council's officers are permitted to enter the land to inspect and repair the facility at the owner's cost
 - V. Council is indemnified against all claims of compensation caused by the facility

Submit to the Principal Certifying Authority copies of registered title documents showing the restrictive and positive covenants.

5.9 Amend the Deposited Plan (DP) to:

- Extinguish the redundant right of carriageway created under DP 6495288 that is not located over the internal access driveway.
- Create a new right of carriageway over the existing and new access driveways to maintain the access rights for any lots that benefit from the existing right of carriageway, between Lot 1002 DP1021822 and Tarragal Glen Avenue.
- Amend the western location of the defined Restriction as to User created under DP 269019 associated with the extent of the 1%AEP floodplain, to reflect the western location extent of the 1%AEP flood line as defined in the plan "Option 2 Flood Depth (1%AEP)" contained within Appendix B of the report prepared by Cardno titled "Tarragal Glen Detention Basin Dam Break Analysis" dated 19 January 2017.

5.7 Implement all fire management planning measures as identified in the recommended conditions issued by NSW RFS, Ref No D18/8658, dated 11 January 2019 and specified within Condition 2.13, as well as measures identified in the Bushfire Assessment Report, prepared by Building Code & Bushfire Hazard Solutions Pty Limited, dated May 2018.

5.8 Provide certification from a geotechnical engineer to the Principal Certifying Authority that all works have been carried out in accordance with the recommendations contained within the geotechnical report(s) listed as supporting documentation in this development consent.

5.9 At the commencement of building works, and in perpetuity, the entire property shall be managed as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset Protection Zones' as follows:

- East: Inner Protection Area (IPA) for a distance of 21 metres and;
- All other directions: IPA to the property boundaries.

5.9 Complete the building in accordance with the relevant provisions of the National Construction Code Series.

6.. ONGOING OPERATION

- 6.1 Do not place or store waste material, waste product or waste packaging outside the approved waste storage enclosure.
- 6.2 Store all waste generated on the premises in a manner so that it does not pollute the environment.
- 6.3 Transport all waste generated on the premises to a facility which is licensed to receive that material.
- 6.4 No obstructions to the wheel out of the waste bins are permitted including grills, speed humps, barrier kerbs, etc.
- 6.5 Comply with all commitments as detailed in the Waste Management Plan signed by A. Stamatiou - ttm, dated 19 October 2018.
- 6.6 Locate the approved waste storage enclosure / area as indicated on Drawing Number 2.10, Revision H, dated 9 November 2018, prepared by marchese partners.
- 6.7 Construct and manage garbage chutes in accordance with the provisions of Gosford Development Control Plan 2013, Part 7: Chapter 7.2 - Waste Management, Appendix F.
- 6.8 Medical waste to be securely stored for servicing by a specialist medical waste contractor.
- 6.9 Waste servicing to be undertaken at a determined frequency to ensure waste storage availability at all times.
- 6.10 All waste to be serviced by a private, commercial waste contractor.

6.11 Implement the Vegetation Management prepared in response to Condition 2.7 and submit progress reports to Council at intervals after initial works have been commenced, 1 year, 2 years and 5 years.

- Restoration areas are to be maintained for a minimum of five (5) years. Reports are to be prepared by the Ecologist or bush regenerator and submitted to Council detailing the progress of the bush regeneration works by 30th June each year and any recommended additional actions, with a final report certifying completion of the Vegetation Management Plan at the end of the five year period or a greater period of time if the benchmarks contained within the Vegetation Management Plan have not been reached at year 5.

All activities must be implemented in accordance with Vegetation Management Plan prepared in response to Condition 2.7. If the performance benchmarks are not reached by year 5, additional bush regeneration activities that reach the identified benchmarks are to be negotiated with Council.

6.12 Maintain the on-site detention and nutrient / pollution control facilities in accordance with the operation and maintenance plan.

7.. PENALTIES

Failure to comply with this development consent and any condition of this consent may be a **criminal offence**. Failure to comply with other environmental laws may also be a **criminal offence**.

Where there is any breach Council may without any further warning:

- Issue Penalty Infringement Notices (On-the-spot fines);
- Issue notices and orders;
- Prosecute any person breaching this consent, and/or
- Seek injunctions/orders before the courts to retain and remedy any breach.

Warnings as to Potential Maximum Penalties

Maximum Penalties under NSW Environmental Laws include fines up to \$1.1 Million and/or custodial sentences for serious offences.

ADVISORY NOTES

- The inspection fee for works associated with approvals under the *Roads Act 1977* is calculated in accordance with Council's current fees and charges policy.

- Payment of a maintenance bond may be required for civil engineering works associated with this development. This fee is calculated in accordance with Council's fees and charges.
- It is an offence under the *National Parks and Wildlife Act 1974* to disturb an Aboriginal artefact without a Permit.
- Discharge of sediment from a site may be determined to be a pollution event under provisions of the Protection of the Environment Operations Act 1997. Enforcement action may commence where sediment movement produces a pollution event.
- The following public authorities may have separate requirements in the following aspects:
 - a. Australia Post for the positioning and dimensions of mail boxes in new commercial and residential developments
 - b. Jemena Asset Management for any change or alteration to the gas line infrastructure
 - c. Ausgrid for any change or alteration to electricity infrastructure or encroachment within transmission line easements
 - d. Telstra, Optus or other telecommunication carriers for access to their telecommunications infrastructure
 - e. Central Coast Council in respect to the location of water, sewerage and drainage services.
- Carry out all work under this Consent in accordance with SafeWork NSW requirements including the Workplace Health and Safety Act 2011 No 10 and subordinate regulations, codes of practice and guidelines that control and regulate the development industry.
- Dial Before You Dig

Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets please contact Dial Before You Dig at www.1100.com.au or telephone on 1100 before excavating or erecting structures. (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual's responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial Before You Dig service in advance of any construction or planning activities.

- *Telecommunications Act 1997* (Commonwealth)

Telstra (and its authorised contractors) are the only companies that are permitted to conduct works on Telstra's network and assets. Any person interfering with a facility or installation owned by Telstra is committing an offence under the Criminal Code Act 1995 (Cth) and is liable for prosecution. Furthermore, damage to Telstra's infrastructure may result in interruption to the provision of essential services and significant costs. If you are aware of any works or proposed works which may affect or impact on Telstra's assets in any way, you are required to contact: Telstra's Network Integrity Team on phone number 1800 810 443.

- Install and maintain backflow prevention device(s) in accordance with Council's WS4.0 Backflow Prevention Containment Policy. This policy can be found on Council's website at: www.centralcoast.nsw.gov.au

This condition only applies if installation/alteration of plumbing and/or drainage works are proposed (excludes stormwater drainage)

DEVELOPMENT APPLICATION

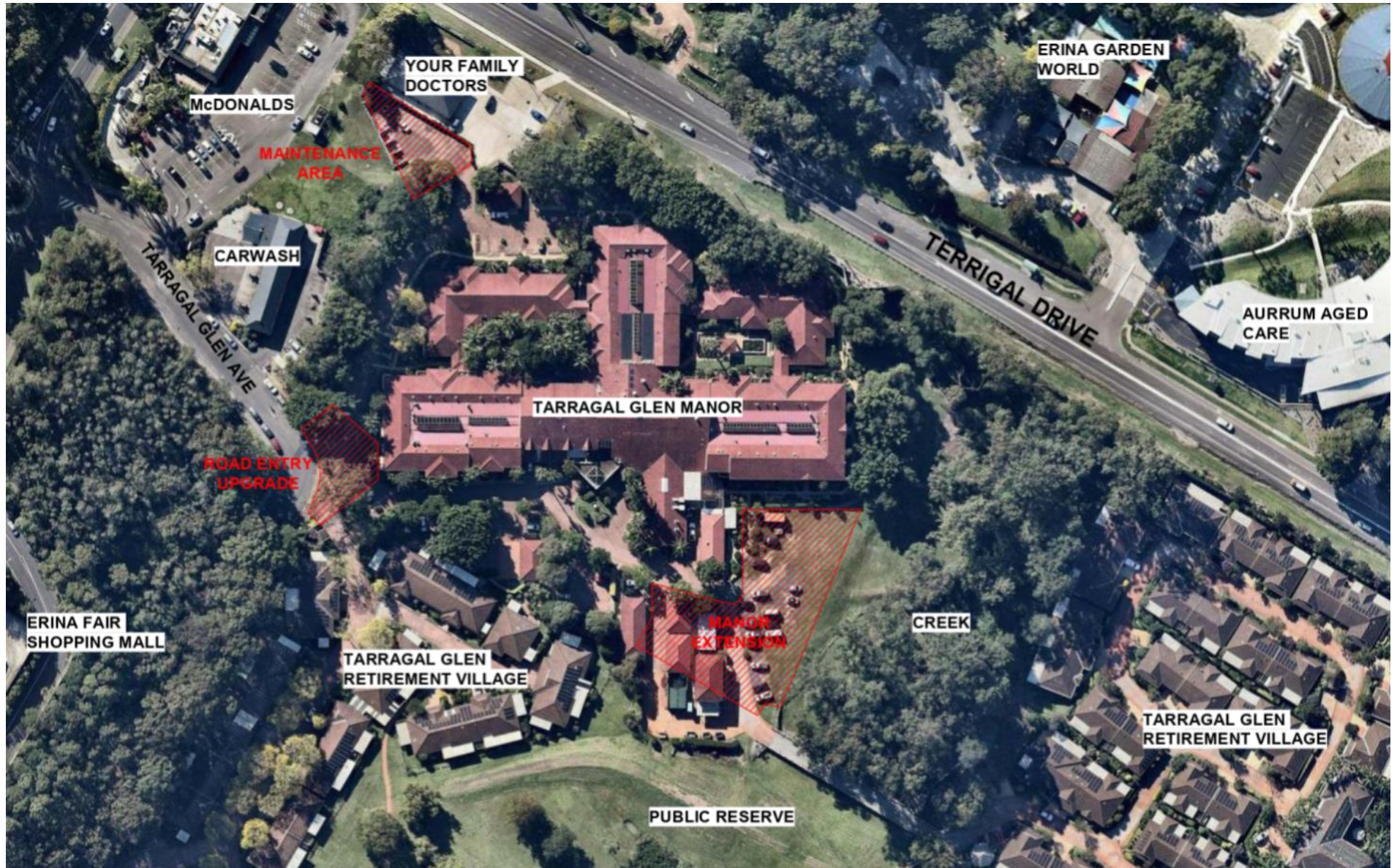
Tarragal Glen Retirement Village, The Manor Extension

Assisted Care Suites

DA DRAWING LIST

DWG NO.	REVISION	TITLE
GENERAL		
DA1.01	G	COVER SHEET
DA2.01	E	SITE CONTEXT
DA2.02	C	SITE ANALYSIS
DA2.03	D	SITE SURVEY
DA2.04	F	SITE PLAN
DA2.10	K	GROUND FLOOR PLAN
DA2.11	K	LEVEL 1 FLOOR PLAN
DA2.12	K	LEVEL 2 & 3 FLOOR PLAN
DA2.13	L	ROOF PLAN
DA3.01	K	EAST & SOUTH ELEVATIONS
DA3.02	K	WEST & NORTH ELEVATIONS
DA4.01	K	NS & EW SECTIONS
DA4.02	C	WEST & EAST WING SECTIONS
DA5.01	D	FACADE INTENT DETAILS
DA6.01	J	SHADOW DIAGRAM
DA6.02	E	CARE SUITE TYPES
DA6.10	E	MAINTENANCE AREA - PLANS
DA6.11	D	MAINTENANCE AREA - ELEVATIONS & SECTIONS
DA7.01	D	DEVELOPMENT DATA

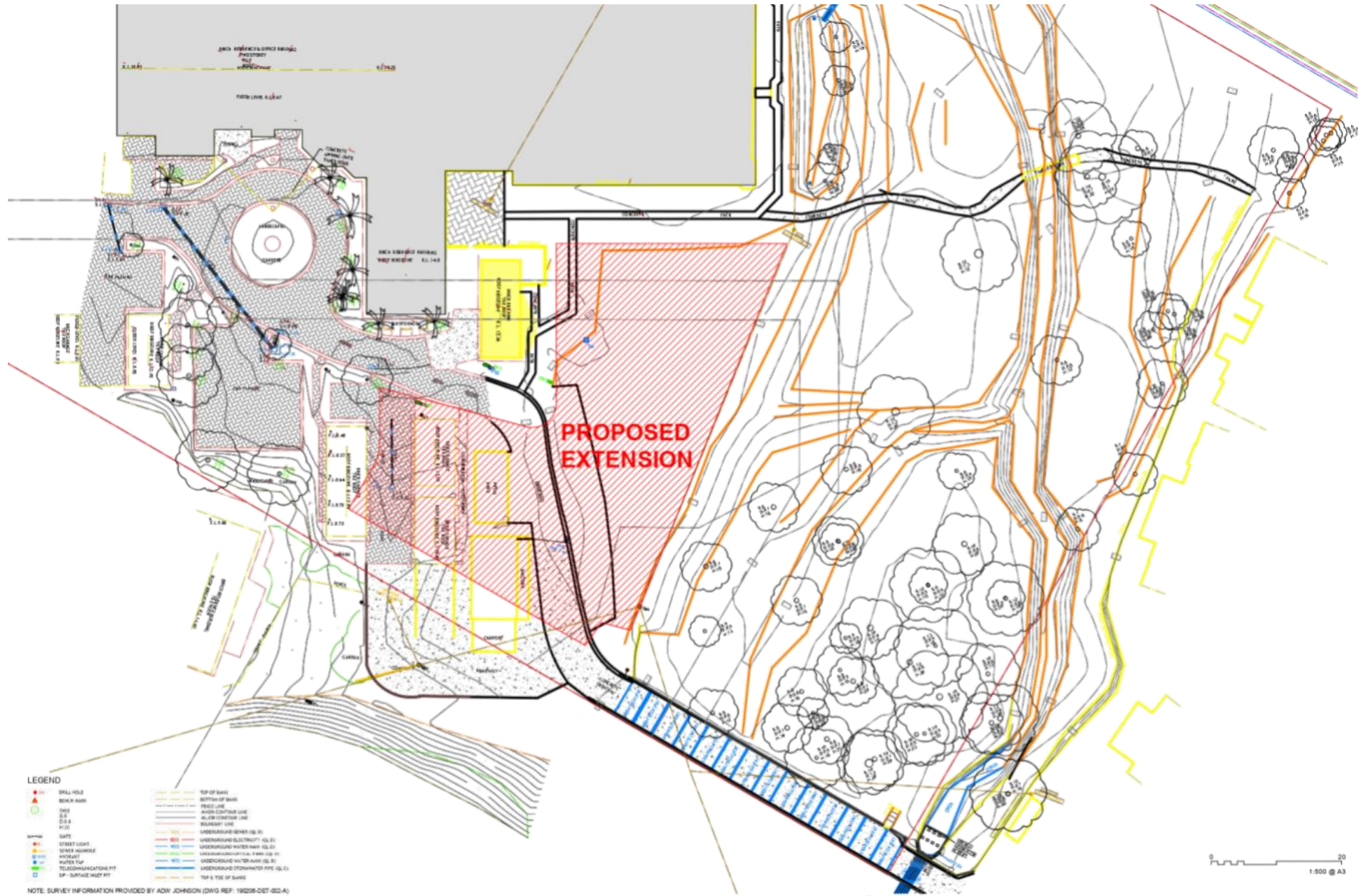




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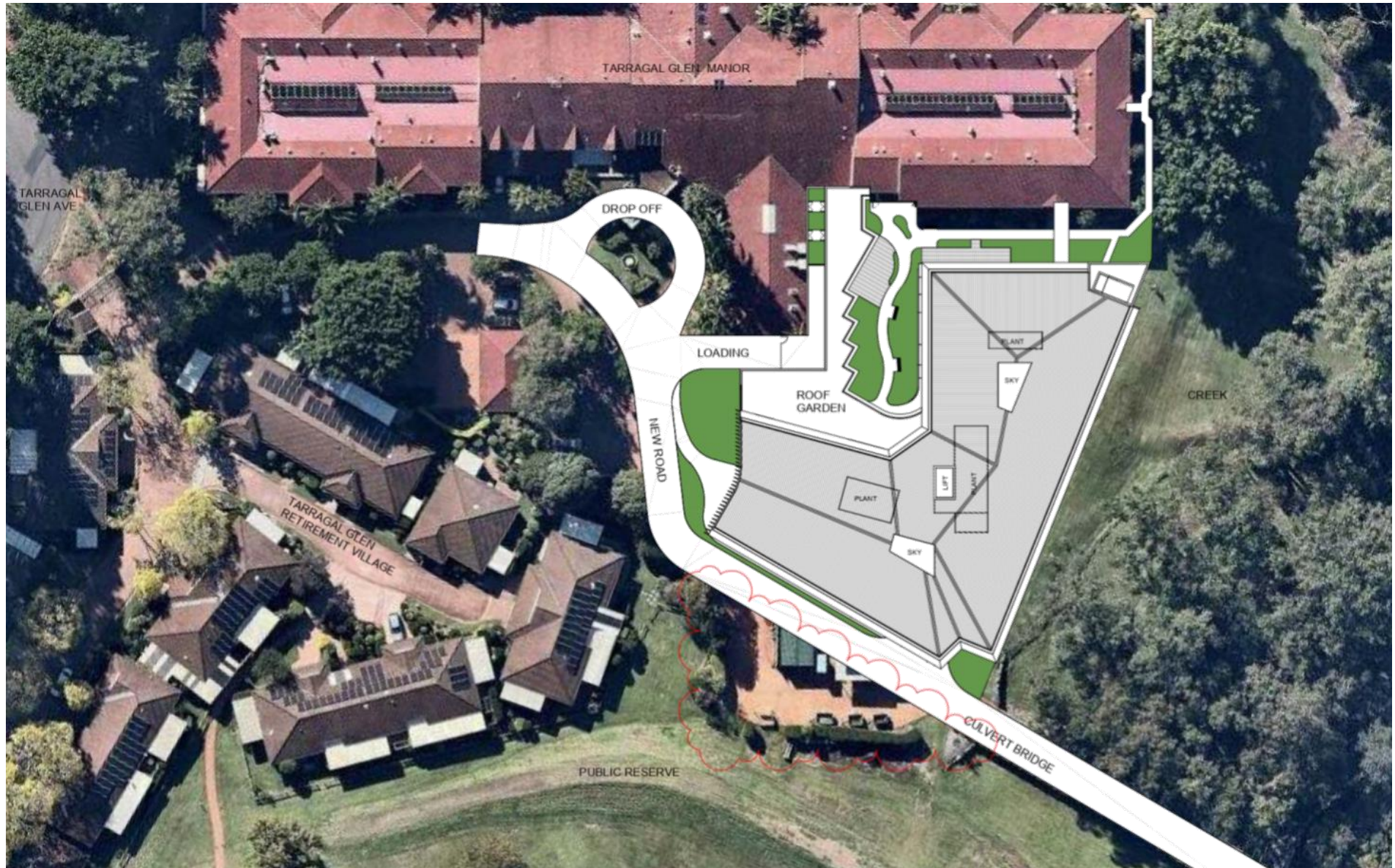




LEGEND

- DRILL HOLE
- ▲ BENCH MARK
- TREE
- D.S.A
- P.C.D
- GATE
- STREET LIGHT
- STREET NUMBER
- HYDRANT
- WATER TAP
- TELECOMMUNICATION PIT
- SP - SURFACE MET PIT
- TOP OF BANK
- BOTTOM OF BANK
- FENCE LINE
- ADJACENT CAPTURE LINE
- ALL IN COMMON LINE
- BOUNDARY LINE
- UNDERGROUND CEMENT (Ø 30)
- UNDERGROUND ELECTRICITY (Ø 50)
- UNDERGROUND WATER MAIN (Ø 50)
- UNDERGROUND WATER MAIN (Ø 75)
- UNDERGROUND WATER MAIN (Ø 90)
- UNDERGROUND STORMWATER PIPE (Ø 150)
- TOP & TOE OF BANK

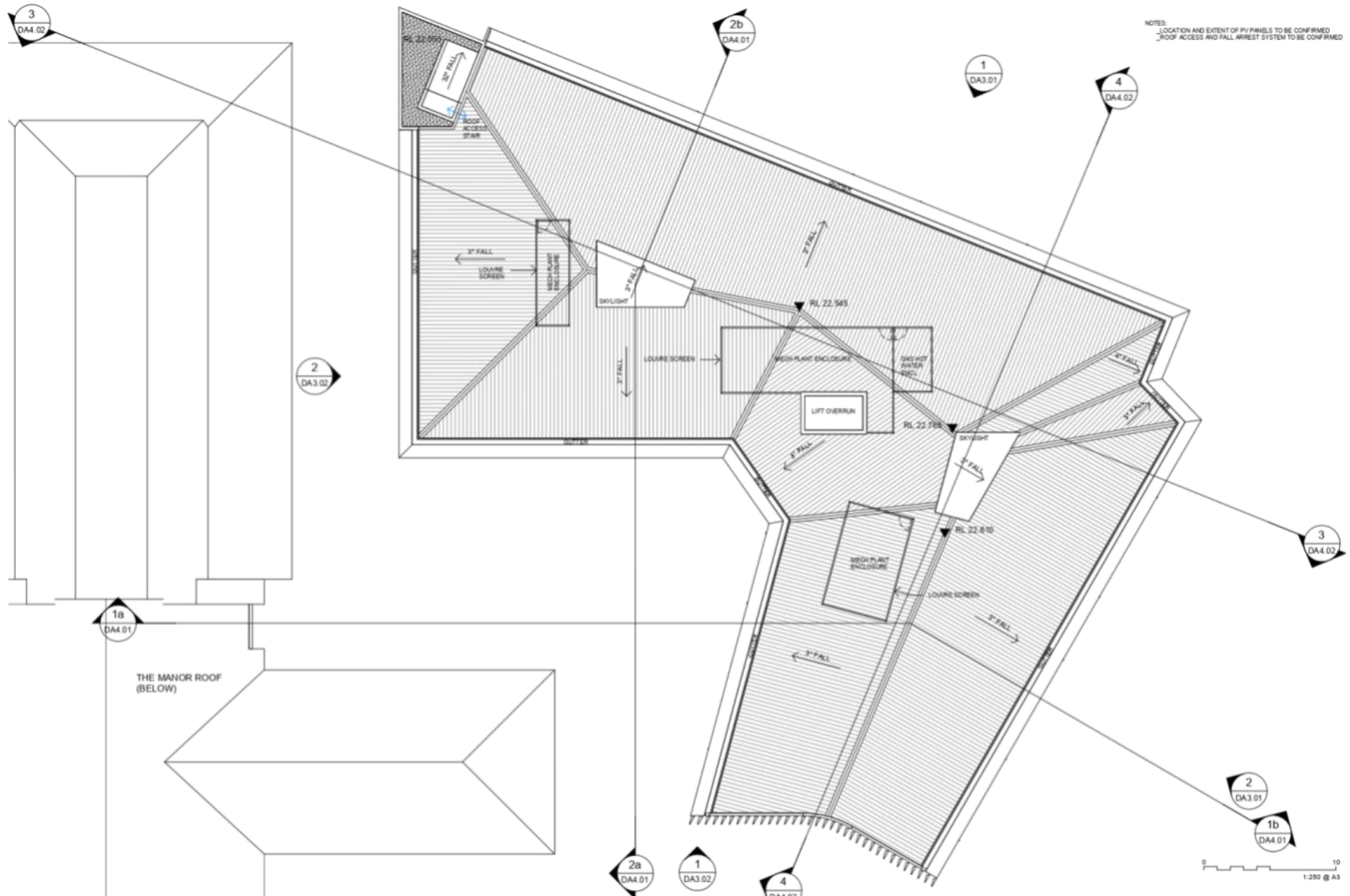
NOTE: SURVEY INFORMATION PROVIDED BY ADW JOHNSON (DWG REF: 190206-021-02-A)



Parking Schedule	
Type	Count
Resident (5400 x 3200)	25
Staff (5400 x 2400)	1
Visitor (5400 x 2600)	4
Visitor PWD (5400 x 2600)	1
Grand total	31

NOTES EXISTING BUILDINGS TO BE DEMOLISHED







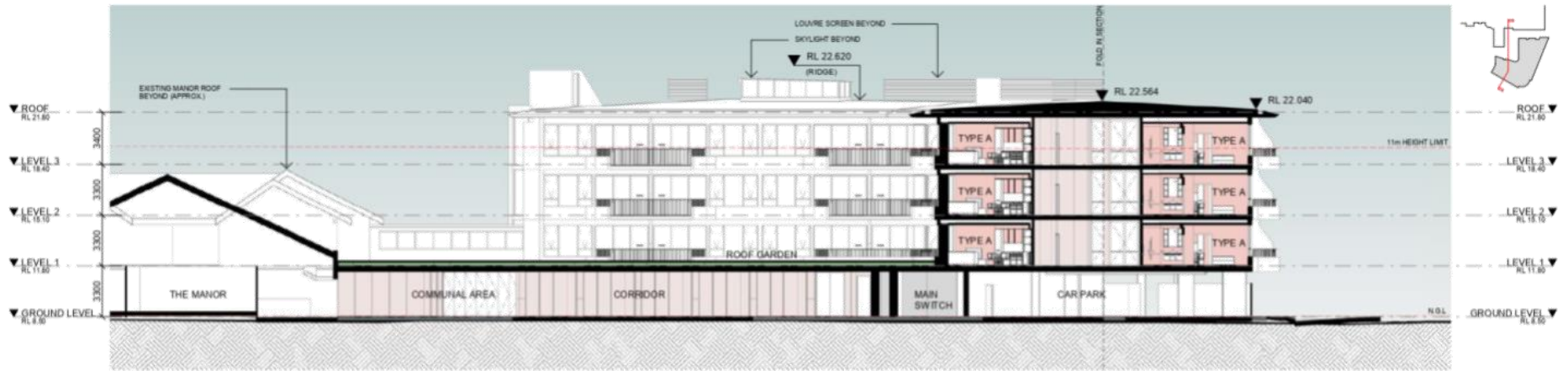
1 EAST ELEVATION
DA2.10



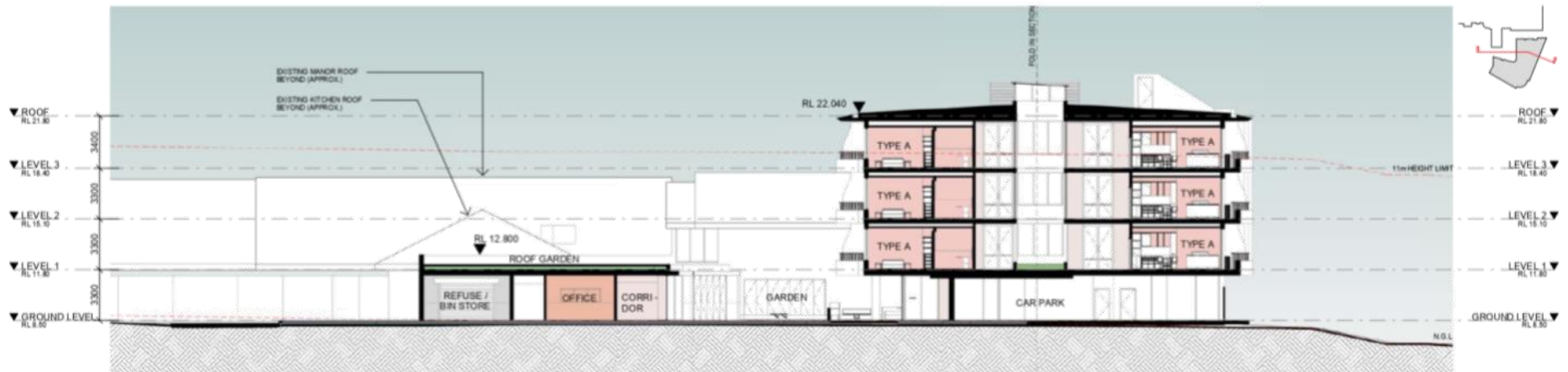
2 SOUTH ELEVATION
DA2.10





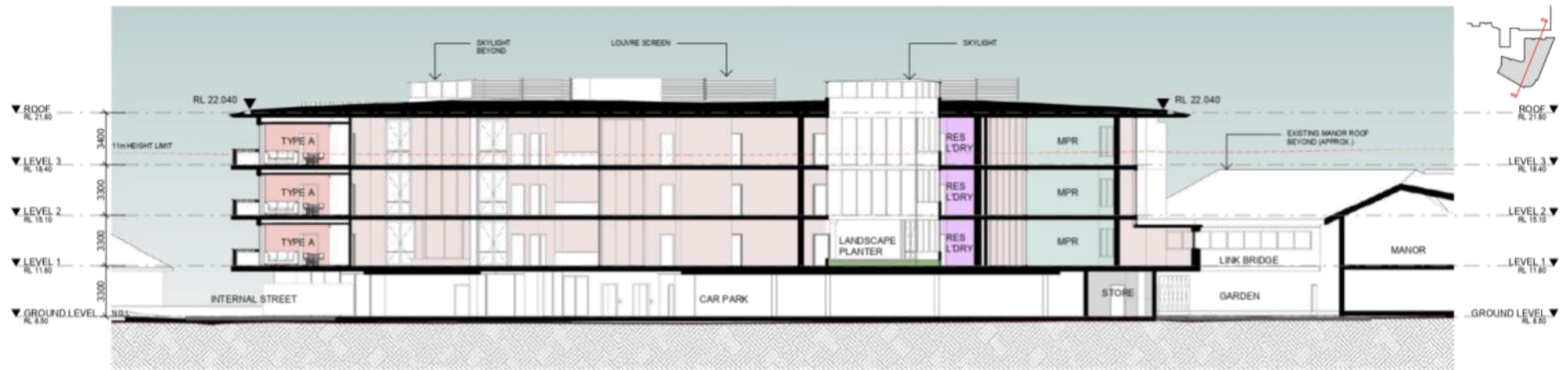


1a NS SECTION
DA2.10



2a EW SECTION
DA2.10





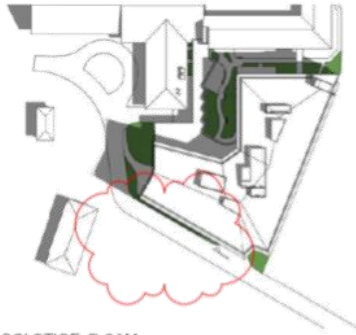
3 WEST WING SECTION
DA2.10



4 EAST WING SECTION
DA2.10



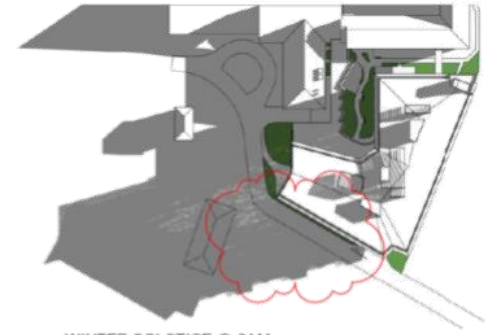




SUMMER SOLSTICE @ 9AM



AUTUMN / SPRING EQUINOX @ 9AM



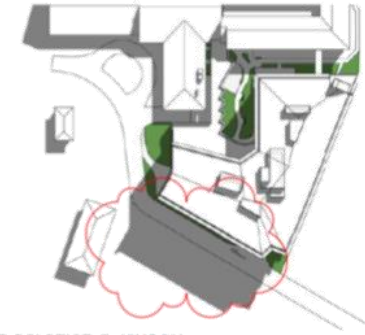
WINTER SOLSTICE @ 9AM



SUMMER SOLSTICE @ 12NOON



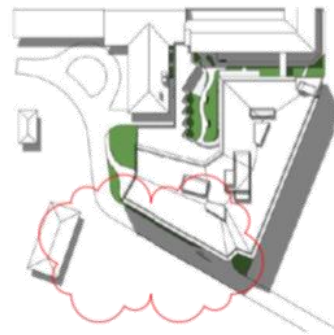
AUTUMN / SPRING EQUINOX @ 12NOON



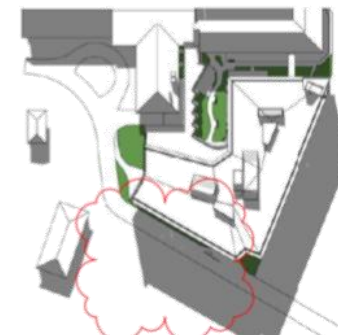
WINTER SOLSTICE @ 12NOON



SUMMER SOLSTICE @ 3PM

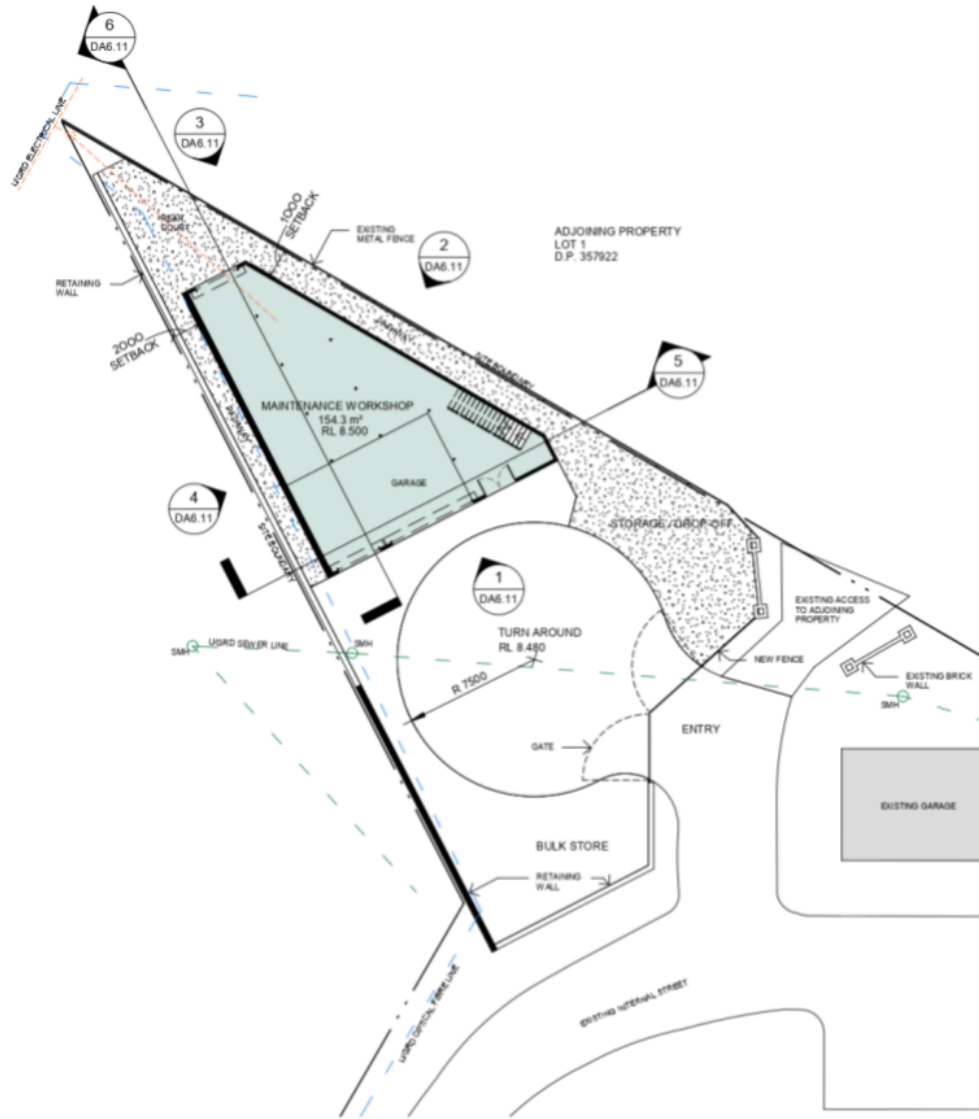


AUTUMN / SPRING EQUINOX @ 3PM

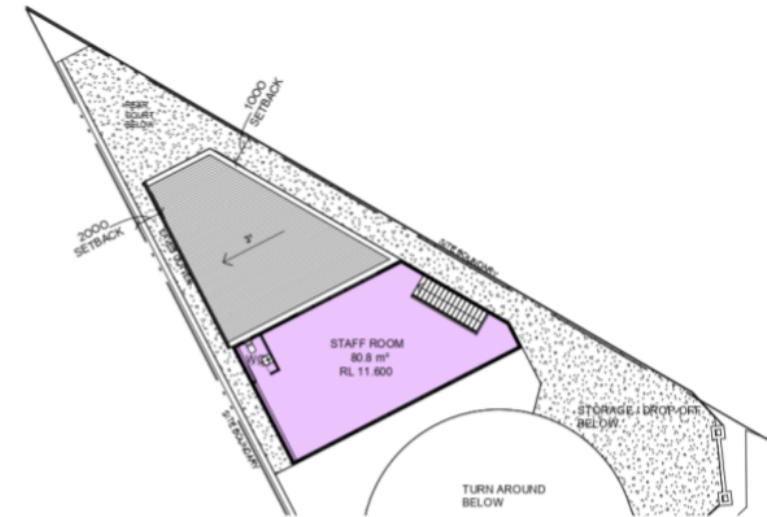


WINTER SOLSTICE @ 3PM

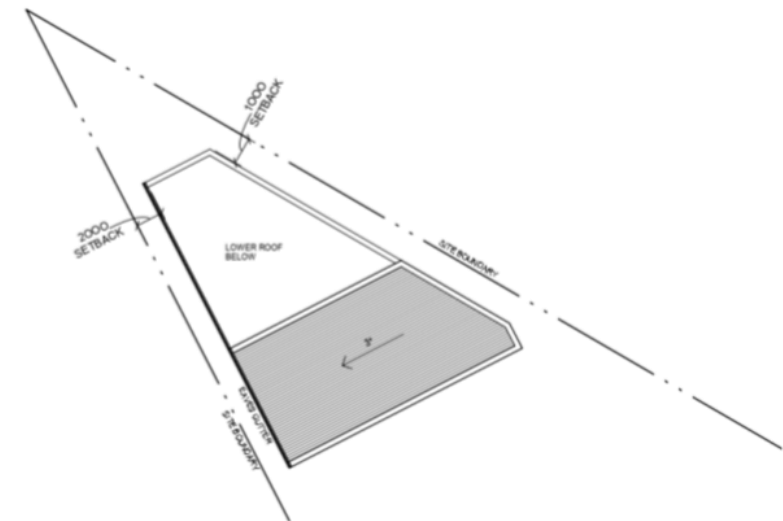




1 GROUND PLAN
1 : 250



2 UPPER LEVEL
1 : 250



3 ROOF
1 : 250

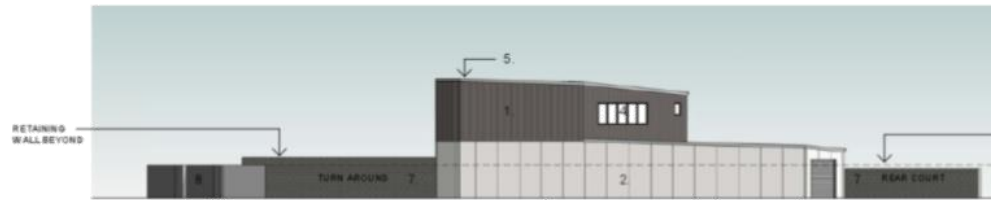


FINISHES SCHEDULE

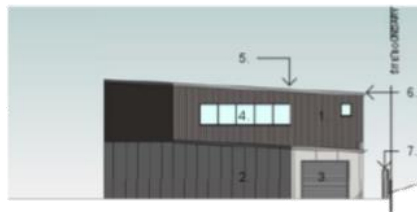
1. METAL WALL GLASSING (VERTICAL)
2. CFC SHEETING WITH COVER BATTENS
3. METAL ROLLER DOOR
4. OPERABLE WINDOW S
5. METAL ROOF FLASHING
6. EAVES GUTTER WITH PVC DOWNPIPES
7. RETAINING WALL
8. METAL FENCE WITH GATE
9. METAL ROOF SHEETING



1 SE ELEVATION
DA6.10



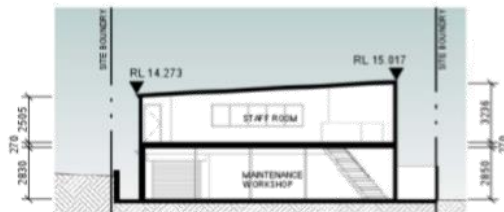
2 N ELEVATION
DA6.10



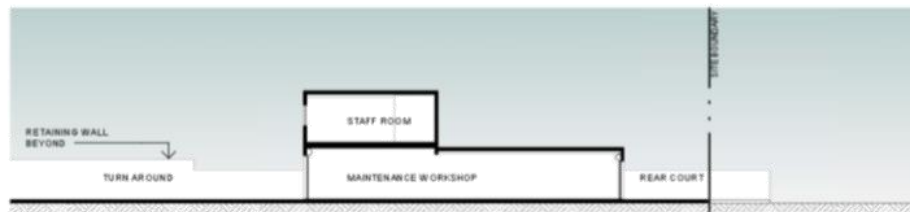
3 NW ELEVATION
DA6.10



4 SW ELEVATION
DA6.10



5 SECTION 1
DA6.10



6 SECTION 2
DA6.10



DEVELOPMENT DATA - SUMMARY

	Unit Mix (No.)	Gross Building Area (GBA m ²)									
		Care Suite	Carpark	Care Suite	Communal	Balcony	Corridor	Services	Planter	Slab Edges	Maintenance Area
Ground			1194.1		535.1		89.4	205.7			165.3
Level 1	38		955.9	185.8	16.7	607.6	36.8	68.4	11.2		92.3
Level 2	38		955.9	185.8	16.7	555.9	36.8	15.2	7.7		
Level 3	38		955.9	185.8	16.7	555.9	36.8	15.2	7.7		
TOTAL	54		1194.1	7867.7	1992.3	90.1	1788.8	316.1	96.8	26.6	257.6

DEVELOPMENT DATA - CALCULATIONS

Area Schedule - Manor Extension (GBA)	
Name	Area

GROUND LEVEL	
CARPARK	1194.1 m ²
COMMUNAL	535.1 m ²
CORRIDOR	69.4 m ²
SERVICES	205.7 m ²
	2004.2 m ²

LEVEL 1	
BALCONY	16.7 m ²
CARE SUITE	955.9 m ²
COMMUNAL	185.8 m ²
CORRIDOR	607.7 m ²
PLANTER	68.4 m ²
SERVICES	36.8 m ²
SLAB EDGES	11.2 m ²
	1882.6 m ²

LEVEL 2	
BALCONY	16.7 m ²
CARE SUITE	955.9 m ²
COMMUNAL	185.8 m ²
CORRIDOR	555.9 m ²
PLANTER	15.2 m ²
SERVICES	36.8 m ²
SLAB EDGES	7.7 m ²
	1774.1 m ²

LEVEL 3	
BALCONY	16.7 m ²
CARE SUITE	955.9 m ²
COMMUNAL	185.8 m ²
CORRIDOR	555.9 m ²
PLANTER	15.2 m ²
SERVICES	36.8 m ²
SLAB EDGES	7.7 m ²
	1774.1 m ²

Grand total 7435.0 m²
NOTE: GBA AREAS ARE ILLUSTRATED BELOW

Area Schedule - Maintenance Area (GBA)	
Name	Area

GROUND LEVEL	
WORKSHOP	165.3 m ²
	165.3 m ²

LEVEL 1	
STAFF ROOM	92.3 m ²
	92.3 m ²

Grand total 257.6 m²
NOTE: GBA AREAS NOT ILLUSTRATED

Area Schedule - Manor Extension (GFA)	
Level	Area (Internal)

GROUND LEVEL	590.7 m ²
LEVEL 1	1564.4 m ²
LEVEL 2	1541.5 m ²
LEVEL 3	1541.5 m ²
Grand total	5238.1 m ²

NOTE: GFA AREA EXCLUDES CARPARK, LIFTS, FIRE STAIRS, SERVICES AND VOIDS

Area Schedule - Maintenance Area (GFA)	
Level	Area (Internal)

GROUND LEVEL	148.7 m ²
LEVEL 1	80.8 m ²
Grand total	229.5 m ²

Area Schedule - Manor Extension (NSA)		
Level	Area (Internal)	Area (Balcony)

LEVEL 1	777.1 m ²	93.6 m ²
LEVEL 2	777.1 m ²	93.6 m ²

LEVEL 3	777.1 m ²	93.6 m ²
Grand total	2331.4 m ²	280.8 m ²

NOTE: NSA AREA EXCLUDES MAINTENANCE AREA



1 GROUND LEVEL - GBA
1 : 1000



2 LEVEL 1 - GBA
1 : 1000



3 LEVEL 2 - GBA
1 : 1000



4 LEVEL 3 - GBA
1 : 1000



Attachment 3

SEPP HSPD Compliance Table

SEPP Requirement	Proposed	Compliance
Chapter 1 Preliminary		
cl. 2 Aims of Policy	<p><i>This Policy aims to encourage the provision of housing (including residential care facilities) that will:</i></p> <p><i>(a) increase the supply and diversity of residences that meet the needs of seniors or people with a disability, and</i></p> <p><i>(b) make efficient use of existing infrastructure and services, and</i></p> <p><i>(c) be of good design.</i></p> <p>The proposed development is not inconsistent with these aims.</p>	Yes
cl. 4 Land to which this policy applies	<p>Clause 4(1)(a) of SEPP HSPD details that the policy applies to land that adjoins land that is zoned primarily for urban purposes, where dwelling houses are permitted.</p> <p>Clause (6)(a) provides that this policy does not apply to land described in schedule 1 (Environmentally Sensitive Land). The subject land is not identified in another environmental planning instrument as being environmentally sensitive land as identified in schedule 1. This policy therefore applies to this site.</p>	Yes
Chapter 3 Development for Seniors Housing		
Part 1 General		
cl. 4 Land to which this policy applies	<p>Clause 4(1)(a) of SEPP HSPD details that the policy applies to land that adjoins land that is zoned primarily for urban purposes, where dwelling houses are permitted.</p> <p>Clause (6)(a) provides that this policy does not apply to land described in schedule 1 (Environmentally Sensitive Land). The subject land is not identified in another environmental planning instrument as being environmentally sensitive land as identified in schedule 1. This policy therefore applies to this site.</p>	Yes
	<p>sensitive land as identified in schedule 1. This policy therefore applies to this site.</p>	

SEPP Requirement	Proposed	Compliance
cl. 18 Restrictions on occupation of seniors housing allowed under this Chapter	<p>Should development consent be granted for this development, a condition of consent must be imposed that limits the kind of people that may occupy the development to those identified in subclause (1) of this provision.</p> <p>This will be achieved by way of a restriction as to user, registered against the title of the property on which the development is to be carried out, in accordance with s. 88E of the <i>Conveyancing Act 1919</i>.</p>	Yes
Part 2 Site-related requirements		
cl. 26 Location and access to facilities	<p>Clause 26 (location and access to facilities) in SEPP HSPD requires through (2)(B)(i), (ii), and (iii) that evidence must be provided proving public transport services be available that provides access to:</p> <ul style="list-style-type: none"> • Shops, banks, retail & commercial facilities. • Community services & recreation facilities. • Practice of a general medical practitioner. <p>For access to comply, facilities must be:</p> <ul style="list-style-type: none"> • not more than 400 metres from the site that is a distance accessible by means of a suitable access pathway and the overall average gradient for the pathway is no more than 1:13, <p>A transport service must be:</p> <ul style="list-style-type: none"> • not more than 400 metres from the site of the proposed development and the distance is accessible by means of a suitable access pathway, and • that will take those residents to a place that is located at a distance of not more than 400 metres from the facilities and services referred to above that is available both to and from the proposed development during daylight hours at least once each day from Monday to Friday (both days inclusive), and the gradient along the pathway from the site to the public transport services is in accordance with the above. <p>The proposed development complies with this control, and in addition provides a private bus service to take residents to locations not serviced by the regular public transport network.</p> 	Yes

SEPP Requirement	Proposed	Compliance
cl. 27 Bush fire prone land	NSW Rural Fire Service has provided General Terms of Approval for the proposed development under <i>Division 4.8 of the EP&A Act 1979</i> , and a <i>Bush Fire Safety Authority under s. 100B of the Rural Fires Act 1997</i> .	Yes
cl. 28 Water and sewer	Council's reticulated water and sewer currently service the site. Council's Water and Sewer Section have confirmed that the existing services can accommodate the additional load anticipated from the proposed development.	Yes
cl. 29 Consent authority to consider certain site compatibility criteria for development applications to which clause 24 does not apply	<p>Clause 29(2) provides that a consent authority, in determining a development application to which this clause applies, must take into consideration the criteria referred to in clause 25 (5) (b) (i), (iii) and (v).</p> <p><i>Clause 25(5)(b)(i): the natural environment (including known significant environmental values, resources or hazards) and the existing uses and approved uses of land in the vicinity of the proposed development.</i></p> <p><u>Comment</u></p> <p>The site is mapped within a bushfire prone area; however, the development has been designed to mitigate this threat. The development footprint is relatively unconstrained regarding environmental values.</p> <p><i>Clause 25(5)(b)(iii): the services and infrastructure that are or will be available to meet the demands arising from the proposed development (particularly, retail, community, medical and transport services having regard to the location and access requirements set out in clause 26) and any proposed financial arrangements for infrastructure provision,</i></p> <p><u>Comment</u></p> <p>This has been previously addressed in response to cl. 26 of SEPP HSPD.</p> <p><i>Clause 25(5)(b)(v): the natural environment (including known significant environmental values, resources or hazards) and the existing uses</i></p>	Yes

SEPP Requirement	Proposed	Compliance
	<p><i>and approved uses of land in the vicinity of the proposed development,</i></p> <p><u>Comment</u></p> <p><i>Clause 25(5)(b)(i): without limiting any other criteria, the impact that the bulk, scale, built form and character of the proposed development is likely to have on the existing uses, approved uses and future uses of land in the vicinity of the development,</i></p> <p><u>Comment</u></p> <p>The proposed use is unlikely to cause impact to any existing uses, approved uses and future uses of land in the vicinity of the development.</p>	
Part 3 Design Requirements		
Division 1 General		
cl. 30 Site analysis	<p>A consent authority must not consent to development unless it is satisfied that the applicant has taken into account a site analysis in accordance with cl. 30 (1), (2), (3), and (4).</p> <p>It is considered that the site analysis provided by the applicant adequately shows compliance with cl. 30 (1), (2), (3), and (4) of SEPP HSPD.</p>	Yes
cl. 31 Design of in-fill self-care housing	<p>A consent authority must take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration) the provisions of the Seniors Living Policy: Urban Design Guideline for Infill Development published by the Department of Infrastructure, Planning and Natural Resources in March 2004.</p>	Yes
Division 2 Design Principles		
cl. 33 Neighbourhood amenity and streetscape	<p>The proposed development is all but obscured from the public domain and is set significantly back from any boundary. The development is not considered to detract from, nor contribute to the streetscape, and will likely aide in the neighbourhood amenity through providing residence to an additional 54 people.</p>	Yes
cl. 34 Visual and acoustic privacy	<p>The proposed location of the development, along with the orientation and separation of the</p>	Yes

SEPP Requirement	Proposed	Compliance
	individual units will maintain visual and acoustic privacy for apartments proposed and those existing within the retirement village at present.	
cl. 35 Solar access and design for climate	<p>The proposed development has been assessed against BCA part J and generally meets the requirements. As the building is a Class 3 building a BASIX certificate is not required. Irrespective, the plans have been reviewed and it is evident that over 75% of units would receive a minimum of 3 hours direct sunlight at mid-winter.</p> <p>The design is considered to be sufficient in regard to solar access and design for climate.</p>	Yes
cl. 36 Stormwater	Council's Development Engineer does not object to the proposal, subject to appropriate conditions being imposed should consent be granted.	Yes
cl. 37 Crime prevention	The proposed development incorporates living areas and terraces/balconies on each side, providing maximum casual surveillance of the site. The site itself is externally fenced and operates at present as a retirement village. No changes to the operation of the land is proposed.	Yes
cl. 38 Accessibility	As the site operates at present as a retirement village an existing network of internal and external footpaths link the new facility to bus stops and services outside of the site. Internally, these pathways are located off driveways, are attractively landscaped and link the proposed development to the remainder of the site and surrounds.	Yes
cl. 39 Waste management	The Waste Management Plan prepared by TTM provides details of the waste management proposed for the site. Council's Waste Officer reviewed the documentation and raised no objection subject to the imposition of appropriate conditions.	Yes
Part 4 Development standards to be complied with		
Division 1 General		
Cl. 40 Development standards—minimum sizes and building height	A consent authority must not consent to a development application made pursuant to this Chapter unless the proposed development complies with the following standards:	Yes

SEPP Requirement	Proposed	Compliance
	<ul style="list-style-type: none"> 40(2) The size of the site must be at least 1,000 square metres. 40(3) The site frontage must be at least 20 metres wide measured at the building line. 	
	<ul style="list-style-type: none"> 40(4) Height in zones where residential flat buildings are not permitted – 8m. <p>The proposal complies with the standards specified for 40(2) and 40(3), with the total area of the site being 29,890m², and the frontage being 201m.</p> <p>40(4) does not apply to the development as the R1 General Residential zoning of the land allows for residential flat buildings. As such the height limit for the land is 11.5m.</p> <p>The four storey building proposed would be higher than the 11.5m height limit, and the applicant has submitted a cl. 4.6 variation request in consideration of the noncompliance.</p>	
Division 3 Hostels and self-contained dwellings—standards concerning accessibility and useability		
cl. 41(1) Standards for hostels and self-contained dwellings	The proposal has been designed in accordance with the requirements of this part.	Yes
Part 7 Development standards that cannot be used as grounds to refuse consent		
Division 1 General		
cl. 46 Inter-relationship of Part with design principles in Part 3	The proposed development adequately addresses the requirements of Part 3.	Yes
Division 3 Hostels		
cl. 49 Standards that cannot be used to refuse development consent for hostels	<p>As per the provisions of cl. 49 consent authority must not refuse consent to a development application made pursuant to this Chapter for the carrying out of development for the purpose of a hostel on any of the following grounds:</p> <p>(a) building height: if all proposed buildings are 8 metres or less in height (and regardless of any other standard specified by another environmental planning instrument limiting development to 2 storeys), or</p> <p><u>Comment</u></p>	No

SEPP Requirement	Proposed	Compliance
	<p>The site is zoned R1 General Residential under GLEP 2014 and has a specified height limit of a maximum 11m which is greater than the building height provisions of the SEPP HSPD.</p> <p>Notwithstanding this the entire proposed new hostel building exceeds this height limit, with a</p>	
	<p>maximum encroachment of 3.11m resulting in a 28% non-compliance with the development standard.</p> <p>(b) density and scale: if the density and scale of the buildings when expressed as a floor space ratio is 1:1 or less,</p> <p><u>Comment</u></p> <p>The proposed floor space is 0.66:1.</p> <p>(c) landscaped area: if a minimum of 25 square metres of landscaped area per hostel bed is provided,</p> <p><u>Comment</u></p> <p>25m² of landscaping per hostel bed equates to the provision of 1,350m² of landscaped area. The landscape plans show a total of 1,503m² of landscaped area on site, comprised of soft landscaping on ground, soft landscaping on structure and deep soil planting zones is provided for the proposed development.</p> <p>(d) parking: if at least the following is provided—</p> <p>(i) 1 parking space for each 5 dwellings in the hostel, and</p> <p>(ii) 1 parking space for each 2 persons to be employed in connection with the development and on duty at any one time, and</p> <p>(iii) 1 parking space suitable for an ambulance.</p> <p><u>Comment</u></p>	


Attachment 3**SEPP HSPD Compliance Table - DA 55728/2018 - 6 Tarragal Glen Ave, Erina**

SEPP Requirement	Proposed	Compliance
	<p>The development comprises a total of 54 dwellings and a maximum of 6 additional staff on site. In total the parking required provision would be 14 spaces, as follows:</p> <ul style="list-style-type: none">• 11 spaces for dwellings, and;• 6 spaces for staff.	
	<p>The proposal would provide 31 spaces on the ground floor/undercroft of the building, with the provision an ambulance bay existing in front of the existing Manor building.</p>	
Schedule 3 Standards concerning accessibility and useability for hostels and self-contained dwellings		
cl. 1 - 13	<p>The proposal has been designed to satisfy these requirements.</p>	<p>Capable of compliance through conditions.</p>

Attachment 4

ADG Compliance Table

Design Criteria	Required	Proposed	Compliance
3D-1 Communal Open Space	Minimum communal open space area 25% of the site.	<p>The size, location and design of communal or public open space will vary depending on the site context and the scale of development. The function of open space is to provide amenity in the form of:</p> <ul style="list-style-type: none"> • landscape character and design; • opportunities for group and individual recreation and activities; • opportunities for social interaction; • environmental and water cycle management; • opportunities to modify microclimate; and • amenity and outlook for residents. <p>The principal part of the communal open space area may be supplemented by:</p> <ul style="list-style-type: none"> • additional landscape area, circulation space and areas for passive use and outlook; and • public land used for open space and vested in or under the control of a public authority. <p>There are numerous communal open space areas at ground level both within and surrounding the proposed development area. In excess of 25% the development sites area is dedicated as communal open space, and the area directly to the south of the proposed development is a public reserve, dedicated as open space. Refer figure 1.</p>	Yes
	50% direct sunlight to principal usable part for min 2 hrs between 9am and 3pm mid-winter	Complies	Yes

Design Criteria	Required	Proposed	Compliance
		 <p>Figure 1: Red hatching showing extent of works. Blue outline the extent of communal open space.</p>	
<p>3E-1 Deep Soil Zone</p>	<p>Minimum 7% of the site, with minimum dimension 6m for a site greater than 1,500m²</p>	<p>Greater than 20% of the site is deep soil with a minimum dimension of 6m.</p>	<p>Yes</p>
	<p>On some sites, it may be possible to provide a greater area for deep soil zones. Sites between greater than 1500m² 15% should be achieved, if possible.</p>	<p>As above.</p>	<p>Yes</p>
<p>3F-1 Visual Privacy</p>	<p>Separation from boundaries (habitable rooms and balconies):</p> <ul style="list-style-type: none"> • 6m (up to 12m in height) • 9m (up to 25m in height) 	<p>The subject site has two (2) street frontages with separation from the closest boundary to the proposed hostel building exceeding 60m.</p> <p><u>Internal Separation:</u> The V- shape of the building allows for southern and eastern views to the surrounding reserve and treetops. The distance between any two balconies or windows is in excess of 12m for any level., thus complying with this control.</p>	<p>Yes</p>

Design Criteria	Required	Proposed	Compliance
3J-1 Bicycle and Car Parking	Minimum parking provided	SEPP HSPD is the applicable planning control for car parking under the ADG in this instance as the subject site lies outside the prescribed areas for use of the RMS Parking Guide for Metropolitan Sub-Regional Centres.	Yes
	Secure undercover bicycle parking should be provided that is easily accessible from both the public domain and common areas	Secure parking for bicycles and motorcycles is not provided. Given the proposed use of the site, these facilities are not considered warranted.	N/A
	Supporting facilities within car parks, including garbage, plant and switch rooms, storage areas and car wash bays can be accessed without crossing car parking spaces	Adequate garbage facilities are provided as confirmed by Council's Waste Servicing Unit. Adequate area for a delivery or service vehicles has been provided (RMS Guidelines identify 1 space per 50 flats) within the proposed hostel building carpark, and external to this building within the wider retirement village.	Yes
4A-1 Solar and Daylight Access	Living rooms and private open space of at least 70% of apartments receive a minimum of 3hr sun between 9am and 3pm mid-winter	In excess of 70% of apartments within the proposed development receive 3 hours sun between 9am and 3pm during midwinter.	Yes
	Maximum of 15% of apartments receive no direct sun between 9am and 3pm mid-winter	Complies.	Yes
4B-3 Natural Ventilation	Min 60% of apartments cross ventilated	None of the units proposed are cross ventilated as per the diagrams within the ADG, resulting in a 100% variation to this requirement. Every unit has a single aspect; however, all are provided with operable windows to two separate rooms, connected by internal doorways. Adequate airflow is anticipated to be provided as a result of the design. In additions, given the sole occupancy use of the assisted care facility, and that all units receive adequate amenity in terms of landscape outlooks, privacy, indoor and outdoor communal open space and solar access, no objection is made to this variation.	No
4C-1	Minimum 2.7m	Complies.	Yes

Design Criteria	Required	Proposed	Compliance
Ceiling Heights			
4D-1 Apartment Size	1 bedroom: 50m ²	All apartments are between 43 and 46m ² resulting in a 4m² to 7m² or 8 - 12% variation to this requirement. Given the sole occupancy use of the assisted care facility, and that all units receive adequate amenity in terms of landscape outlooks, privacy and solar access, no objection is made.	No
	Every habitable room must have a window in an external wall with a total minimum glass area of not less than 10% of the floor area of the room. Daylight and air may not be borrowed from other rooms	All habitable rooms have a window within the external wall that has a larger area than 10% of the floor area of the room.	Yes
4D-2 Room depths	Habitable room depths and maximum 8m depth for open plan layouts.	All habitable rooms comply.	Yes
4D – 3 Layout	Bedroom and living room sizes –10m ² bedrooms with min 3m width, 3.6m-4m width living rooms	Complies	Yes
4E-1 Balconies	1 bedroom: 8m ² , min 2m depth	All proposed units have balcony dimensions less than that recommended for 1-bedroom units. The balcony areas proposed are 3.3m by 1.5m, resulting in an area of 4.95m. Given the sole occupancy use of the assisted care facility, and that all units receive adequate amenity in terms of landscape outlooks, privacy and solar access, no objection is made.	No
4F-1 Common Circulation	Maximum of 8 apartments off a circulation core (although design guidance allows up to 12 apartments)	All Levels: 18 units off a single core resulting in a variation of 6 units per core area. It is noted that the common core areas are substantial, ranging in width from 2m at the narrowest point to over 7 m at the widest. Due to the nature of the development being a hostel for seniors and that all units receive adequate amenity in terms of landscape outlooks, privacy and solar access, no objection is made.	No

Design Criteria	Required	Proposed	Compliance
4G-1 Storage	1 bedroom: 6m ³	It is considered adequate storage areas can be accommodated in the individual units.	Yes.
4H Acoustic Privacy	Noise transfer is limited through the siting of the buildings and building layout	It is considered all remaining units have been orientated so as to minimise noise from living areas and outdoor terraces.	Yes.
4J Noise and Pollution	The impact of external noise transfer and pollution are minimised through the siting and layout of the building.	Wet areas and utility rooms have been located adjoining stair cores and lift wells. The majority of service rooms are located on the ground floor, separated from the residential uses.	Yes Yes
4K Apartment Mix	A range of apartment types are provided to cater for different household types, and distributed throughout the building.	A range of apartment types has not been provided. However, the intended use of the development as an assisted care facility will enable both singles and couples to utilise these spaces. In this regard, no further objection is made.	Yes
4M Facades	Provide visual interest whilst respecting the character of the area.	Complies	Yes
4N Roof Design	Roof features are incorporated in the roof design, response to the street and provide sustainability features.	Complies	Yes
4O Landscape Design	Landscape design is viable, sustainable, contributes to the streetscape and amenity.	Landscaping is provided adjacent to all site boundaries with planting also provided at all levels of the development via on structure planters. Refer to the landscape plans accompanying the development.	Yes
4P Planting on Structures	Appropriate soil depths are provided	Complies	Yes
4W Waste	Waste storage facilities are provided to minimise impacts on the streetscape, building entry an amenity of residents.	The waste storage areas on the site are within the building envelope and are not visible from the streetscape.	Yes

Attachment 5

GDCP 2013 Compliance Table

Development Control	Required	Proposed	Compliance
2.1 Character	<p><u>Desired Character</u></p> <p>The site is located within the <i>Erina 6: Medium Density Estates Character area</i>. The main elements of the sites desired character are identified below:</p> <ul style="list-style-type: none"> • These areas should remain medium-density residential estates that accommodate older people or people with a disability, where improved standards of amenity and urban design quality are achieved by new low-rise multi-unit buildings that are surrounded by leafy gardens to provide distinctive backdrops for Gosford city's town centres and major roads. • Ensure that new developments complement the siting, form and scale of nearby detached dwelling neighbourhoods, as well as maintaining reasonable levels of sunlight, privacy and amenity that are enjoyed by neighbouring dwellings and their private open spaces. • Minimise the height and scale of new buildings by using strongly-articulated forms, including floor-levels that are stepped to follow natural slopes and facades that vary in shape and height. • Roofs should be simple hips, gables or skillions, gently-pitched to minimise the 	<p>The subject site is located within the <i>Erina 6: Medium Density Estates Character area</i>. Having regard to the desired character for this area, no objection is made for the following reasons:</p> <ul style="list-style-type: none"> • The project comprises a medium density residential development for senior's accommodation. The building will be surrounded by landscaping. • The proposed building will not be visible from any adjoining roadway. • The proposed building is separated from dwellings on properties external to the Village or surrounding villas within the Village such that it will have no adverse impact on privacy, overshadowing or amenity in general. • The building is well articulated and includes multiple areas of vegetation both on and around the structure. • The roof form is a simple low angle hip with extensive eaves which helps minimise the bulk and scale of the development. 	<p>Yes</p>

Development Control	Required	Proposed	Compliance
	height of ridges, and flanked by wide eaves that disguise the scale and bulk of exterior walls.		
2.2 Scenic Quality	<p>The subject site falls within the "Coastal Valleys" geographic unit which comprises the Matcham – Holgate and Erina Valley/Erina Landscape unit. Within this unit, the site falls specifically within the Erina Valley/Erina Landscape unit, which is characterised as follows:</p> <p><i>Within the urban areas of this unit the vegetated hills of the Coastal Open Space System and remnant vegetation contained within public reserves and adjacent to creek lines provides visual relief and some enclosure which enhances the urban character.</i></p> <p><i>he Entrance Road, Avoca Drive and Terrigal Drive are the main roads through the unit and provide travellers and locals with their primary impression of the unit. These roads are of mixed scenic quality although important rural views are achieved at various points along these roads and in particular on The Entrance Road at Erina Heights and on Terrigal Drive near Serpentine Road.</i></p> <p><i>The strongest development characteristic is the Erina shopping centre, while contrasts are provided by the undeveloped ridgelines and rural-residential development also contained in the landscape unit.</i></p>	<p>The proposal is subject to the provisions of GDCP 2013 Chapter 2.2 – Scenic Quality.</p> <p>The development proposes a similar density of residential development to that existing within the Manor development on the same site, however, the height is greater than that existing at present on site.</p> <p>The use of landscaping on boundaries and on all balcony areas of the proposal enhances the scenic quality of the area when viewed from areas within the Tarragal Glen retirement village.</p> <p>Overall the development does not propose a bulk and scale that will adversely affect the scenic quality of the area, and the proposed works are not in a position to be seen from any area of public road.</p> <p>The proposal is consistent with the stated objectives of GDCP 2013 Chapter 2.2 - Scenic Quality.</p>	Yes
6.3 Erosion and Sediment Control	Plans required.	Complies	Yes
6.4	Investigations required.	A Geotechnical Investigations and Report, prepared by Cardno,	Yes

Development Control	Required	Proposed	Compliance
Geotechnical Requirement		<p>dated November 2018 accompanies the development application.</p> <p>Council's Development Engineer has reviewed the supporting documentation and raises no objection to the directions contained within the Geotechnical report.</p>	
6.7 Water Cycle Management	Minimise the impact of the development on the natural predevelopment water cycle.	<p>In accordance with Chapter No. 6.7 – Water Cycle Management, a Water Cycle Management Plan (WCMP) for the proposed development has been prepared by ADW Johnson, dated October 2018. Council's Development Engineer reviewed the submitted WCMP and raised no objection.</p> <p>The proposal will generate additional stormwater flows and potentially increase nutrient/pollutants from the site, however, an onsite detention facility and nutrient/pollution control facilities are proposed to mitigate any adverse impacts that may be caused.</p> <p>The stormwater detention provided by the proposed underground tank will allow the limiting of the post development critical peak discharges leaving the site to less than that of predevelopment for all storm events up to the 1% AEP, thereby not increasing the risk of flood inundation to existing downstream development and not increasing the demand on the downstream stormwater infrastructure.</p>	Yes
7.2 Waste Management	Waste Management Requirements	A Waste Management Plan and a Construction Waste Management Plan, both prepared by TTM and dated October 2018 accompany the development application.	Yes

Development Control	Required	Proposed	Compliance
		These reports have been reviewed by Council's Waste Officer and found acceptable. Appropriate conditions confirming compliance are recommended for imposition.	

CLAUSE 4.6 SUBMISSION EXCEPTION TO DEVELOPMENT STANDARD FOR HEIGHT UNDER GOSFORD LEP 2014

Construction of 54 Assisted Care Apartments
Under SEPP Seniors Housing and
Ancillary Maintenance/Staff Building

Property:

“Tarragal Glen Manor”
Tarragal Glen Retirement Village
Lot 1 DP 852827
No. 6 Tarragal Glen Avenue, Erina

Applicant:

Retire Australia Pty Ltd



Date:

April 2019

Prepared by:
tim shelley planning

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CLAUSE 4.6 SUBMISSION

SUMMARY

APPLICANT:	Retire Australia Pty Limited
PROPOSAL:	Construction of 54 Assisted Care Apartments in three (3) storey building under SEPP Seniors Housing (SEPP SH) and Ancillary Maintenance/Staff Building
PROPERTY:	Tarragal Glen Retirement Village Lot 1 DP 852827 No. 6 Tarragal Glen Avenue, Erina
RELEVANT DEVELOPMENT STANDARD:	Clause 4.3 Height of Buildings

INTRODUCTION

The objectives of Clause 4.6 of Gosford LEP 2014 (GLEP) are as follows:

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

To this end and in accordance with Clause 4.6(3), this submission requests and seeks to justify an exemption to the development standard contained in Clause 4.3 of GLEP 2014, specifically the 11.0m height limit under Clause 4.3(2) of the GLEP which applies to the subject land and the subject development (as verified by legal advice obtained by Retire Australia). The submission seeks approval for a variation to the development standard as it applies to the proposed building on the following basis:

1. Compliance with the development standard is unreasonable or unnecessary in the circumstances of the case;
2. There are sufficient environmental planning grounds to justify contravening the development standard;
3. The proposed development will be in the public interest on the basis it is consistent with the objectives of the particular standard and the objectives for development within the R1 General Residential zone in which the development is proposed to be carried out; and
4. Departure from the standard on this occasion will achieve a better built outcome for and from the proposed development, will not raise any matter of significance for state or regional environmental planning and no particular public benefit will be served by maintaining the standard.

THE DEVELOPMENT STANDARD TO WHICH THE REQUEST RELATES

Clause 4.3 – Height of Buildings

Clause 4.3(2) of GLEP states:

The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Building Map.

As shown on Figure 1 on the following page, the applicable Height of Building (HoB) map under GLEP identifies the site as being within Category L1, which equates to a maximum height limit of **11.0 metres**.



Figure 1 – Extract from Gosford LEP 2014 Building Height Map

The Objectives of the Development Standard

As indicated under Clause 4.3(1) of GLEP, the objectives of the development standard are:

- (a) to establish maximum height limits for buildings,
- (b) to permit building heights that encourage high quality urban form,
- (c) to ensure that buildings and public areas continue to receive satisfactory exposure to sky and sunlight,
- (d) to nominate heights that will provide an appropriate transition in built form and land use intensity,
- (e) to ensure that taller buildings are located appropriately in relation to view corridors and view impacts and in a manner that is complementary to the natural topography of the area,
- (f) to protect public open space from excessive overshadowing and to allow views to identify natural topographical features.

THE NATURE OF THE DEPARTURE FROM THE DEVELOPMENT STANDARD

As indicated on the elevations prepared by Marchese Architects provided as Figures 1-4 on the following pages, the building exceeds the 11.0 metre maximum height allowable under the HoB map. These encroachments range in size from 3.06m on the northern elevation to 3.123m on the western elevation, or variations ranging from 27.85% to 28.39%.

Note: A number of skylights, plant areas and a lift overrun protrude further above the maximum height limit than the encroaching sections of the building and roof as described above. Under the definition of “building height” in GLEP, lift overruns and plant are normally included in the calculation of height. However, in this instance, the lift overrun and plant have been architecturally treated via a combination of louvres, paint and cladding which, when viewed alongside the glass skylights, enable them to be deemed “architectural roof features” as described under clause 5.6 of GLEP. These areas also do not comprise floor space or advertising structures nor cause any overshadowing. As such and per clause 5.6, this allows these items to not be included in the building height calculations.



Figures 1 and 2 – West and East Elevations prepared by Marchese Architects showing the maximum height of the building as RL 22.623m and RL 22.601m, which – when compared to a ground level of RL 8.5m – equate to encroachments of 28.39% and 28.24% respectively.



Figures 3 and 4 – North and South Elevations prepared by Marchese Architects showing the maximum height of the building as RL 22.560m and RL 22.616, which – when compared to a ground level of RL 8.5m – equate to encroachments of 27.85% and 28.32% respectively

WHY COMPLIANCE WITH THE DEVELOPMENT STANDARD IS UNREASONABLE OR UNNECESSARY IN THE CIRCUMSTANCES OF THE CASE

It is contended that compliance with the 11.0m height limit is unreasonable or unnecessary in the circumstances of the case for the following reasons:

- The encroachments of the height limit are a result of the potential impact of flooding from the adjacent watercourse to the east (Worthing Creek), with the building exceeding 11.0 metres in height only due to the fact that the basement carpark cannot be excavated into the ground but rather has to be constructed "at-grade". Ordinarily, the basement level would have been provided below ground and excavated to a level necessary to ensure the building complied with the relevant height limit.
- The additional height is a product of (or results from) the limited building footprint available, which is extremely constrained by not only potential flooding as indicated above, but also by:
 - The location of Worthing Creek to the immediate east;
 - The zone boundary to the south;
 - The presence of a sewer main in the south-eastern corner of the site (which has been avoided);
 - The position of the existing Manor building, which the new building needs to connect into at a specific location to allow for joint use of the kitchen, dining hall and other facilities within The Manor; and
 - The location of the through road running to the south of The Manor and the subject site, which needs to be retained to ensure access for villas further to the east is maintained.
- The additional height is not being sought for yield purposes, but rather due the need to provide a viable and operationally efficient development. In this regard, the optimum size of a facility such as this is between 50 and 80 dwellings, which allows for the peak operational efficiency to be achieved in terms of staffing, provision of services, access to (or demand for) visiting health professions and to utilise (or take up) the surplus capacity in the existing kitchen and dining room within the Manor.
- The height and layout of the building is advantageous and necessary from an operational point of view. In this regard, the building needs to be designed in a manner that maximises efficiency for both staff and residents in terms of access and servicing, which requires the length of building wings and corridors to be limited, and lifts, stairwells and other facilities to be appropriately positioned and spaced. As such, a more vertical design that maximises movement up and down quickly such as that presented better achieves these outcomes, as opposed to a longer, more elongated and lower building (which isn't suitable on this site due to the limited building footprint available anyway).
- The encroachments don't result in any adverse impact in terms of overshadowing or privacy on existing dwellings in the Village (particularly those to the south-west). The shadow diagrams included in the plans submitted with the application confirm that the proposed building does not overshadow these nearby villas on the 21st June to any tangible degree.
- The impact of the additional height is unlikely to affect any development on surroundings properties due to the size and self-contained nature of the site and the limited extent of development either adjoining or in close proximity to the site.

- Further to the above point, the proposed height encroachments will be almost imperceptible from outside of the site, particularly from Terrigal Drive and the properties fronting this road to the north, as the site is screened by a thick stand of vegetation to the north and east within the riparian zone surrounding Worthing Creek and adjacent to Terrigal Drive. This is demonstrated in photographs 1 and 2 below.



Photograph 1 – looking south from Terrigal Drive opposite the subject site and immediately to the north of Worthing Creek. The subject site is completely screened by this stand of vegetation, as is the existing Manor building.



Photograph 2 – looking west/south-west down Terrigal Drive towards Tarragal Glen (on the left side of the road). The subject site is located behind the dense stand of vegetation on the southern side (left) of Terrigal Drive and hence is not visible from this road or any of the adjoining properties which front Terrigal Drive.

- The impact of the height encroachments would also be negligible from within the village, particularly the single storey villas to the east on the other side of the watercourse and from the reserve to the south. These viewpoints are shown in photographs 3 and 4 below, in addition to a view across the public reserve to the south provided as photograph 5 on the following page.



Photograph 3 – looking west from the closest stage of adjoining villas to the east towards the site of the proposed building. The impact of the additional height of the building would be limited (essentially intangible) from this aspect due to the large stand of trees in the riparian zone adjacent to Worthing Creek.



Photograph 4 – looking north at the site of the proposed building from the crossing of the culvert immediately to the south. The impact of the additional height of the building would be limited from this aspect due to the fact a public reserve is located immediately south of the culvert (see photograph 5 on next page).



Photograph 5 – looking south-west across the public reserve to the south of the site of the proposed building. The additional height of the building would have no adverse impacts in this direction due to the distance of the building from this reserve, the separation provided by the culvert crossing and internal road and the fact no dwellings are located in this direction.

Given the above, it is apparent that the underlying objectives behind the 11.0 metre height limit have been fully satisfied and a better built form outcome realised, notwithstanding the numerical departure from this standard. As such, it is unreasonable and unnecessary that the 11.0m standard be strictly applied in this instance.

THE ENVIRONMENTAL PLANNING GROUNDS WHICH JUSTIFY CONTRAVENING THE DEVELOPMENT STANDARDS IN CLAUSE 4.3(2) OF GLEP 2014

In response to Clause 4.6(3)(b), sufficient environmental planning grounds exist to justify departure from the development standard on this occasion as follows:

1. The constraints of the site promote an innovative design response that leads to the height variation.
2. The proposed variations are entirely consistent with, or achieve, the objectives of the development standard identified in Clause 4.3(1) as follows:
 - to permit building heights that encourage high quality urban form,
 - to ensure that buildings and public areas continue to receive satisfactory exposure to sky and sunlight,
 - to nominate heights that will provide an appropriate transition in built form and land use intensity,
 - to ensure that taller buildings are located appropriately in relation to view corridors and view impacts and in a manner that is complementary to the natural topography of the area,
 - to protect public open space from excessive overshadowing and to allow views to identify natural topographical features.

In this regard, the building:

- Exhibits a high urban form which – despite not being applicable – still satisfies each of the design principles of SEPP 65 and all requirements of the Apartment Design Guide (ADG), as verified by the SEPP 65 Design Verification report prepared by Marchese Architects submitted with the application. Conversely, a lower, wider building that complies with the height requirement may not exhibit the same degree of design merit nor provide the same degree of urban form and articulation. Such a building is also unlikely to respond to the constraints of the site to the same degree as that currently proposed.
 - Doesn't overshadow any existing dwellings in the Village to any significant degree (particularly the villas to the immediate south-west of the site). In this regard, the shadow diagrams included in the plans submitted with the application confirm that the proposed building does not unreasonably overshadow any surrounding villas, with the only loss of sunlight being a short period (approx. 2 hours) in the morning on the 21st June, with full solar access provided to these villas from approximately 11:00am onwards on this day. Rather, the increase in height is a means to respond to the constraints of the site and the limited area available for building.
 - Represents an appropriate built form, bulk and scale and land use intensity due to its location immediately adjacent the existing higher density Manor hostel building and the extensive setbacks to the surrounding dwellings within the village.
 - Is positioned on the site such that it will not impact on any views enjoyed from surrounding residences either within and external to the site.
 - Results in negligible impact on public spaces by way of overshadowing (particularly the public reserve to the south), as demonstrated by the shadow diagrams submitted with the application.
3. The location and height of the building as currently proposed (i.e. inclusive of the proposed variations) better facilitates natural light, ventilation and hence energy efficiency of the development such that it is better able to meet the requirements of the ADG and the nine principles of SEPP 65 and the design requirements of SEPP SH, as well as Section J of the BCA. This is verified by the SEPP 65 Design Verification Statement and Section J Assessment submitted with the application.
 4. By consolidating the footprint and increasing the height of the building as proposed, the development provides greater areas of open space and increased landscaping around the site as encouraged by SEPP SH, which would not have been achieved via a lower, wider building built in strict compliance with the height limit under GLEP.

THE PUBLIC INTEREST, CONSISTENCY WITH THE OBJECTIVES OF THE DEVELOPMENT STANDARD IN CLAUSE 4.3(2) AND THE OBJECTIVES FOR DEVELOPMENT WITHIN THE R1 GENERAL RESIDENTIAL ZONE

As indicated in the preceding section of this submission, the proposed development is consistent with the relevant objectives of the development standard requested to be varied. In addition, the consistency of the proposed development with the objectives of the R1 zone has been documented within the SOEE that accompanies the development application.

In this regard, it is apparent the proposed development is consistent with the relevant objectives of the R1 zone as follows:

- To provide for the housing needs of the community.
 - The development provides a vitally needed “next stage” housing option for both residents of the existing village and those in the surrounding community, allowing such residents to “age in place” within an existing and familiar high-quality residential environment, augmented by large areas of open space and an extensive array of on-site community facilities.
- To provide for a variety of housing types and densities.
 - The nature and density of the proposed development is consistent with that both permissible and encouraged within the R1 General Residential Zone. Whilst in excess of the height limit applicable under GLEP, the overall height of the building is consistent with the character of development within the surrounding area and provides variety in built form and an appropriate transition between the low density independent living villas to the east and south and the higher density residential and commercial precinct surrounding Erina Fair just to the west of the site.

To this achieve this transition, the built form comprises a four-storey residential building which exhibits high quality urban design and amenity, in a density appropriate to the future population and extent of facilities to be provided on the site. In addition, the types and sizes of assisted care apartments proposed within the development will complement the current independent living units offering for a wider range of residents at Tarragal Glen. The assisted care suites cater for the seniors housing demographics in Erina and will ensure additional housing choice is available within area.

- To ensure that development is compatible with the desired future character of the zone.
 - As discussed extensively in section 5.5.1 of the SOEE submitted with the application, the location, design and appearance of the proposed development is entirely consistent with the desired future character of the surrounding area (Area 6, “Medium Density Estate”) as identified within the Erina Character Statement under Gosford DCP 2013 Chapter 2.1 – Character.
- To encourage best practice in the design of multi dwelling housing and other similar types of development.
 - The proposed development has been designed in accordance with industry-standard and best practice senior’s living requirements for medium density development as embodied in SEPP SH, the ADG and SEPP 65 (as discussed in greater detail in the SEPP 65 Design Verification Statement submitted with the application). In addition, the proposed development is surrounded by extensive landscaping and areas of open space, complies with the energy efficiency provisions relevant to Class 3 buildings under section J of the Building Code of Australia and adopts a best-practice stormwater management system.

The proposed variations requested to the height limit are also deemed to be in the public interest as they will provide for a building that is more functional, accessible and visually appealing and one which occupies a smaller footprint with lesser impact. In addition, allowing the height encroachments facilitates a more viable and operationally-efficient development which is better equipped to allow existing Tarragal Glen residents to “age in place” and better address the increasing shortage of assisted living accommodation on the Central Coast.

CONCLUSION

The proposed variations are consistent with the objectives of Clause 4.6 of the GLEP which provides an appropriate degree of flexibility in the application of development standards to permit a particular development where warranted. To this end, the preceding submission satisfies the considerations requiring assessment in the respective sub-clauses and demonstrates as follows:

1. strict compliance with the development standard is unreasonable or unnecessary in the circumstances of the case;
2. there are sufficient environmental planning grounds to justify contravening the development standard;
3. the proposed development will be in the public interest because it is consistent with the objectives of the development standard and the objectives of the R1 zone in which the development is proposed to be carried out; and
4. departure from the standard on this occasion will achieve an improved built form outcome, have a negligible impact on any surrounding residences or properties and will not raise any matter of significance for state or regional environmental planning.

Therefore, the request for a departure from the development standard in relation to the maximum height of buildings contained in Clause 4.3(2) of Gosford LEP 2014 to permit the proposed development is considered worthy of support.

Tim Shelley

Director – Tim Shelley Planning



Bachelor Urban and Regional Planning, University of New England



Item No: 2.4
Title: Planning Proposal - RPP Independent Proposal
Review - Planning Proposal Authority
Consideration - DLALC Planning Proposals
Somersby & Kariong
Department: Environment and Planning

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-02 - D13663122
Author: Lucy Larkins, Senior Strategic Planner
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Scott Duncan, Section Manager, Land Use and Policy
Manager: Karen Tucker, Acting Unit Manager, Open Space and Recreation
Executive: Scott Cox, Director Environment and Planning

Report Purpose

The purpose of this report is for Council consider accepting the role of Planning Proposal Authority (PPA) in respect of a Planning Proposals relating to Lot 481 DP 1184693 (250 Reeves Street) Somersby and Lot 512 DP 727686 (148 Woy Woy Road) Kariong.

This report recommends Council accept the role of the PPA for both proposals and undertakes the necessary statutory and reporting actions associated with this role.

Recommendation

- 1 That Council accept the role of Planning Proposal Authority in respect of the Planning Proposal relating to Lot 481 DP 1184693 (250 Reeves Street) Somersby, and if requested, the Planning Proposal relating to Lot 512 DP 727686 (148 Woy Woy Road) Kariong for the purposes outlined in the Joint Regional Planning Panel Recommendation Reports.**
- 2 That Council notify the Department of Planning, Industry and Environment (DPIE) within 42 days of Council's acceptance of the PPA role for the Planning Proposal relating to Lot 481 DP 1184693 (250 Reeves Street) Somersby, and if requested, similarly notify the (DPIE) of Council's acceptance of the Planning Proposal relating to Lot 512 DP 727686 (148 Woy Woy Road) Kariong.**
- 3 That Council submit relevant Planning Proposals to the Minister of Planning in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.**

2.4 Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong (contd)

- 4 *That Council request delegation to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.***
- 5 *That Council authorise the Chief Executive Officer to negotiate and prepare any Planning Agreements required to support the Planning Proposal/s***
- 6 *That Council prepare site specific development controls (if required) in relation to the subject land for inclusion within Gosford Development Control Plan 2013 or the Central Coast Development Control Plan (whichever is in effect).***
- 7 *That Council undertake community and public authority consultation of the Planning Proposal and any supporting information, in accordance with the Gateway Determination requirements.***
- 8 *That Council consider a further report on results of the agency and community consultation.***

Background

In February 2019 the Department of Planning, Industry and Environment (DPIE) released a suite of planning mechanisms to enable improved governance, empowerment, strategic planning and more efficient land use for land holdings in the ownership of Local Aboriginal Land Councils (LALCs).

The suite of legislation includes alternative process pathways for Planning Proposal requests lodged by or on behalf of a LALC. This extends to an opportunity for the LALC to seek an independent proposal review through the Regional Planning Panel (RPP). For a site to be eligible for this opportunity, the land must be identified within a Development Delivery Plan (DDP) or Interim DDP.

Following the independent proposal review, the RPP can determine whether the proposal should proceed to a Gateway Determination. If a proposal proceeds to a Gateway determination recommendation, the local Council will be requested whether it seeks to accept the role of Planning Proposal Authority (PPA).

A PPA is responsible for the progression of a Planning Proposal, generally from seeking the Gateway Determination from the DPIE, through to plan making, inclusive of undertaking consultation with public agencies and the community.

Attachment 1 (Planning Circular PS 19-003) provides further detailed information regarding the Independent proposal review process.

2.4 Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong (contd)

The interim Darkinjung DDP nominates four sites within the Central Coast Local Government Area (LGA) which could utilise the planning mechanisms made available to LALCs:

- Site 1, Lot 642 DP 1027231 (405-415 Pacific Highway) Lake Munmorah, Lot 644 DP 1027231 (2 Kanangra Drive), Lake Munmorah and Lot 100 DP 1044282 (425 Pacific Highway) Crangan Bay
- Site 2, Lots 1-3 DP 1156997 (380 Motorway Link Road) Wallarah

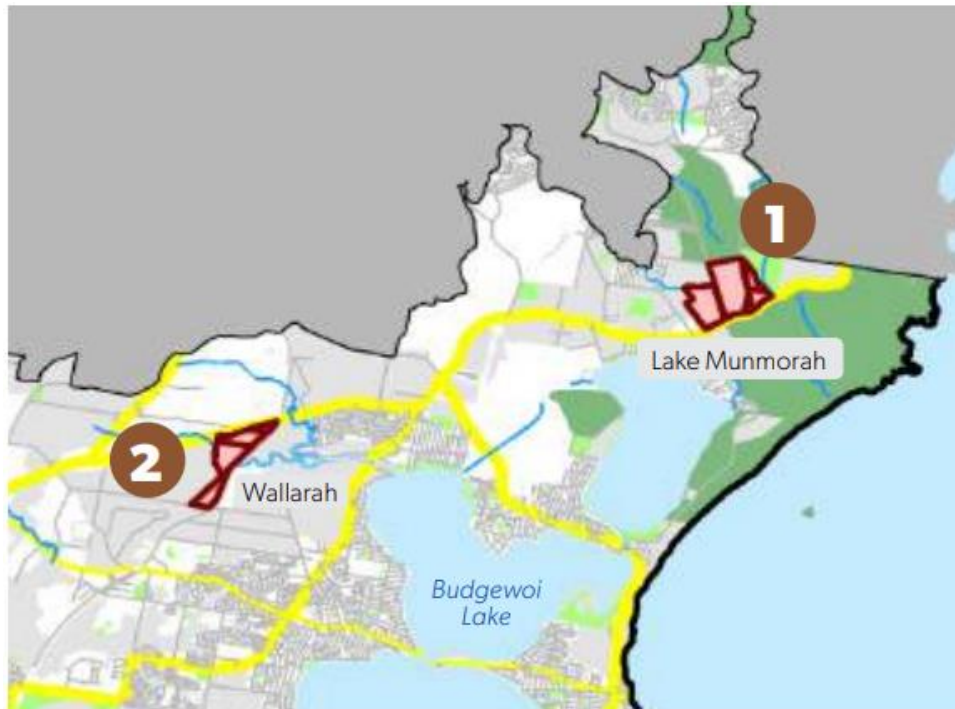


Figure 1 Interim Darkinjung Development Delivery Plan sites 1 and 2 (source DPIE)

- Site 3, Lot 481 DP 1184693 (250 Reeves Street) Somersby
- Site 4, Lot 512 DP 727686 (148 Woy Woy Road) Kariong

2.4 Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong (contd)



Figure Interim Darkinjung Development Delivery Plan sites 3 and 4 (source DPIE)

On 2 October 2019, the RPP considered and conducted an independent proposal review of a Planning Proposal for Site 3, Lot 481 DP 1184693 (250 Reeves Street) Somersby. This included consideration of Council's submission to the proposal (Attachment 2).

The RPP recommended that the proposal should proceed to a Gateway determination.

The DPIE has requested advice from Council whether it seeks to be nominated as the PPA for the Planning Proposal (Attachment 3). Council must advise of its decision within 42 days of this request.

In the event that an independent planning review also be sought for Site 4, Lot 512 DP 727686 (148 Woy Woy Road) Kariong, this site is also addressed in this report.

The Sites

Site 3

Lot 481 DP 1184693 (250 Reeves Street) Somersby (Site 3) comprises an area of approximately 178.5 hectares (ha). The site has direct access from Reeves Street to the north and is bounded to the west by the M1 Pacific Motorway (figure 1).

Adjoining land uses include rural residential dwellings and agricultural land uses to the north and east of the site, site containing facilities for the RSPCA and natural bushland to the north east and south of the site.

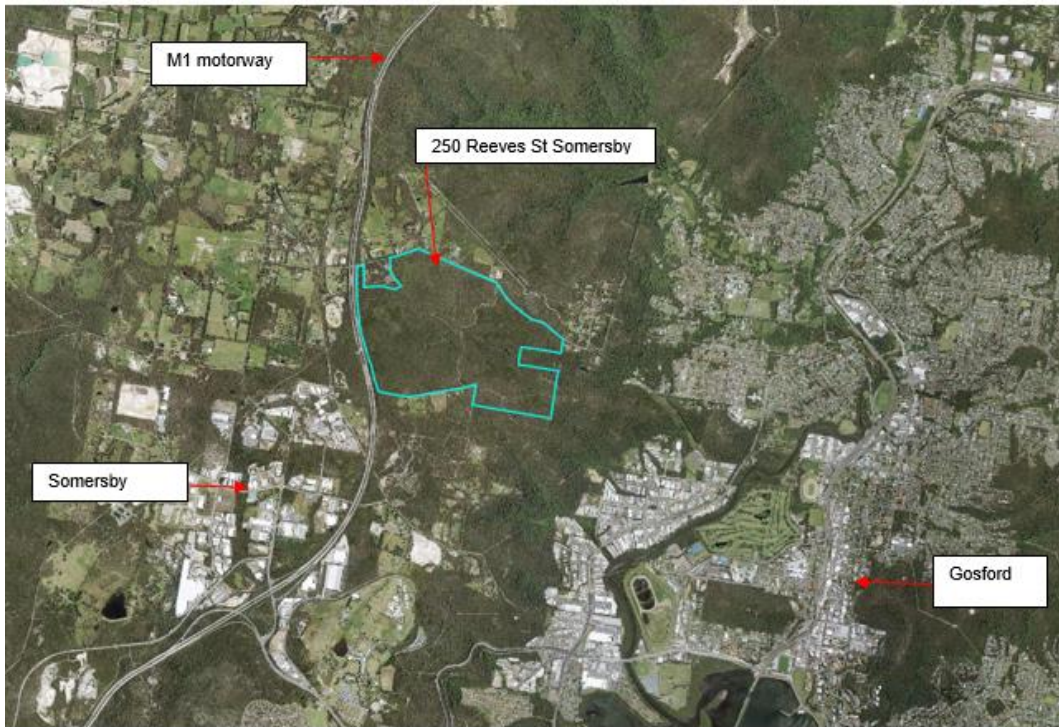


Figure 3 Aerial Locality Context - subject site (Site 1) outlined in blue

Site 3 is vegetated and comprises a natural riparian corridor from west to east, featuring Fountain Creek. A regional biodiversity corridor runs through the eastern portion of the site (figure 3).

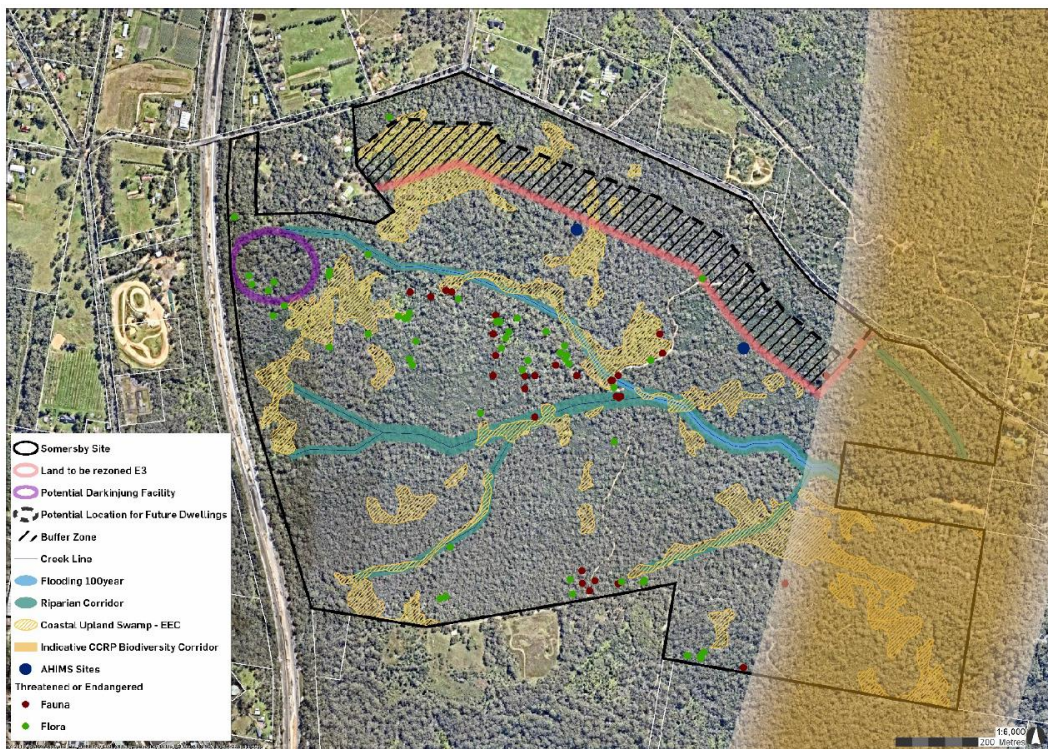


Figure 4 Indicative Regional Corridor location (Source: Urbis 2019; Reeves Street, Somersby Rezoning Request)

2.4 Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong (contd)

Site 3 is zoned RU2 Rural Landscape and E2 Environmental Conservation under *Gosford Local Environmental Plan 2014 (GLEP 2014)* (figure 5).

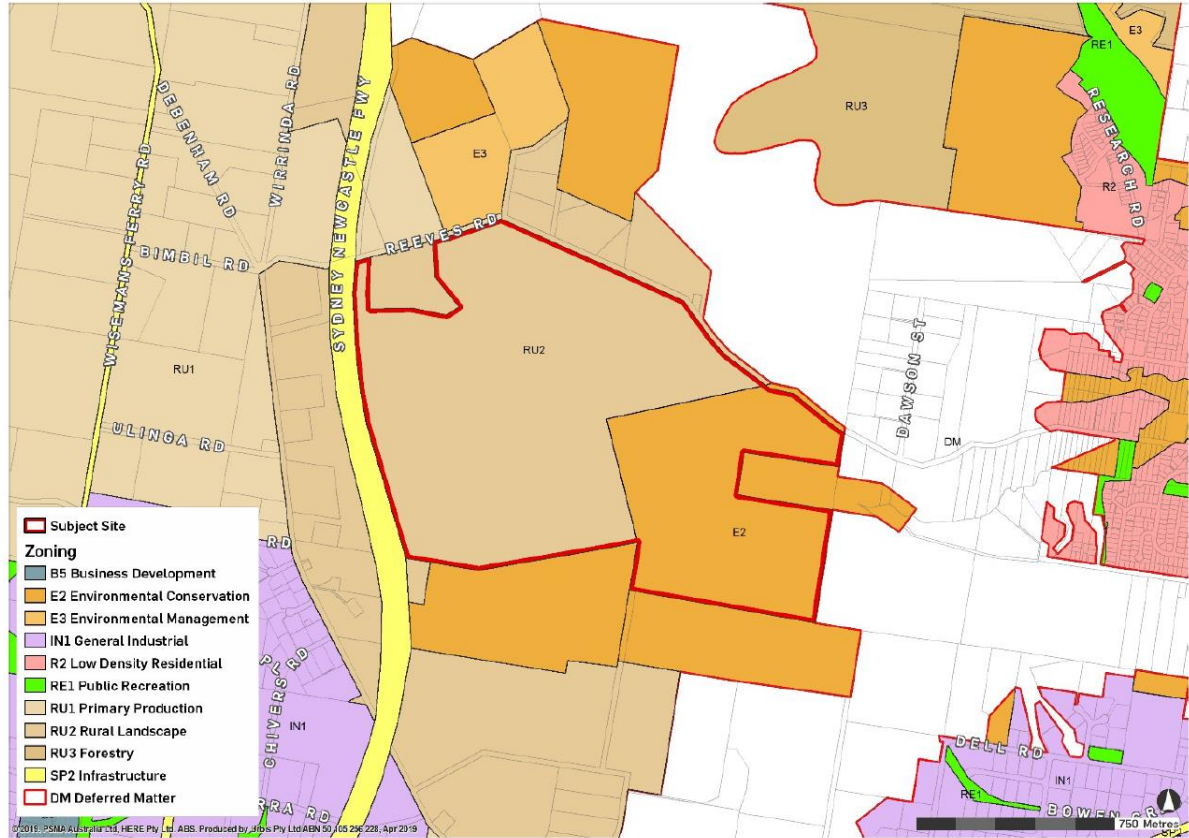


Figure 5 Locality zoning - subject site outlined in red (Source: Urbis 2019; Reeves Street, Somersby Rezoning Request)

Site 4

Lot 512 DP 727686 (148 Woy Woy Road) Kariong is located west of Woy Woy Road, comprising an area of approximately 11.8 ha. Access is from Woy Woy Road.

The site is vegetated, and adjoining land uses include large lot residential development to the north and natural bushland to the south.

2.4 Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong (contd)

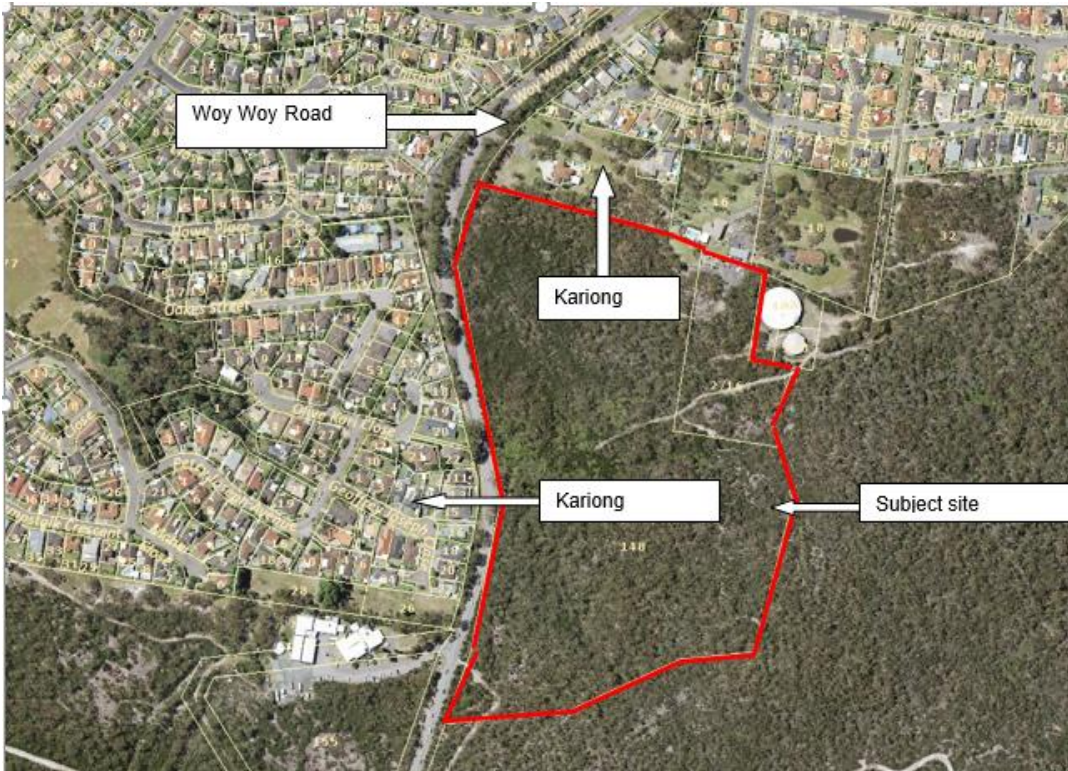


Figure 6 Aerial Locality Context - subject site (Site 2) outlined in red

Site 4 is zoned E2 Environmental Conservation under GLEP 2014 (figure 5).

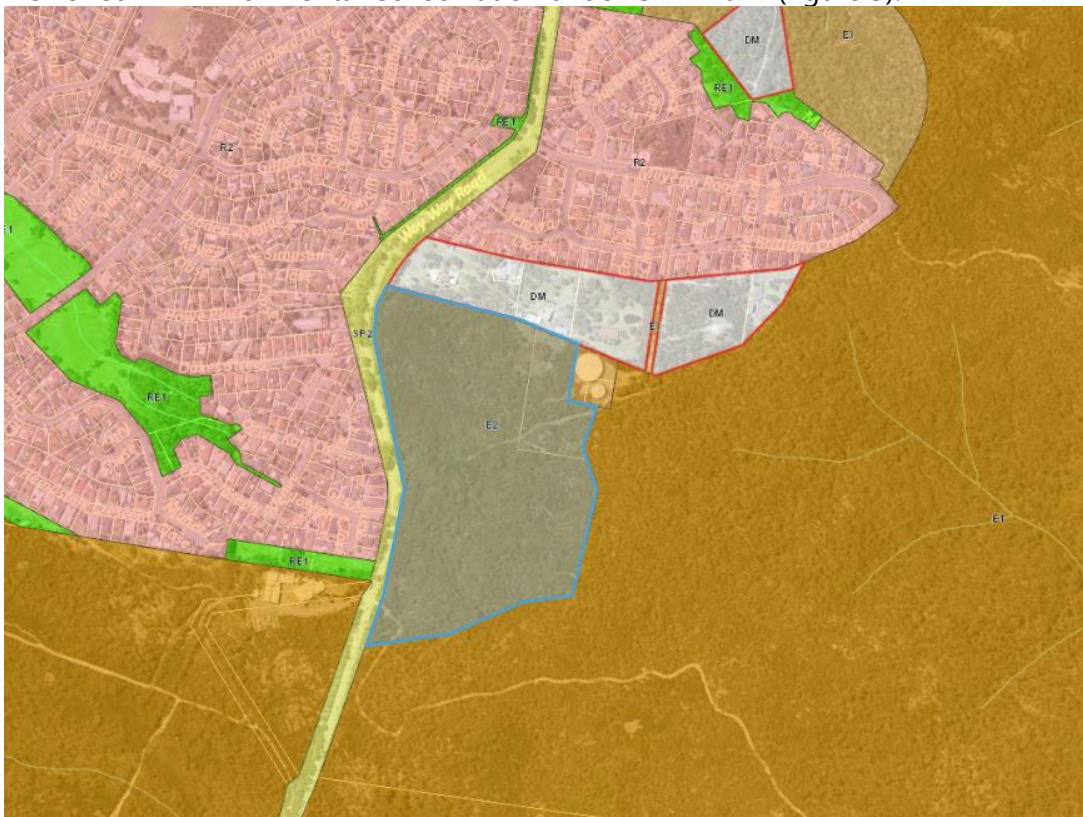


Figure 7 Locality zoning - subject site shaded blue

The Proposal

Site 3

The Proposal seeks to rezone the Reeves Street frontage of Site 1 from RU2 Rural Landscape to E3 Environmental Management and implement a minimum lot size of 20 ha for this portion of the site. The remainder of the site is proposed to be rezoned to E2 Environmental Conservation with a minimum lot size of 40 ha (figure 8).

The proposal also seeks to permit additional uses on the subject site for the purposes of a dwelling house, as well as a place for cultural activities within the E2 portion of the site.

Depending on the timing, the proposal will amend either GLEP 2014 or *Central Coast Local Environmental Plan (CCLEP)*.



Figure 8 Proposed zoning plan

2.4 Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong (contd)

Site 4

The DPIE are currently undertaking a broader strategic review of the Kariong local planning area to inform the preparation of a Planning Proposal for urban expansion in this locality by the Darkinjung LALC.

Currently there is no proposal for Site 4, however this report considers the site should an independent planning review be sought.

Assessment

Council previously considered a Planning Proposal request for Site 3 in early 2018. Council had sought the withdrawal of the proposal until additional information was prepared to address ecological constraints and Aboriginal cultural heritage. The Proposal was withdrawn.

Council's submission (Attachment 2) identified the following matters for consideration by the RPP through the Independent proposal review:

- Potential impacts on threatened species and endangered ecological communities;
- Potential impacts of clearing for infrastructure and bushfire purposes in the proposed E3 Environmental Management zone;
- Development within the proposed within Regional Biodiversity Corridor;
- Potential impacts of development within the existing and proposed E2 Environmental Conservation zone;
- Certainty of the in-perpetuity conservation arrangements
- Potential impacts on Aboriginal Cultural Heritage;
- Land contamination assessments;
- Possible future acquisition of the site through Council's Open Space System (COSS).

The RPP Independent proposal review has assessed the proposal and determined that it has strategic merit (Attachment 4) and should proceed to a Gateway Determination.

2.4 Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong (contd)

Consultation

Subject to becoming the PPA, Council will be required to undertake the consultation functions in accordance with a Gateway Determination, including with government agencies and the broader community. The timing and extent of consultation for this purpose will be defined by the Gateway, however may be extended by resolution of Council.

In the event Council does not accept the PPA role, the RPP will nominate the PPA. This is likely to be the DPIE. If this occurs, Council will have limited involvement in the Planning Proposal process, which is likely to be restricted to that of a stakeholder / relevant agency.

Financial Impact

Should Council accept the PPA role, the progression of the proposal will be managed utilising existing staff resources. Council will be able to fund those costs associated with undertaking the required work from the Proponent in accordance with Council's Fees and Charges.

In the event Council does not accept the PPA role, any advice or comment provided by Council staff during the consultation processes and the associated costs thereof will not be able to be recouped from the Proponent.

Link to Community Strategic Plan

Theme 4: Responsible

Goal I: Balanced and sustainable development

R-13: Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management.

Risk Management

In not accepting the role of PPA, Council forfeits an opportunity to directly govern and manage the way the Planning Proposals for the sites are conducted.

In accepting the role, Council can apply those local practices and policies applied to other Planning Proposals in a consistent manner, ensuring an equitable approach to all Planning Proposal assessments across the Central Coast LGA. Further, this ensures that local matters can be given the highest priority for consideration, delivering outcomes that address the intent of the Planning Proposals, whilst balancing this with the expectations and needs of the broader community vision and values.

2.4 Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong (contd)

Critical Dates or Timeframes

In accordance with Planning Circular PS 19-003 and correspondence from DPIE, Council has 42 days timeframe to accept the role of PPA. If a decision is not reached within this timeframe, or if, the Council chooses not to undertake the role, the RPP will appoint the PPA.

If Council chooses to accept the role of relevant planning authority, Council will have 42 days to submit the proposal to the Department for a Gateway Determination.

Conclusion

Council has an opportunity to accept the role of PPA for Planning Proposals which the RPP have considered through an Independent proposal review process. In accepting this role, Council can ensure that local matters can be given the highest priority for consideration, delivering outcomes that address the intent of the Planning Proposals, whilst balancing this with the expectations of the broader community vision and values.

Attachments

1	Planning Circular (PS 19-003)	D13681389
2	Council Submission - DLALC Planning Proposal - Reeves Street, Somersby	D13681383
3	Department Planning, Industry & Environment PPA Request	D13692499
4	RPP Recommendation Report	D13692507



Planning circular

PLANNING SYSTEM

Plan-making reviews and delegations

Circular	PS 19-003
Issued	6 February 2019
Related	PS 18-012

Independent review of planning proposals for identified Aboriginal land

The purpose of this circular is to advise councils and the public about the independent review process for plan-making decisions under Part 3 of the *Environmental Planning and Assessment Act 1979* for land identified in the *State Environmental Planning Policy (Aboriginal Land) 2019*.

Introduction

The *State Environmental Planning Policy (Aboriginal Land) 2019* (Aboriginal Land SEPP) currently only applies to certain mapped lands owned by the Darkinjung Local Aboriginal Land Council. This pilot project and the operation of the Aboriginal Land SEPP will be reviewed 12 months following its commencement.

The Aboriginal Land SEPP provides for the preparation and publication of development delivery plans that apply to certain land owned by Local Aboriginal Land Councils (LALCs). Development delivery plans promote strategic and independent planning decisions for LALCs, and consider regional strategic plans as well as the LALC's community, land and business priorities.

LALCs are encouraged to work with councils to progress planning proposals for their land before going through a review process.

There are two administrative review processes available for plan-making on land subject to a development delivery plan.:

- a. rezoning review
- b. independent proposal review

The option for a rezoning review is still retained for LALCs. This process is as outlined in Planning Circular PS 18-012. Alternatively, LALCs may request an independent proposal review.

For both review processes, a new strategic merit test and site-specific merit test outlined in this circular will apply to land subject to a development delivery plan or

an interim development delivery plan, that is shown in the Aboriginal Land SEPP.

Independent proposal review

An independent proposal review is an administrative review process closely aligned with the rezoning review process outlined in Planning Circular PS 18-012.

This review will give LALCs an opportunity for an independent body to give advice on planning proposals for land subject to a development delivery plan or an interim development delivery plan, that is shown in the Aboriginal Land SEPP.

Requesting a review

An independent proposal review may be requested by a LALC before a planning proposal has been submitted to the Department for a Gateway determination. These reviews are carried out by regional or Sydney planning panels or the Independent Planning Commission for the City of Sydney (the Commission).

A LALC can request an independent proposal review if:

- a) the land is subject to a development delivery plan made under the Aboriginal Land SEPP; or
- b) if no development delivery plan has been published, the interim development delivery plan for the land, published on the Department's website.

Review and determination

When the Department receives a request for an independent proposal review, it is referred to the relevant council for comment. The comments made by the council must be taken into consideration by the planning panel where they have been provided to the Department within 28 days from the date the request was made.

The relevant planning panel or the Commission will undertake a strategic and site-specific merit assessment of the proposal.

The planning panel or the Commission will determine whether or not to recommend that a proposal should be submitted for a Gateway determination under section 3.34 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Strategic merit test

The key factor in determining whether a proposal should proceed to a Gateway determination should be its strategic merit. The strategic merit test involves assessing proposals to determine if they are:

- consistent with the relevant development delivery plan for the land to which the proposal applies; or
- where no development delivery plan has been published, consistent with any relevant interim development delivery plan, published on the Department's website, or
- consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan, within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or
- consistent with a relevant local strategy that has been endorsed by the Department; or
- responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.

Site-specific merit test

Having passed the strategic merit test, the relevant planning panel or the Commission must then determine if the proposal has site-specific merit, having regard to:

- the social and economic benefit to the Aboriginal community facilitated by the proposal;

- the natural environment (including known significant environmental values, resources or hazards);
- the existing uses, approved uses and likely future uses of land in the vicinity of the land subject to the proposal; and
- the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangement for infrastructure provision.

Proposals that, in the opinion of the planning panel or the Commission, do not meet the above assessment criteria will not be able to proceed to a Gateway determination.

If the planning panel or Commission determines that a proposal should proceed to a Gateway determination, councils will be provided the opportunity to accept the planning proposal authority role. If the council does not accept the role within 42 days, an alternate planning proposal authority will be appointed.

Regional planning panels have delegated authority to direct themselves to be the planning proposal authority where a proposal has been subject to a rezoning review and the council has not accepted this role.

For proposals that are to proceed to a Gateway determination, further work may still be required by the LALC or the planning proposal authority before a planning proposal can be submitted for a Gateway determination.

Where a council accepts the role of planning proposal authority, it will have 42 days to submit a planning proposal to the Department for a Gateway determination or an alternate planning proposal authority will be appointed.

Further Information

Planning Circular PS 18-012 provides advice on the rezoning review process related to plan-making decisions under Part 3 of the EP&A Act.

A guide to preparing local environmental plans provides advice on the various stages in the plan-making process, including details of the stages and application requirements for rezoning reviews and the review of Gateway determinations.

A guide to preparing planning proposals, issued under section 3.33(3) of the EP&A Act, provides advice on the preparation and content of planning proposals.

Copies of the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000* are available online at <http://legislation.nsw.gov.au>.

Department of Planning and Environment – Planning Circular PS 19-003

Copies of *A guide to preparing local environmental plans* and *A guide to preparing planning proposals* are available on the Department's website <http://www.planning.nsw.gov.au>.

The Department has developed a number of template documents to assist councils preparing delegated local environmental plans. Councils will be able to access these templates and use them to ensure that the key statutory requirements of the plan-making process have been complied with. These templates are available for download from the Department's website at <http://www.planning.nsw.gov.au/Plans-for-Your-Area/Local-Planning-and-Zoning/The-Gateway-Process>.

For further information please contact the Department's information centre on 1300 305 695.

Department of Planning and Environment circulars are available at <http://www.planning.nsw.gov.au/circulars>.

Authorised by:

**Carolyn McNally
Secretary**

Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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Disclaimer: While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agencies and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.



Central Coast Council Submission

Darkinjung Local Aboriginal Land Council (DLALC) Proposal – Reeves Street, Somersby

1. Instrument to be amended

The proposal seeks to amend *Gosford Local Environmental Plan 2014 (GLEP 2014)*. As identified however, Council has exhibited a draft Central Coast Local Environmental Plan (CCLEP), which consolidates the existing and deemed Environmental Planning Instruments applicable across the Local Government Area (LGA), inclusive of GLEP 2014.

Council recommends:

- a) that in the event a gateway determination be issued for the proposal, the determination should seek an amendment to either GLEP 2014 or CCLEP, depending on which instrument is in effect at the time of plan finalisation.

2. Threatened Species and Endangered Ecological Communities

The comprises native vegetation which provides suitable habitat for a number of threatened and non-threatened flora and fauna species as well as Endangered Ecological Communities (EECs).

A number of threatened fauna species have been recorded from the site (including but not limited to) the Giant burrowing Frog, Red-crowned Toadlet, Long-nosed Potoroo, Eastern Pygmy-possum, Varied Sittella, Eastern False Pipistrelle, Little Bentwing-bat and Eastern Bentwing-bat.

In addition, a number of threatened flora species have been recorded from the site (including but not limited to) *Darwinia glaucophylla*, *Eucalyptus camfieldii*, *Hibbertia procumbens* and *Prostanthera junonis*.

Lot 481 DP 1184693 is identified under the approved Recovery Plan for *Prostanthera junonis* as Population 3 – Reeves Road. Duffy's Forest EEC, Sandstone Hanging Swamp EEC and Coastal Upland Forest EEC have also been mapped as occurring within Lot 481. The Saving Our Species Program has a site within Lot 481 to improve and enhance the *Prostanthera junonis* Population 3 – Reeves Road.

Whilst the proposed rezoning of RU2 Rural Landscape to E3 Environmental Management (28.5 ha) and E2 Environmental Conservation (150 ha) for environmental conservation provides a positive environmental outcome, Biocertification of the site in its entirety should be a consideration. This will streamline the assessment of future development applications on the site.

Council recommends:

- a) The site in its entirety be Biocertified in accordance with the provisions of the *Biodiversity Conservation Act, 2016*.

3. Proposed E3 Environmental Management Zone

The proposed E3 Environmental Management intends to accommodate between eight and 14 rural residential allotments. This would result in a net loss of approximately 15% of the native vegetation within Lot 481.



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Page 2

Central Coast Council Submission – DLALC Planning Proposal – Reeves Street, Somersby

The proposed rezoning document indicates that roughly half of the proposed E3 Environmental Management zone will be built upon with the remainder retained as a 'buffer zone'.

The majority of the vegetation within the proposed E3 Environmental Management buffer zone is known habitat for the threatened Eastern Pygmy Possum. There is very little habitat for this species within the site other than the vegetation along the northern boundary of the site. In addition, portions of the Sandstone Hanging Swamp EEC and Duffys Forest EEC are also located within this area.

The assessment submitted has not considered the impacts of vegetation removal required within the buffer zone to accommodate for the on-site sewage management systems (OSSMs), bush fire protection measures and the installation of services associated with future development within the front portion of the proposed E3 Environmental Management zone.

Additionally, the proposed minimum lot size in the proposed E3 Environmental Management zone has the potential to cause fragmentation and degradation of adjoining land.

Council recommends:

- a) that the full impacts of development are taken into consideration when assessing the likely impacts to biodiversity values and native vegetation, and
- b) that the proposed E3 Environmental Management zone be reduced in size, by a reduction to at most eight proposed rural residential lots.

4. Regional Biodiversity Corridor

The subject site adjoins a key regional biodiversity corridor that links Jilliby State Conservation Area through Strickland State Forest and DLALC holdings to Brisbane Water National Park.

the proposed E3 Environmental Management zone should be sited with consideration to the larger landscape scale context to ensure that the proposal does not undermine the regional biodiversity corridor. Furthermore, ensuring that the proposed E3 zone is outside of the regional biodiversity corridor would maintain viability and value of the corridor

Council recommends:

- a) that the proposed E3 Environmental Management zone boundary be repositioned away from the regional corridor to avoid edge effects on the corridor arising from development.

5. Proposed E2 Environmental Conservation Zone

The proposed E2 Environmental Conservation zone - covering the remaining 150ha (85% of the site) has not been accurately described.

This figure does not include the proposed development of an additional dwelling and cultural centre in this zone, nor does it discuss the additional requirements for OSSM, services and bush fire protection measures including appropriate access and egress. Given that the proposed additional uses are proposed within a high bush fire hazard area, isolated from the main road and upslope from the hazard – the bush fire requirements needed to facilitate the development are likely to be substantial in terms of clearing.

The proposal seeks to enable additional permitted uses, inclusive of a dwelling and cultural centre, within the proposed E2 Environmental Conservation zone. Neither use is proposed as a permissible

Page 3

Central Coast Council Submission – DLALC Planning Proposal – Reeves Street, Somersby

land use within the draft CCLP within the E2 Environmental Conservation zone. Whilst a dwelling house is easily defined, the cultural centre may be defined as several land uses, the Community Facilities definition appears to be the most relevant:

“means a building or place:

(a) owned or controlled by a public authority or non-profit community organisation, and

(b) used for the physical, social, cultural or intellectual development or welfare of the community,

but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.

Council does not support land use terms including educational establishments, medical centres or seniors housing to achieve the intended outcome given the relative isolation of the site and potential scale of development.

Further, Council is not willing to support both land uses within the E2 Environmental Zone portion of the site given the potential cumulative impacts within a sensitive and constrained locality.

Council recommends:

- a) that the full impacts of development are taken into consideration when assessing the likely impacts to biodiversity values and native vegetation within the proposed E2 Environmental Conservation zone,
- b) that in the event biocertification of the site in its entirety is not pursued, the E2 Environmental Conservation zoned area of the site should be established as a Biodiversity Stewardship Site,
- c) That a “dwelling house” and “community facility” be supported as additional permitted uses within the proposed E2 Environmental Conservation zone, subject to only one use occurring within the E2 Environmental Zone.

6. Cultural Heritage

The Land and Environment Court have recognised the Landscape Cultural Values within Somersby, with a considerable number of culturally sensitive Aboriginal sites previously recorded within the subject site.

Council recommends:

- a) that additional Cultural Heritage investigations occur through the planning proposal process to identify cultural values on the subject site, with the view to refining the proposed rezoning and development footprints as necessary to avoid impacts to these values and sites

7. Coastal Open Space System (COSS) Lands

The site is identified for acquisition as part of Council’s Coastal Open Space System (COSS) due to its significant environmental and cultural values.

Council recommends:

- a) this be further explored with relevant units of Council.

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Central Coast Council Submission – DLALC Planning Proposal – Reeves Street, Somersby

8. Contamination Assessment

The supporting documentation proposes to undertake an assessment of the potential likelihood of contamination of the site be undertaken following the receipt of a gateway determination. The proposal is likely to generate a change in class of potential land uses other than those permitted within the RU2 Rural Landscape zone.

Council recommends:

- a) that an assessment of the potential likelihood of contamination of the site be undertaken prior to any Gateway Request being considered.



Mr Gary Murphy
Chief Executive Officer
Central Coast Council
PO Box 21
GOSFORD NSW 2250

Dear Mr Murphy

Request for an independent proposal review – 2019HCC030

I refer to the request for an independent review for a proposal at Reeves Street Somersby to amend the Gosford Local Environmental Plan 2014 to rezone land at Reeves Street Somersby from RU2 Rural Landscape to E3 Environmental Management and E2 Environmental Conservation.

The Hunter and Central Coast Regional Planning Panel has recommended that the proposal should be submitted for a Gateway determination. In making this decision, the panel considered the request and advice provided by Council. A copy of the panel's decision is enclosed.

Consequently, Council is invited to be the planning proposal authority (PPA) for this proposal and to advise the Planning Panels Secretariat within 42 days of the date of this letter whether it will undertake the role of PPA for this proposal. Should Council agree to be the PPA, it will need to prepare a planning proposal under section 3.33 of the *Environmental Planning and Assessment Act 1979* and submit it for a Gateway determination within 42 days after accepting this role.

If Council does not wish to progress this matter, the panel will be appointed to prepare the planning proposal.

If you have any queries on this matter, please contact Mr Stuart Withington, Manager, Planning Panels Secretariat, on 02 8217 2061 or stuart.withington@planning.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'JP'.

Jason Perica
Chair, Hunter and Central Coast Regional Planning Panel

Encl. Independent proposal review record of decision

Planning Panels Secretariat

320 Pitt Street Sydney | GPO Box 39 Sydney NSW 2001 | T 02 8217 2060 | www.planningpanels.nsw.gov.au



**INDEPENDENT PROPOSAL REVIEW
RECORD OF DECISION**
HUNTER AND CENTRAL COAST REGIONAL PLANNING PANEL

DATE OF DECISION	Wednesday, 2 October 2019
PANEL MEMBERS	Jason Perica (Chair), Michael Leavey, Cr Chris Burke and Cr Kyle MacGregor
APOLOGIES	Kara Krason
DECLARATIONS OF INTEREST	None

INDEPENDENT PROPOSAL REVIEW

2019HCC030 – Central Coast Council – RR_2019_CCOAS_002_00 - AT Reeves Street, Somersby (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- Local Aboriginal Land Councils can request an independent body to give advice on planning proposals if no development delivery plan has been published, the interim development delivery plan for the land, published on the Department's website

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit.

The decision was unanimous.

REASONS FOR THE DECISION

Strategic Merits:

- The proposal is consistent with *the Central Coast Regional Plan 2036* relating to both lands owned by the Darkinjung LALC, supporting economic self-determination of Aboriginal Communities and securing biodiversity corridors;
- The proposal is consistent with Ministerial Directions, including Direction 5.11 relating to Development of Aboriginal Land;
- The proposal is consistent with the *Interim Darkinjung Development Delivery Plan (February 2019)*.

The proposal is also strategically important in facilitating a strategic review of the Darkinjung land holdings in the Central Coast in a systematic, co-ordinated and rational way, while also supporting core aims and values for greater self-determination and economic independence for local aboriginal communities and its governing Land Council.

Site-Specific:

- The proposal will provide social and economic benefit to the Aboriginal community;
- The current zoning is inappropriate, particularly as the RU2 zoning facilitates potential conflict between permissible land uses and the ecological values of the site. The proposed significant increase in Environmental Conservation zoning (E2) for the site, and a framework to allow its ongoing conservation at no cost to Government, while also allowing a modest potential increase in dwelling houses on a smaller footprint of land, is a positive overall planning outcome;

- The location of a smaller “developable” area to the north of the site, with frontage to a local road, has overall merit. The proposed zoning of E3 – Environmental Management is appropriate and signifies the importance of the environmental qualities of the land, while allowing some modest development;
- The overall balance of environmental impacts and outcomes is likely to be positive;
- The existing, approved and likely future uses of surrounding uses are not incompatible with the proposal;
- The site has services and infrastructure able to support the development, with local augmentation as may be needed;
- The intention to provide a “buffer” to the rear 50m/rear half depth of the E3 zoning, and the intention to retain 34 significant trees in the E3 zoning is supported. The implementation options to best secure this outcome, and for the ongoing protection of vegetation in the buffer zone should be developed in the planning proposal;
- Similarly, measures to avoid and mitigate impacts on areas of high ecological value in the E3 zoning, while allowing rational dwelling locations and footprints, should be explored in the Planning Proposal, including appropriate options to guide future development in a clear way and implications for the governing environmental planning instrument.





The Panel Noted:

- The applicant’s intention to revise the Planning Proposal in response to the issues raised by Council (by a submission tabled at the Panel meeting dated 2 October 2019), including:
 - Removal of the E3 zoning from the conservation corridor to the north-eastern portion of the site;
 - Not proposing additional uses in the E2 zone.

These intended changes were noted and supported by the Panel.

Panel Recommendations:

1. The proposal proceed to a Gateway determination.
2. The intended changes to the proposal outlined in a submission by the applicant dated 2 October 2019 be reflected in the Planning Proposal.
3. Implementation options to best secure the intention to provide a “buffer” to the rear 50m/rear half depth of the E3 zoning, and retain approximately 34 significant trees in the E3 zoning, should be explored in the Planning Proposal
4. Similarly, Implementation options to avoid and mitigate impacts on areas of high ecological value in the E3 zoning, while allowing rational dwelling locations and footprints should be explored in the Planning Proposal, including considering appropriate options to guide future development in a clear way.
5. A Stage 1 Preliminary Site Investigation be included with the Planning Proposal and information to consider and address potential noise impacts from an adjoining RSPCA pet facility and a nearby driver training facility.

PANEL MEMBERS	
 Jason Perica (Chair)	 Michael Leavey
 Cr Chris Burke	 Cr Kyle MacGregor

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2019HCC030 – Central Coast Council – RR_2019_CCOAS_002_00 - AT Reeves Street, Somersby
2	LEP TO BE AMENDED	Gosford Local Environmental Plan 2014
3	PROPOSED INSTRUMENT	The proposal seeks to: <ul style="list-style-type: none"> • Rezone land fronting Reeves Street from RU2 Rural Landscape to E3 Environmental Management and amend the Minimum Lot Size map to facilitate the development of approximately 8-14 rural residential lots. • Rezone the remaining RU2 Rural Landscape land to E2 Environmental Conservation. • Maintain the E2 Environmental Conservation zone on land currently zoned E2 Environmental Conservation • Allow a site within the E2 Environmental Conservation land to be used for a dwelling house and a building or place to undertake cultural activities.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Independent Proposal Review request documentation • Briefing report from Department of Planning, Industry and Environment • Interim Darkinjung Development Delivery Plan February 2019 • PS 19-012 (Independent Review of Planning Proposal for identified ABORIGINAL Land), 8 February 2019 • Submission from Central Coast Council (14/8/2019)
5	BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY	<ul style="list-style-type: none"> • Site inspection: Wednesday, 2 October 2019 <ul style="list-style-type: none"> ○ Panel members in attendance: Jason Perica (Chair), Michael Leavey, Cr Chris Burke and Cr Kyle MacGregor ○ Department of Planning, Industry and Environment (DPIE) staff in attendance: Garry Hopkins and Greg Sullivan • Briefing with Department of Planning, Industry and Environment (DPIE): Wednesday, 2 October 2019 at 1:00pm

		<ul style="list-style-type: none">○ Panel members in attendance: Jason Perica (Chair), Michael Leavey, Cr Chris Burke and Cr Kyle MacGregor○ Department of Planning, Industry and Environment (DPIE) staff in attendance: Garry Hopkins and Greg Sullivan● Briefing with Council: Wednesday, 2 October 2019 at 1:30pm<ul style="list-style-type: none">○ Panel members in attendance: Jason Perica (Chair), Michael Leavey, Cr Chris Burke and Cr Kyle MacGregor○ Council representatives in attendance: Lucy Larkins and Jenny Mewing● Briefing with Proponent: Wednesday, 2 October 2019 at 2:00pm<ul style="list-style-type: none">○ Panel members in attendance: Jason Perica (Chair), Michael Leavey, Cr Chris Burke and Cr Kyle MacGregor○ Proponent representatives in attendance: Matthew West, Alison Riely, David Hoy, Ben Mah-Chut and Tim Flemming● Papers were circulated electronically between Thursday, 3rd October 2019 – Wednesday, 10 October 2019
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Item No: 2.5
Title: Amended Planning Proposal Request - Glenworth Valley
Department: Environment and Planning

11 November 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13343340

Author: Bruce Ronan, Town Planner
Scott Duncan, Section Manager, Land Use and Policy

Manager: Karen Tucker, Acting Unit Manager, Strategic Planning

Executive: Scott Cox, Director Environment and Planning

Report Purpose

The purpose of this report is for Council to consider an amendment to a current Planning Proposal which seeks to enable additional permissible uses on land at Glenworth Valley and Calga (Glenworth Valley Outdoor Adventures) through an amendment to *Gosford Local Environmental Plan 2014*.

This report recommends that the Council support the amendment of the Planning Proposal and, as the Gateway Determination has lapsed, seek a new Gateway Determination from the Minister of Planning.

Recommendation

1 That the Council support an amended Planning Proposal applying to:

- ***Lots 19, 20, 21, 23, 24, 25, 30, 31, 32, 33, 37, 50, 53, 64, 65, 68, 81, 82, 85, 86, 87, 89, 91, 108, 145 DP 755221,***
- ***Lots 22, 23, 32, 73, 75, 76 DP 755253,***
- ***Lots 1, 3 DP 617088,***
- ***Lot 881 DP 563889,***
- ***Lot 1 DP 1222754,***
- ***Lot 7 DP 1230083,***
- ***Lot 245 DP 48817,***
- ***Lot 7012 DP 1059767,***
- ***Lot 7029 DP 93603,***
- ***Lot 7035 DP 1051932,***
- ***Lot 7036 DP 1059768,***
- ***Lot 7303 DP 1154929, Glenworth Valley, and***
- ***Lot A DP 365595,***
- ***Lot C DP 382358,***
- ***Lot 2 DP 1139242,***
- ***Lot 882 DP 563889,***
- ***part of Lot 102 DP 1139060,***

- **Lot 7039 DP 1059766,**
- **Lot 7303 DP 1161109, Calga**

to amend the Gosford Local Environmental Plan 2014 (or draft Central Coast Local Environmental Plan), whichever is in effect at the time, to permit the following additional permitted uses (if they are not included in the Central Coast Local Environmental Plan):

- a on land zoned E2 Environmental Conservation, development for the purpose of eco-tourist facilities and recreation facilities (outdoor);**
 - b on land zoned RU2 Rural Landscape, development for the purposes of eco-tourist facilities, camping grounds and tourist and visitor accommodation;**
 - c on the existing cleared areas of the land zoned E2 Environmental Conservation, comprising Lots 19, 20, 21, 23, 25, 30, 32, 33, 37, 50, 53, 64, 68, 85, 86, 87, 89, 91, 108 and 145 DP 755221, Lots 22 and 32 DP 755253, Lot 3 DP 617088, Lot 245 DP 48817, Lot 7039 DP 1059766 and Lot 7303 DP 1154929, development for the purpose of extensive agriculture.**
 - d on land comprising that part of Lot 89 DP 755221 which currently accommodates the multi-purpose building and its curtilage,**
 - (i) development for the purpose of function centre, entertainment facility and food and drink premises, and**
 - (ii) the total floor area for the function centre, entertainment facility and food and drink premises is to be a maximum of 1500m² with any additions being attached to, or directly adjacent to, the existing building.**
 - e on the existing cleared areas of the land zoned E2 Environmental Conservation comprising part of Lots 19, 37 and 89 DP 755221 and Lots 22 and 32 DP 755253, development for the purpose of function centre and camping ground.**
 - f on the existing cleared areas of the land zoned E2 Environmental Conservation comprising part of Lots 108 and 145 DP 755221, development for the purpose of tourist and visitor accommodation.**
- 2 That Council submit a revised Planning Proposal to the Minister for Planning in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting an amended Gateway Determination pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.**

- 3 That Council request delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.**
- 4 That Council undertake community and public authority consultation, in accordance with the Gateway Determination requirements.**
- 5 That the Council consider a further report on results of the agency and community consultation.**

Background

The subject site is commonly known as the "Glenworth Valley Outdoor Adventures" site.

As a result of changes to local planning instruments over many years, the existing horse riding school, which has been operating on the site since it was approved in 1969, is no longer permissible within the E2 Environmental Conservation zone under *Gosford Local Environmental Plan 2014* (GLEP 2014) which applies to the subject land.

The continuation of this use is enabled utilising the "existing use rights" provisions of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Until 2006 development consent could be granted for other uses not permitted in the, then, 7(a) Conservation and Scenic Protection (Conservation) zone on the basis of the existing non-conforming use on the site (i.e. the horse riding school). During this period subsequent developments were approved which included music festivals, paintball and quad biking. A list of development consents granted include:

- DA 2839/1999 - music festival (15,000 people per day)
- DA 25818/2004 - small scale music festival (2,500 people per day)
- DA 19911/2003 – recreation facility – paintball
- DA 20082/2003 – recreation facility – quad bike tours

In 2006 the "existing use rights" provisions under the EP&A Act and Regulations were changed to prohibit other non-conforming uses from being permitted. Hence no more development applications could be considered for uses that were not permitted in the zone. Since 2006 the only development consents issued for uses not permitted in the zone related to a temporary use of land and an ancillary use to approved developments on the site.

- DA 45588/2014 - recreation facility - equestrian and running events (temporary use)
- DA 44773/2013 – multi-purpose building (ancillary to approved uses on site)

In 2013, DA 43465/2013 approved 3 motel units and 5 caravan sites (i.e. relocatable cabins) on land which is now zoned RU2 Rural Landscape.

2.5 Amended Planning Proposal Request - Glenworth Valley (contd)

The development consent was issued when the land was zoned 7(b) Conservation and Scenic Protection (Scenic Protection) under IDO 122 and motels and caravan parks were permitted uses.

The Planning Proposal, as originally lodged on 13 August 2013, sought approval to provide certainty for the continuation of these existing uses on the subject site and to provide opportunities for additional recreation and tourist related developments in the future by adding specific additional permitted uses into GLEP 2014 which can be conducted on the property.

The Planning Proposal, as originally supported by the former Gosford City Council (fGCC) sought to:

- Enable additional permitted uses of eco-tourist facilities, camping grounds, tourist and visitor accommodation on the land zoned RU2 Rural Landscape;
- Enable additional permitted uses of eco-tourist facilities, camping grounds, tourist and visitor accommodation, extensive agriculture, recreation facilities (outdoor) on land zoned E2 Environmental Conservation;
- Rezone the cleared, pasture improved farmland on the ridge proximate to Cooks Road from E2 Environmental Conservation to RU2 Rural Landscape.

The original Planning Proposal was supported by resolutions of the fGCC made on 17 December 2013 and 10 June 2014 (Attachments 2 and 3) and was progressed under the delegated Authority of the Chief Executive Officer of the fGCC (Attachment 4).

This Planning Proposal was subject to a Gateway Determination issued on 17 July 2014 by the then Department of Planning and Environment (now Department of Planning, Industry and Environment) and the current Gateway Extension lapsed on 24 October 2018.

On the basis of agency consultation in relation to the current Planning Proposal, and additional requirements of the land owner, the Proponent has sought the modifications as detailed further in this report. This request for an amended Planning Proposal opens up the existing Planning Proposal for reassessment as well. Should Council resolve to proceed with the amended Planning Proposal, it will require Council to request an amendment to the Gateway Determination from the Department of Planning, Industry and Environment (DPIE).

The Site

The subject site comprises 49 lots ranging in size from 0.1 hectares (Ha) to 267.5 Ha. The area of the subject site is 1173.6 Ha.

Access is gained to all but two lots via Cooks Road which joins Peats Ridge Road. The remaining two lots gain access directly onto Peats Ridge Road.

The land represents a significant holding of environmentally important land being relatively isolated, with limited access, and characterised by a cleared valley floor with vegetated hillsides and ridgelines (Figure 1).

The land comprises a number of discrete pockets of Endangered Ecological Communities (EEC) and regionally significant vegetation throughout the site.

It is located between developed agricultural and resource lands situated along Peats Ridge Road to the east and Popran National Park to the west. Popran Creek, and a number of other small watercourses which run into it, flow through the site, which then drains to the Hawkesbury River.

The land is also an established tourist destination. Its close proximity to Sydney makes it a desirable destination for a wide tourism market, including international visitors. The broad range of nature-based activities offered at the site also make it appealing for a variety of users and maximises opportunities that the site presents. Some uses are temporary (e.g. music festivals and "mud run" events), whilst other uses are of a more permanent nature with some fixed structures (e.g. multi-purpose building). Different parts of the site are used for various activities (e.g. abseiling, horse riding, quad bike riding). The cleared valley floor is used for the grazing of horses and livestock.

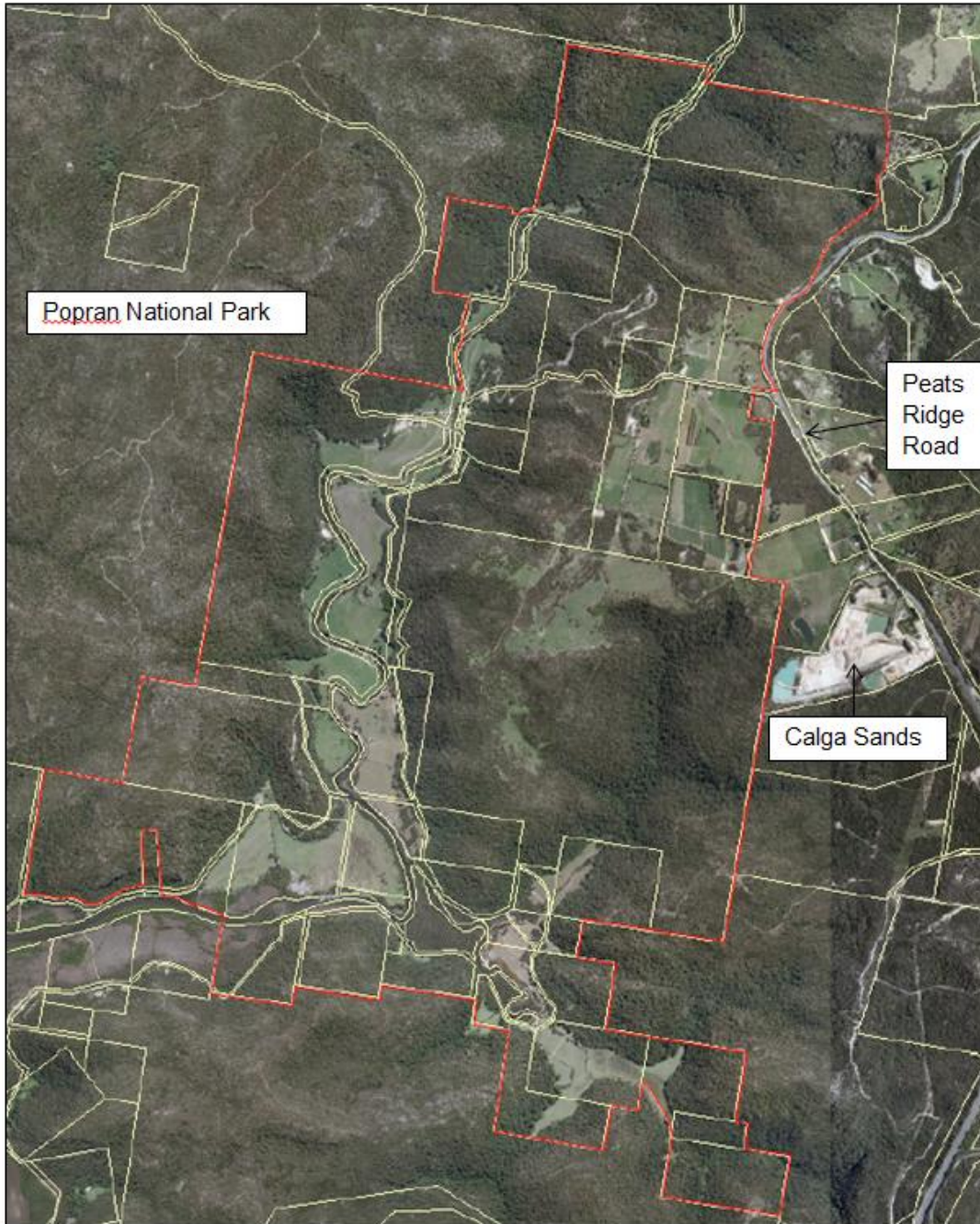


Figure 1: Locality Context (subject site outlined in red)

The subject site comprises approximately 1070.2 Ha of land zoned E2 Environmental Conservation and 103.4 Ha of land zoned RU2 Rural Landscape under GLEP 2014 (Figure 2).

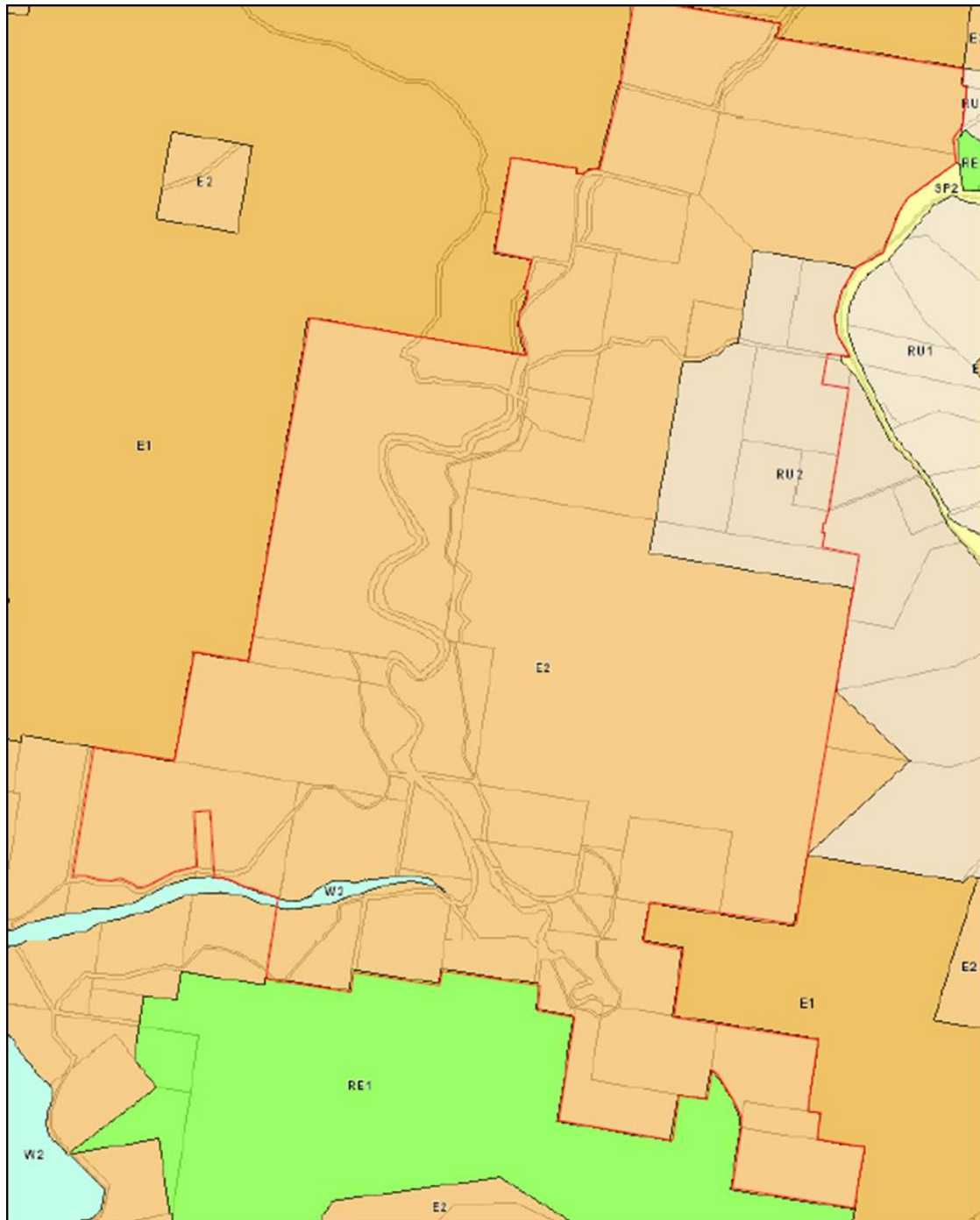


Figure 2: Current Zoning (subject site outlined in red)

The subject site includes landholdings owned by The Glenworth Valley Pastoral Company Pty Ltd, NSW Department of Trade and Industry (Crown Lands) and the Darkinjung Local Aboriginal Land Council (DLALC) (Figure 3).

The subject land comprises the following lots owned by The Glenworth Valley Pastoral Company Pty Ltd:

2.5 Amended Planning Proposal Request - Glenworth Valley (contd)

- Lots 19, 20, 21, 23, 24, 25, 30, 31, 32, 33, 37, 50, 53, 64, 65, 68, 81, 82, 85, 86, 87, 89, 91, 108, 145 DP 755221,
- Lots 22, 23, 32, 73, 75, 76 DP 755253,
- Lots 1 & 3 DP 617088,
- Lots 881 & 882 DP 563889,
- Lot 1 DP 1222754,
- Lot A DP 365595,
- Lot C DP 382358,
- Lot 2 DP 1139242,
- part of Lot 102 DP 1139060.

The following lots are Crown Land over which The Glenworth Valley Pastoral Company Pty Ltd has a licence under the *Crown Land Management Act 2016* (previously referred to as a permissive occupancy) for the purpose of grazing:

- Lot 7012 DP 1059767
- Lot 7039 DP 1059766
- Lot 7303 DP 1161109
- Lot 7303 DP 1154929

The other Crown Land lots included in the subject area are set out below.

- Lot 7029 DP 93603,
- Lot 7035 DP 1051932,
- Lot 7036 DP 1059768,
- several unformed Crown roads

The land owned by DLALC comprises Lot 245 DP 48817 and Lot 7 DP 1230083.

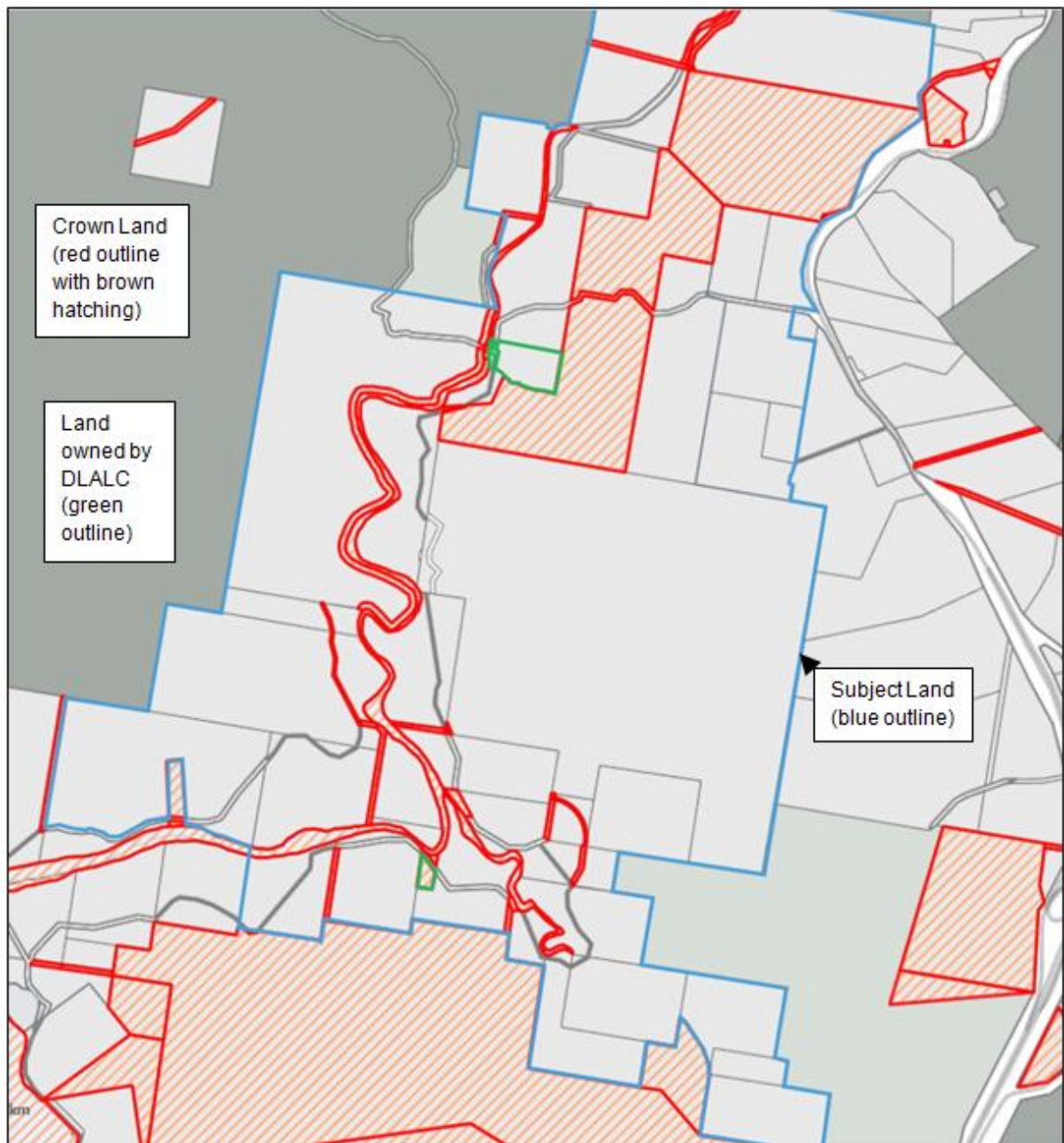


Figure 3: Land owned by the Crown and DLALC

The Amended Proposal

The proponent's favoured position is to retain the following aspects of the original Planning Proposal:

- Enable additional permitted uses of eco-tourist facilities, camping grounds, tourist and visitor accommodation on all the land zoned RU2 Rural Landscape; and

- Enable additional permitted uses of eco-tourist facilities, camping grounds, tourist and visitor accommodation, extensive agriculture, recreation facilities (outdoor) on all the land zoned E2 Environmental Conservation.

However, the proponent has advised that should Council not agree to all these uses over the whole of the E2 Environmental Conservation zoned land, then the following would be satisfactory:

- extensive agriculture on all existing cleared land;
- camping ground on existing cleared areas of Lots 19, 37 and 89 DP 755221 and lots 22 and 32 DP 755253;
- tourist and visitor accommodation on the existing cleared areas of Lots 108 and 145 DP 755221 adjacent to the RU2 Rural Landscape zone. In response to concerns raised by the then NSW Office of Environment and Heritage (OEH), the amended proposal does not seek to rezone the cleared pasture improved farmland on the ridge proximate to Cooks Road from E2 Environmental Conservation to RU2 Rural Landscape as originally proposed (Figure 4). Instead the proponent seeks that these lands be retained as E2 Environmental Conservation with the additional permitted use of "tourist and visitor accommodation".

In addition, the proponent is seeking to include the following amendments to the Planning Proposal:

- 1 Introducing the uses of function centre, entertainment facility and food and drink premises as additional permitted uses for the existing multi-purpose building (on Lot 89 DP 755221) and limiting the total floor area to 1500m².
- 2 Adding function centre, entertainment facility and food and drink premises as additional permitted uses on the existing cleared areas of surrounding lots (Lots 19, 37 and 89 DP 755221 and Lots 22 and 32 DP 755253) with no permanent structures. These lots are currently zoned E2 Environmental Conservation under GLEP 2014.

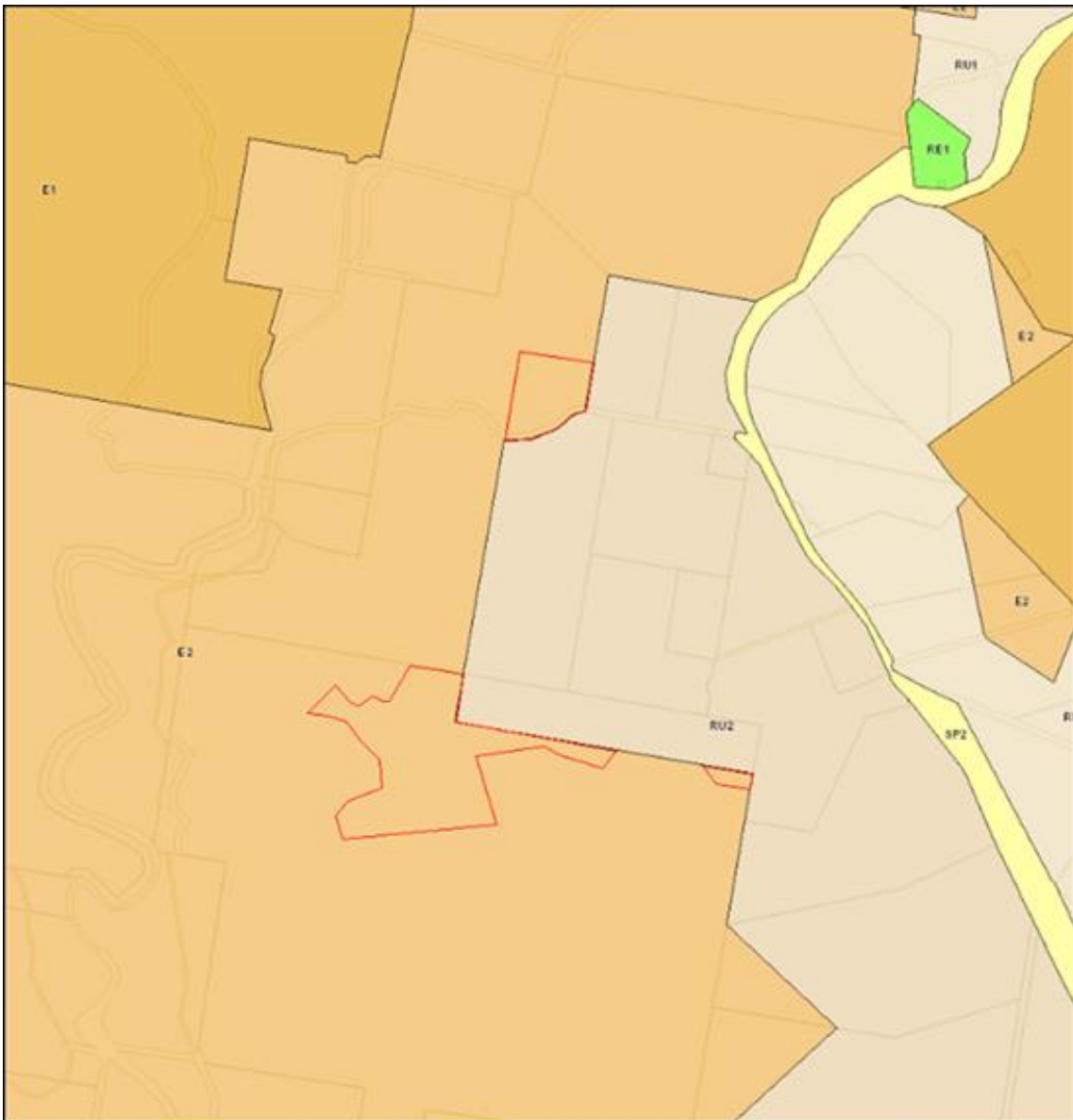


Figure 4: Land originally proposed to be zoned from E2 Environmental Conservation to RU2 Rural Landscape

The amendment to the Planning Proposal to permit the existing multi-purpose building and surrounding land to be used as a function centre, entertainment facility and food and drink premises was justified by the proponent on the following grounds:

- The existing recreation activities are weekend and school holiday orientated and are reliant on fine weather. To overcome the potential of having successive weekends or holidays washed out, the business is looking to diversify its operations to include midweek and off peak markets and less weather dependent activities. In this way the building can be used for activities that are not tied to the existing recreational activities on the site.

- The allotments surrounding the multi-purpose building are included to allow some operational flexibility, for example, if customers wish to hold a wedding ceremony outdoors.

Assessment

The assessment of the amended planning proposal (which includes that originally considered by the fGCC and the additional permitted uses requested by the proponent) are considered below. The result of this assessment is shown in Figure 5 which indicates the location of each of the proposed additional permitted uses on the site.

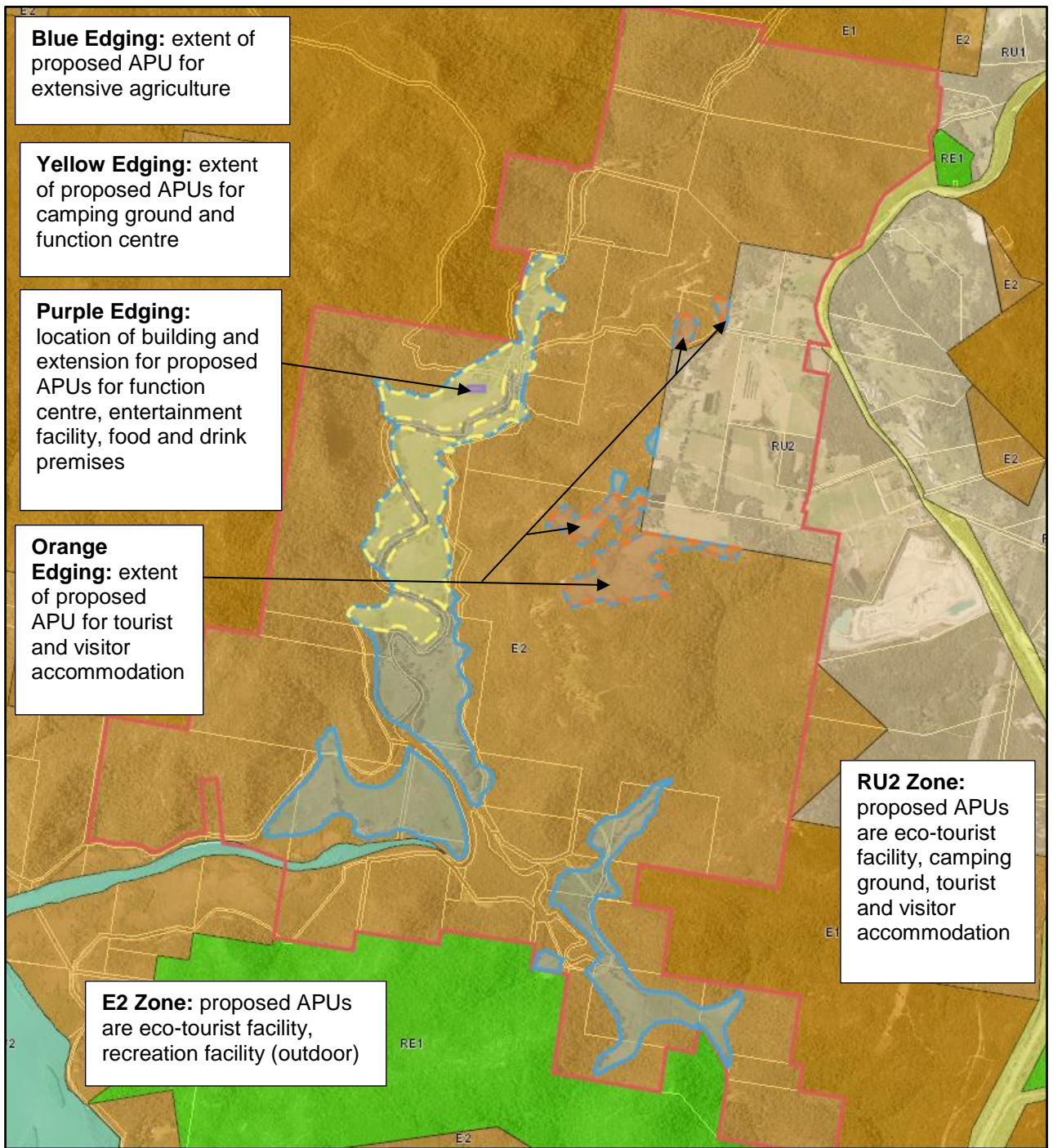


Figure 5: Lots within the subject land affected by each Additional Permitted Use

Extensive Agriculture

"Extensive agriculture" means any of the following:

- (a) *the production of crops or fodder (including irrigated pasture and fodder crops) for commercial purposes;*
- (b) *the grazing of livestock for commercial purposes;*
- (c) *bee keeping;*

(d) a dairy (pasture based).

"Extensive agriculture" is not permissible in the E2 Environmental Conservation zone given the environmental values of the land and the incompatibility of this use with these values. Also, under the provisions of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*, extractive industries are permissible in any zone where "agriculture" is permissible. The Mineral Resources Audit, 2014 did not identify any potential resource within Glenworth Valley.

The applicant has sought the inclusion of "extensive agriculture" as a permissible use on the E2 Environmental Conservation component on the basis of existing grazing activities associated with the horse riding school. Also prior to the GLEP 2014 coming into effect the land was zoned 7(a) Conservation and Scenic Protection (Conservation) which listed "Agriculture" as a use permitted with consent.

The inclusion of "extensive agriculture" as an additional permitted use on cleared E2 Environmental Conservation zoned land on the valley floor and on land adjacent to the RU2 Rural Landscape zone is supported as it is currently used for horse grazing and/or fodder production. The Additional Permitted Use provisions will clearly indicate that development for the purpose of "extensive agriculture" is to occur on existing cleared land. The vegetated escarpment is unsuitable for "extensive agriculture" and is not currently used for this use.

"Extensive agriculture" is permitted in RU2 Rural Landscape zone as a general permitted use in the zone so it is not necessary to specify it as an additional permitted use relating to this land.

Recreation Facility (Outdoor)

Recreation facility (outdoor)" means a building or place (other than a recreation area) used predominately for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf-driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings) but does not include an entertainment facility or a recreation facility (major).

"Recreation facility (outdoor)" is not permissible in the E2 Environmental Conservation zone. Although the existing recreational uses and possible future recreational uses are more nature-based than those nominated above, this definition best suits the predominant activities on the land.

Activities include horse riding, (both guided and free ranging on nominated trails), quad bike riding (in nominated areas), kayaking, abseiling (in specific areas), laser skirmish/paintball and may also include other emerging outdoor pursuits.

The inclusion of recreational facility (outdoor) as an Additional Permitted Use on land zoned E2 Environmental Conservation zone will cater for any future recreational uses that may arise whilst protecting the overall values of the site via the objectives of the zone.

Such future recreational uses would require individual development assessment and as it is the inherent natural values of the land that make it attractive for these recreational/tourist related activities it is in the landowner's interests to seek to protect these values.

"Recreation facilities (outdoor)" is permitted in RU2 Rural Landscape zone as a general permitted use in the zone so it is not necessary to specify it as an additional permitted use relating to this land.

Eco-tourist Facility

"Eco-tourist facility" means a building or place that:

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and*
- (b) is located in or adjacent to an area with special ecological or cultural features, and*
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.*

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

The definition of "eco-tourist facility" specifically requires such short-term accommodation to be designed so as to minimise its ecological and visual impact. Such a use would be suitable in the E2 Environmental Conservation zone.

There are also mandated requirements in Clause 5.13 of the GLEP 2014 that sets out matters for consideration of "eco-tourist facilities" that would ensure that development would maintain the environmental values of the land and ensure that it is sensitively designed and managed to have minimal impact on the environment.

Under the draft Central Coast Local Environmental Plan (CCLEP), "eco-tourist facilities" are proposed to be a use permitted in the E2 Environmental Conservation zone so would not be required to be included as an additional permitted use in the E2 zone should this Plan be in effect when this Planning Proposal is finalised.

The planning proposal seeks to permit "eco-tourist facilities" within the RU2 Rural Landscape zone.

Camping Ground

"Camping ground" means an area of land that has access to communal amenities and on which campervans or tents, annexes or other similar portable and lightweight temporary shelters are, or are to be, installed, erected or placed for short term use, but does not include a caravan park.

The proponent has advised that the "camping ground" use operates as an ancillary use to the approved horse riding school and it should be permitted over all of the subject land. However as the proposed "camping ground" use is proposed to operate independently of the horse riding use, it lacks strategic merit to be allowed to operate over all the site.

A camping ground use exists on the cleared parts of Lots 22 and 32 DP 755253 and Lots 19, 37 and 89 DP 755221 which is in the valley and zoned E2 Environmental Conservation. As these lots are proximate to the focal point of many group activities on the site the use of "camping ground" on the existing cleared areas of these lots is supported.

The proponent has advised that small groups (e.g. Duke of Edinburgh expeditions) venture into remote areas of the site to camp as part of their wilderness experience. Therefore this use should be permitted over all of the subject land. Under the definition; "camping grounds" means an area of land that has access to communal amenities. Short term camping in the form of "a wilderness experience" as proposed by the proponent is therefore outside of the above "camping grounds" definition. However such low key camping could be considered as a "recreation facility (outdoor)", which is a use proposed to be permitted on all lots zoned E2 Environmental Conservation.

Under the draft CCLEP "camping ground" is proposed to be a permitted use in the RU2 Rural Landscape zone so would not be required to be included as an additional permitted use in the RU2 Rural Landscape zone should this plan be in effect when this planning proposal is finalised.

Tourist and Visitor Accommodation

Tourist and visitor accommodation means a building or place that provides temporary or short term accommodation on a commercial basis, and includes any of the following:

- (a) *backpackers' accommodation,*
- (b) *bed and breakfast accommodation,*
- (c) *farm stay accommodation,*
- (d) *hotel or motel accommodation,*
- (e) *serviced apartments,*

but does not include:

- (f) *camping grounds, or*
- (g) *caravan parks, or*
- (h) *eco-tourist facilities.*

The proponent has requested that "tourist and visitor accommodation" be permitted over the whole site on the basis that accommodation was part of the riding school and is therefore able to be used in conjunction with the riding school. The proponent argues that under existing use rights the accommodation component can be enlarged, expanded and intensified under s 4.66 – 4.70 of the Environmental Planning and Assessment Act 1979.

Whilst an existing use can be enlarged, expanded and intensified, cl 42 of the *Environmental Planning and Assessment Regulation 2000* requires that such enlargement, expansion or intensification "must be for the existing use and for no other use". Therefore any accommodation onsite, relying on existing use rights, that is to be enlarged, expanded and intensified has to be for the use of horse riders.

The proposed "tourist and visitor accommodation" is not proposed to be linked to the horse riding activities and has the potential to be more intensive. Therefore the claim that "tourist and visitor accommodation" should be permitted on the whole site is not supported.

Furthermore, the definition of "tourist and visitor accommodation" incorporates development of a substantial nature which would potentially be incompatible with the scenic quality of the land zoned E2 Environmental Conservation within the valley and known environmental constraints such as bushfire hazard and flooding.

Within the broader E2 Environmental Conservation zone a suitable form of short term accommodation would be "eco tourist facility". There are mandated requirements in cl 5.13 of the GLEP 2014 and the draft CCLEP that sets out matters for consideration regarding "eco-tourist facilities" that would ensure that development would maintain the environmental values of the land and ensure that it is sensitively designed and managed to have minimal impact on the environment.

Under the draft CCLEP "eco-tourist facility" is proposed to be a permitted use in the E2 Environmental Conservation zone so would not be required to be included as an additional permitted use in the E2 zone should this plan be in effect when this planning proposal is finalised.

However, it should be noted that currently there is generally cleared land zoned E2 Environmental Conservation adjacent to the RU2 Rural Landscape zone atop the escarpment, being parts of Lots 108 and 145 DP 755221. The additional permitted use of "tourist and visitor accommodation" is considered a suitable use on such land as it does not have the significant scenic quality values as the E2 Environmental Conservation zoned land in the valley but contains similar characteristics to the adjoining RU2 Rural Landscape zoned land which is proposed to include the use of "tourist and visitor accommodation".

The cleared areas identified in the E2 Environmental Conservation zoned land for "tourist and visitor accommodation" are outside of the Transition Area adjacent to Calga Sands. This will ensure that such a use will not adversely affect, or be adversely affected by, current or future resource development of Calga Sands.

The RU2 Rural Landscape zoned land is generally cleared with scattered stands of woodland so could accommodate "tourist and visitor accommodation" units within the undulating landform without an adverse impact on the rural quality of the area. Such a use would be unlikely to dominate the landscape as the land is primarily required for grazing purposes. Therefore it is considered that imposing a limit on the number of units is not required for this area as the use can be satisfactorily determined on the basis of economic demand and the environmental capacity of the land to support such uses.

It should be noted that DA 43465/2013 approved 3 motel units and 5 caravan sites (i.e. relocatable cabins) on two lots which are now within the RU2 Rural Landscape zone. The development consent was issued when the land was zoned 7(b) Conservation and Scenic Protection (Scenic Protection) and motels and caravan parks were permitted uses. The 5 x 2 bedroom relocatable cabins have been constructed.

Use of Existing Multi-Purpose Building

The existing multi-purpose building is located on Lot 89 DP 755221 and was approved as an ancillary use to the recreational uses operating on the site. The Planning Proposal seeks to permit the building to be used independently as a "function centre", "entertainment facility" and a "food and drink premises".

It has an existing floor area of approximately 800m² and it is proposed that the total floor space to be used for a function centre, entertainment facility and a food and drink premises be 1500m². This additional floor space will allow for future expansion, if required, provided the additional floor space comprises an extension to the building or is directly adjacent to it, the environmental impact will be minimal.

The definitions of the proposed additional permitted uses are:

- *"Entertainment facility" means a theatre, cinema, music hall, concert hall, dance hall and the like, but does not include a pub or registered club.*
- *"Food and drink premises" means a premises that are used for the preparation and retail sale of food or drink (or both) for immediate consumption on or off the premises and includes any of the following: a restaurant or café, take away food and drink premises, a pub, a small bar.*
- *"Function centre" means a building or place used for the holding of events, functions, conferences and the like, and includes convention centres, exhibition centres and reception centres, but does not include an entertainment facility.*

As the uses of "entertainment facility" and "food and drink premises" relate to buildings only, they could not be located anywhere but within the existing multi-purpose building (or future extensions) on Lot 89 DP 755221. Therefore it is not intended to include these uses on the additional lots as requested by the proponent.

The use of "function centre", however, can relate to a "place" as well as a "building".

Therefore outdoor functions, such as weddings, birthday parties and corporate activities would be able to occur on land where this use is permitted. Cleared land adjoining and proximate to the existing multi-purpose building is suitable for such a use. These lots are Lots 19, 37 and 89 DP 755221 and Lots 22 and 32 DP 755253.

It should be noted that an outdoor music festival does not fit within the definition of an "entertainment facility" or a "function centre". Consequently such music festivals are currently considered as a temporary use of land under clause 2.8 in GLEP 2014 and the draft CCLEP. This clause states:

Despite any other provision of this Plan, development consent may be granted for development on land in any zone for a temporary use for a maximum period of 28 days (whether or not consecutive days) in any period of 12 months.

Assessment Summary

The Planning Proposal, if supported, would amend the GLEP 2014 in the following manner.

The additional permitted uses over the entire area zoned E2 Environmental Conservation are proposed to be "recreation facility (outdoor)" and "eco-tourist facility". Such outdoor recreation facilities are envisaged to be low key nature based activities similar to those currently operating on the site by Glenworth Valley Pastoral Company Pty Ltd. However the definition of "recreation facilities (outdoor)" allows more intensive uses that could adversely affect the environmental character of the area. The impact of any such proposals would occur as part of the development assessment process in consideration of the objectives of the E2 Environmental Conservation zone.

Likewise the requirements for "eco-tourist facilities" specified in the GLEP 2014 will ensure that in the future development is sensitively designed and managed to have minimal impact on the environment.

The additional permitted use of "extensive agriculture" could not occur within all of the land within the E2 Environmental Conservation zone as most of the land is steep and heavily vegetated making it unsuitable for such a use. Therefore the planning proposal seeks to permit the use only on the generally cleared parts of the E2 Environmental Conservation zone.

The additional permitted use of a "camping ground" is to apply to the existing cleared parts of Lots 22 and 32 DP 755253 and Lots 19, 37 and 89 DP 755221. Any other "wilderness" camping experience can be accommodated within the definition of "recreation facility (outdoor)".

2.5 Amended Planning Proposal Request - Glenworth Valley (contd)

The additional permitted use of "tourist and visitor accommodation" is to apply to the existing cleared parts of Lots 108 and 145 DP 755221 which are zoned E2 Environmental Conservation and which are adjacent to the RU2 Rural Landscape boundary.

The total floor area for the permanent "function centre", "entertainment facility" and "food and drink premises" is to be no greater than 1500m² and any additions to the existing building are to be connected to, or directly adjacent, to it.

The additional permitted uses of "entertainment facility" and "food and drink premises" are to apply generally to that part of Lot 89 DP 755221 on which the existing multi-purpose building is situated. The use of "function centre" is proposed to apply to the cleared areas on adjoining and nearby Lots 19, 37 and 89 DP 755221 and Lots 22 and 32 DP 755253.

The additional permitted uses within the RU2 Rural Landscape zone are "eco-tourist facilities" "camping grounds" and "tourist and visitor accommodation".

Should the CCLEP come into effect prior to the subject Planning Proposal, then any proposed additional permitted uses that are generally included as permissible development within the applicable E2 Environmental Conservation and RU2 Rural Landscape zoned would not be required to be carried over.

Strategic Assessment

The Planning Proposal, as outlined in the report, is supported on the following grounds:

- The Planning Proposal will facilitate long term certainty as to the continued and future operations of Glenworth Valley to permit a range of recreational and tourist related activities, whilst protecting the environmental quality of the site.
- By nominating a list of additional permitted uses applicable to the land, detailed assessment of specific future development can be carried out on a case by case basis, and allow flexibility in accommodating activities whilst protecting and managing the overall environmental values of the land
- The significant economic benefits (both direct and indirect) that the Glenworth Valley tourist development contributes to the regional economy and synergies with other businesses and tourist facilities.
 - The Planning Proposal will allow this regionally significant recreational and tourist attraction to grow and develop as new nature-based outdoor recreational opportunities emerge.
 - The retention of existing zones with the additional permitted uses will allow for the on-going development and enhancement of a significant tourist facility and ensure it remains intrinsically linked to the protection and

management of the environment and allowing development at an appropriate scale.

This assessment identifies that the request has sufficient preliminary justification for Council to submit the amended Planning Proposal to the Department of Planning and Environment to seek an amended Gateway Determination.

Statutory Compliance and Strategic Justification

The proposal has been assessed having regard for all State Environmental Planning Policies, Ministerial s.9.1 Directions and the relevant guidelines set out within the Central Coast Regional Plan 2036 (CCRP 2036) as detailed within Attachment 5.

The proposal is considered to be consistent with these considerations, therefore is suitable for forwarding to the Minister of Planning requesting an amended Gateway Determination.

Internal Consultation

Internal consultation for the current Planning Proposal has been undertaken as summarised below.

Due to the size of the subject land (over 1000 Ha) and the fact that building and development footprints have not been identified within the Planning Proposal it is only possible to assess general impacts. All direct and specific impacts are able to be addressed by future development applications. Relevant comments have been utilized to inform the issues and strategic merits assessment of the proposal.

Waste Management

Existing approved activities have a Plan of Management for storage, management and disposal of solid waste related to the activity and are serviced by a private waste collection contractor.

As has occurred previously, upon application to Council for upcoming events or proposed development, Council's Waste Services staff have been liaising with the applicant to seek the best possible outcome in relation to on-site sewage management.

The use of the multi-purpose building independent of any other uses on the site has the potential to result in the frequency of usage being increased which will result in additional hydraulic loading on the on-site sewage management system. There is also the potential that the multi-purpose building may be utilised for an event or function at the same time as a festival or event is occurring elsewhere on the property, thus impacting further on the system.

To determine the impacts of this, a wastewater management report will be required to be submitted to Council, post Gateway, which addresses the following:

2.5 Amended Planning Proposal Request - Glenworth Valley (contd)

- The estimated frequency of functions and likely numbers of patrons utilising the function centre, entertainment facility and food and drink premises.
- The ability of the existing on-site sewage management system to accommodate any additional hydraulic loading.
- Recommendations for any modifications required to either the treatment or disposal system to accommodate the additional hydraulic loading.

Flooding and Drainage Management

The impacts of overland flooding from upstream tributaries in the locality may impact on future structures. The assessment of such impacts would be subject to development applications and any flooding issues could be dealt with at that stage.

The multi-purpose building has been constructed and the flooding and drainage comments supported the Development Application (DA) for the building at the time. It was not considered that the building would be affected by flooding from any gullies or watercourses within the property. This situation will not change.

Traffic and Transport

The road network has the capacity to support the various recreational and festival events being held with access to Cooks Road and its intersection with Peats Ridge Road. These roads in this remote location could be upgraded with improved parking and upgraded pedestrian access to support larger scale events or more frequent activities if desired, when future DA's are lodged.

When one-off traffic generating events occur on site, such as music festivals, Council's Traffic Officer and a Police Officer liaise with the applicants and oversee the implementation and monitoring of temporary Traffic Management Plans (TMPs) to address such issues as queuing along Peats Ridge Road.

No objection is raised to the independent use of the existing multi-purpose building provided any development activities are assessed in accordance with the RMS Guidelines for Traffic Generating Development.

Environmental Assessment

No objection to the Planning Proposal subject to the protection of all existing areas of native vegetation and ongoing riparian management can be conditioned through future DA's for the individual additional uses.

Environmental management conditions tied to activity specific management plans coupled with ongoing monitoring should ensure the environmental values of the site are not eroded. Conditioning through development consent adequately addresses this issue.

Based upon the available cleared areas on the site it is possible for future development to be located to avoid any impact upon native vegetation.

Detailed assessments of biodiversity and Aboriginal / Cultural Heritage values must accompany future development applications for these additional uses.

The multi-purpose building has been constructed and the environment comments supported the DA for the building at the time. The building and ancillary carpark is located within a cleared paddock area and will not result in any direct or indirect impacts on any native vegetation. All bushfire asset protection zones are achievable without the need for any additional vegetation management.

External consultation

Government agency consultation was undertaken in 2014 in relation to the current Planning Proposal. Comments from those agencies consulted are summarised below.

Further government agency consultation will be required to be undertaken subject to the conditions of the Gateway Determination. It is expected that those agencies previously consulted will be requested to comment on the revised proposal.

Office of Environment and Heritage / National Parks and Wildlife Service (now Department of Planning, Industry and Environment)

The then Office of Environment and Heritage (OEH) advised that it does not support the rezoning of the E2 Environmental Conservation zoned land to RU2 Rural Landscape within the proposal at the time. It was further advised the proposed additional land uses (e.g. extensive agriculture) are incompatible with the environmental characteristics of the subject land. In addition, part of the site has already been identified as an offset for the Calga Quarry project, which cannot be affected by the proposal.

OEH further advised that any impacts to vegetation associated with the proposal must be offset; the proposal should not impact on corridor function between the three parcels of national park which surround the site, and that the proposal should not burden the NSW National Parks and Wildlife Service with additional responsibility as a result of allowing more major events, further incursions into national park due to poorly defined boundaries to the park, increased requirement for fire protection and potential for impacts to Aboriginal cultural heritage (e.g. from abseiling).

OEH also confirmed that further consultation with DLALC and Guringai Tribal Link Aboriginal Corporation including a comprehensive site inspection and cultural heritage assessment of the areas proposed to be subject to future development is undertaken prior to the finalisation of the rezoning.

Comment

2.5 Amended Planning Proposal Request - Glenworth Valley (contd)

As a result of this advice from OEH, the proponent has amended the Planning Proposal to remove the rezoning of certain E2 Environmental Conservation zoned land to RU2 Rural Landscape.

Future uses will be required to be located on areas of the subject site which are already cleared and/or not subject to existing environmental constraints. It is therefore proposed to require further environment and heritage impact assessment to be carried out at the development application stage for each particular building or development location.

NSW Trade and Investment – Crown Lands (now The Treasury)

The then NSW Trade and Investment - Crown Lands had no objections to the rezoning of the adjoining lands subject to the change in zoning not resulting in any additional requirements for the management of the Crown Estate such as increased bushfire mitigation measures and must not be relied upon to implement or facilitate any such measures.

NSW Department of Primary Industries – Agriculture (now Department of Planning, Industry and Environment)

The then NSW Department of Primary Industries – Agriculture (DPI - Agriculture) raised no concerns about the additional uses within the E2 Environmental Conservation Zone as the proposed uses can complement management and education for the environmental areas.

DPI - Agriculture objected to the proposed residential type and large visitation activities within the RU2 Rural Landscape zone as these activities are not complementary to commercial agriculture due to the possibilities of causing land use conflict and opening up the possibility of other landholders requesting similar expansion of types of land uses that could stifle agricultural investment.

Comment

Should an amended Gateway Determination be received the amended Planning Proposal will be referred to the relevant part of the Department of Planning, Industry and Environment for comment. The above objection may be reviewed at this time.

NSW Trade and Investment – Mineral Resources and Energy (now The Treasury)

Part of the eastern portion of the subject site is located adjacent to Rocla's Calga Sand Quarry, a state and regionally significant sand resource, supplying material for the building and construction industries in the Greater Sydney area. The transition area of the Calga Sand Quarry overlaps part of eastern side of the subject site (western side of the quarry).

The agency has no concerns in general, to the proposal to allow tourism-related activities being added as additional permitted uses in the E2 Environmental Conservation and RU2 Rural Landscape zones on the subject land.

2.5 Amended Planning Proposal Request - Glenworth Valley (contd)

The agency considers however that the tourism-related activities proposed may have the potential to create land use conflict in the vicinity of the Calga Sand Quarry.

The agency notes however that Council has acknowledged the close proximity of the quarry and that the proposed additional uses should not impact the quarry by sterilising the resource or restricting its operations and that the proposed tourist-related activities can be located in areas remote from the impacts of the quarry.

NSW Roads and Maritime Service (now Department of Transport)

The then NSW Roads and Maritime Service (RMS) reviewed the information provided and raised no objections to the Planning Proposal for land at Glenworth Valley and Calga.

Any future development of this land will require a Traffic Impact Study to be undertaken in accordance with the RMS Guide to Traffic Generating Developments. These matters can be addressed during subsequent Development Applications.

NSW Rural Fire Service (now Department of Family and Community and Justice)

The then NSW Rural Fire Service (RFS) advised that it does not object to the planning proposal subject to future Development Applications complying with the provisions of *Planning for Bushfire Protection 2006*, particularly the provisions of Asset Protection Zones, safe access and emergency evacuation management. These matters can be addressed during subsequent Development Applications.

Darkinjung Local Aboriginal Land Council

Darkinjung Local Aboriginal Land Council (DLALC) was consulted as a landowner and provided qualified support for Lot 245 DP 48817 being included in the Planning Proposal. The qualification is that the operators of Glenworth Valley are to enter into an arrangement with DLALC for the continued use of the land.

It should be noted that DLALC has also been granted Lot 7027 DP 1051931 (now Lot 7 DP 1230083) and for completeness should be included in any agreement.

The applicant was provided with a copy of this correspondence.

Financial Impact

The direct cost to Council is the preparation of the Planning Proposal and Council's fee has been paid for this service.

The proponent has advised that the current recreational uses on the site generate approximately 25 full-time and 80 part-time jobs and attracts up to 200,000 visitors to the area per year. The Planning Proposal will enable the continued operation and ongoing growth of the business, providing additional employment opportunities and tourism growth.

Social Impacts

Glenworth Valley is a major tourist attraction and the ability for it to further accommodate activities consistent with nature-based recreation, including accommodation in the form of eco-tourist facilities, is supported from a tourism perspective. It will provide an opportunity to increase outdoor recreational experiences and thus provide the community with options to enjoy the environment of the Central Coast.

Environmental Considerations

These have been outlined in the body of the report.

Link to Community Strategic Plan

Theme 2: Smart

Goal C: A growing and competitive region

S-C4: Promote and grow tourism that celebrates the natural and cultural assets of the Central Coast in a way that is accessible, sustainable and eco-friendly.

Theme 3: Green

Goal F: Cherished and protected natural beauty

G-F1: Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas, and the diversity of local native species.

Theme 5: Liveable

Goal L: Healthy lifestyle for a growing community

L-L1: Promote healthy living and ensure sport, leisure, recreation and aquatic facilities and open spaces are well maintained and activated.

Risk Management

There have been no risks identified to the natural and built environment if this Planning Proposal is supported by Council as previously discussed in this report.

Critical Dates or Timeframes

Should Council resolve to proceed with the preparation of an amended Planning Proposal, the critical date will be the amended Gateway Determination date to complete the project.

Conclusion

The request to include additional permitted uses in respect of land at Cooks Road in Calga and Glenworth Valley is considered to have strategic merit.

It is recommended that the Council support the amended Planning Proposal and undertake the necessary next steps to progress the Planning Proposal in accordance with the Planning Proposal process.

Attachments

- | | | |
|----------|---|-----------|
| 1 | Proposal Summary (Glenworth valley) | D13691400 |
| 2 | Former Gosford City Council Resolution - 17 December 2013 | D13343533 |
| 3 | Former Gosford City Council Resolution - 10 June 2014 | D13343536 |
| 4 | Former Gosford City Council Resolution - 27 June 2014 | D13343535 |
| 5 | Strategic Assessment (Glenworth Valley - Amended Gateway Request) | D13691401 |

Attachment 1

Proposal Summary

Applicant	Coastplan Consulting		
Owner	The Glenworth Valley Pastoral Company Pty Ltd Darkinjung Local Aboriginal Land Council The Treasury – Crown Land		
Application Number	PP 38/2013		
Description of Land subject of planning proposal	<p><i>Property Description:</i></p> <p>1992 Peats Ridge Road, Calga (part of lot) 2070 Peats Ridge Road 48 and 51 Polins Road, Calga 8, 45 and 81 Cooks Road, Calga 69 and 69A Cooks Road, Glenworth Valley</p> <p><i>Legal Description:</i></p> <p>Lots 19, 20, 21, 23, 24, 25, 30, 31, 32, 33, 37, 50, 53, 64, 65, 68, 81, 82, 85, 86, 87, 89, 91, 108, 145 DP 755221, Lots 22, 23, 32, 73, 75, 76 DP 755253, Lots 1, 3 DP 617088, Lot 881 DP 563889, Lot 1 DP 1222754, Lot 245 DP 48817, Lot 7 DP 1230083, Lot 7012 DP 1059767, Lot 7029 DP 93603, Lot 7035 DP 1051932, Lot 7036 DP 1059768, Lot 7303 DP 1154929, Glenworth Valley, and Lot 882 DP 563889, Lot A DP 365595, Lot C DP 382358, Lot 2 DP 1139242, part of Lot 102 DP 1139060, Lot 7039 DP 1059766, Lot 7303 DP 1161109, Calga</p>		
Site Area	1173.6 Ha		
Existing Use	Recreation facilities, pasture and natural bushland		
Proposed Amendments – Gosford Local Environmental Plan 2014			
Provisions	Existing Provision	Proposed Amendment	Outcome (Supported/Not Supported)

Zoning	E2 Environmental Conservation RU2 Rural Landscape	No change	Supported
Minimum Lot Size	40 ha 20 ha	No change	Supported
Schedule 1- Additional permitted uses	Nil	<ol style="list-style-type: none"> 1. On land zoned E2 Environmental Conservation, development for the purpose of recreation facilities (outdoor) and eco-tourist facilities. 2. On land zoned RU2 Rural Landscape, development for the purposes of eco-tourist facilities, camping grounds, tourist and visitor accommodation. 3. On existing cleared land comprising part of Lots 19, 20, 21, 23, 25, 30, 32, 33, 37, 50, 53, 64, 68, 85, 86, 87, 89, 91, 108 and 145 DP 755221, part of Lots 22 and 32 DP 755253, part of Lot 3 DP 617088, part of Lot 245 DP 48817, part of Lot 7039 DP 1059766 and part of Lot 7303 DP 1154929; development for the purpose of extensive agriculture. 4. On existing cleared land comprising part of Lots 22 and 32 DP 755253 and part of Lots 19, 37 and 89 DP 755221; development for the purposes of camping ground and function centre. 5. On that part of Lot 89 DP 755221 accommodating the existing multi-purpose building; development for the purposes of function centre, entertainment facility and food and drink premises. 6. The total floor area for the permanent building for the function centre, entertainment facility and food and drink premises is to be no greater than 	Supported

		<p>1500m² and any additions to be attached to, or directly adjacent to, it.</p> <p>7. On existing cleared land comprising part of Lots 108 and 145 DP 755221; development for the purpose of tourist and visitor accommodation.</p>	
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Resolved Items Action Statement

Action is required for the following item as per the Council Resolution.

NOTICE OF COUNCIL RESOLUTION

COUNCIL MEETING – 17/12/2013

TITLE

Directorate: Environment and Planning
Business Unit: Integrated Planning

The following item is defined as a planning matter pursuant to the Local Government Act, 1993 & Environmental Planning & Assessment Act, 1979

Councillor Ward declared his less than significant non-pecuniary interest in relation to this item, under Chapter 14 of the Local Government Act 1993, as during a recent Gosford City Council delegation to Tokyo, he represented some local tourist destinations, however considered he was capable of making an impartial decision in respect to this matter.

MOVED (Doyle/Morris) that the recommendation of the Director - Environment and Planning be adopted subject to the amendment of Parts A and B as follows:

A Council request the General Manager, prior to sending the Planning Proposal to the Department of Planning, to amend it to give effect to the following:

- ***For the land located down in the valley list the land in Schedule 1 of LEP 2013 and insert Extensive Agriculture as an additional nominated use.***
- ***For the land located in the ridge tops above the valley, rezone the residual cleared, pasture improved, farmland that is scheduled to be zoned E2 so that it matches the adjoining land in this area which is zoned RU2.***
- ***Reinstate the originally requested tourist uses in the Schedule 1 list of uses that apply to the site, being Camping Ground and Visitor and Tourist Accommodation.***

B Subject to Part A Council initiate the Local Environmental Plan 'Gateway' process pursuant to Section 55 Environmental Planning and Assessment Act by endorsing the preparation of a Planning Proposal to list in Schedule 1 of Gosford Local Environmental Plan 2013 to provide for:

On being put to the meeting the MOTION WAS CARRIED with the following votes being recorded:

For the Motion: Councillors Ward, Bocking, Bowles, Burke, Doyle, Macfadyen, Morris and Scott.

RESOLVED that:

A Council request the General Manager prior to sending the Planning Proposal to the Department of Planning to amend it to give effect to the following:

- ***For the land located down in the valley list the land in Schedule 1 of LEP 2013 and insert Extensive Agriculture as an additional nominated use.***

- **For the land located in the ridge tops above the valley, rezone the residual cleared, pasture improved, farmland that is scheduled to be zoned E2 so that it matches the adjoining land in this area which is zoned RU2.**
- **Reinstate the originally requested tourist uses in the Schedule 1 list of uses that apply to the site, being Camping Ground and Visitor and Tourist Accommodation.**

B Subject to Part A Council initiate the Local Environmental Plan 'Gateway' process pursuant to Section 55 Environmental Planning and Assessment Act by endorsing the preparation of a Planning Proposal to list in Schedule 1 of Gosford Local Environmental Plan 2013 to provide for:

- a on that land that is zoned E2 Environmental Conservation, development for the purposes of eco-tourist facilities and recreation facilities (outdoor)
- b on land that is zoned RU2 Rural Landscape, development for the purposes of eco-tourist facilities.

on the following lots

- i Land owned by Glenworth Valley Pastoral Company Pty Ltd, being Lots 1 and 3 DP 617088, Lots 19, 20, 21, 23, 24, 25, 30, 31, 32, 33, 37, 50, 53, 64, 65, 68, 81, 82, 85, 86, 87, 89, 91, 108 and 145 DP 755221, Lots 22, 23, 32, 73, 75 and 76 DP 755253, part of Lot 102 DP 1139060, Lot C DP 382358, Lot 2 DP 1139242, Lots 881 and 882 DP 563889 or are the subject of a Permissive Occupancy held by Glenworth Valley, being Lot 7012 DP 1059767, Lot 7039 DP 1059766, Lot 7303 DP 1161109, and Lot 7303 DP 1154929;
- ii Land that is Crown land and not the subject of permissive occupancy, being Lot 7027 DP 1051931, Lot 7029 DP 93603, Lot 7035 DP 1051932, Lot 7036 DP 1059768, Lot 7037 DP 1059769, and Lot 7038 DP 1059769; and
- iii Land owned by the Darkinjung Local Aboriginal Land Council, being Lot 245 DP 48817

C Prior to referral of the Planning Proposal to the Department of Planning and Infrastructure, Council write to the owners of Crown Land (being Lot 7027 DP 1051931, Lot 7029 DP 93603, Lot 7035 DP 1051932, Lot 7036 DP 1059768, Lot 7037 DP 1059769, Lot 7038 DP 1059769) and Darkinjung LALC land (being Lot 245 DP 48817) inviting them to advise Council whether they consent to the inclusion of their land in this Planning Proposal. If not, the Planning Proposal is to be amended to delete these lots.

D Council notify the Department of Planning and Infrastructure of Council's resolution requesting a 'Gateway' determination pursuant to Section 56(1) Environmental Planning and Assessment Act and forward the Planning Proposal and all necessary documentation according to their requirements and this report:

E Council recommend to the Gateway that the following public authorities be consulted:

- Office of Environment and Heritage
- National Parks and Wildlife Service
- Rural Fire Service
- Trade and Investment - Mineral Resources
- Environment Protection Authority
- Roads and Maritime Service
- Darkinjung Local Aboriginal Land Council
- Destination NSW

- F After public exhibition of the Planning Proposal, should the Minister for Planning and Infrastructure support it, if no submissions objecting to the planning proposal are received, the Planning Proposal is to be sent to the Department of Planning and Infrastructure in order to make the plan.

- G The applicant be advised of Council's resolution.

- H Council seeks delegations from the Department of Planning and Infrastructure for this Planning Proposal.

NOTICE OF COUNCIL RESOLUTION

COUNCIL MEETING – 10/06/2014

TITLE

Department: Governance & Planning
Service Unit: Sustainable Corporate & City Planning

The following item is defined as a planning matter pursuant to the Local Government Act, 1993 & Environmental Planning & Assessment Act, 1979.

Councillor Morris declared her pecuniary interest in relation to this item, under Chapter 14 of the Local Government Act 1993, as her firm is currently involved in a matter with the applicant and did not take part in the consideration or discussion of, or vote on any question relating to this item.

Councillor Morris left the meeting at 6.50 pm.

ADJOURNMENT OF MEETING AT 6.50 PM

The Chairperson advised the meeting that due to a lack of quorum the meeting was adjourned.

Councillors Morris returned to the meeting at 6.51 pm.

The meeting resumed at 6.51 pm. The following Councillors were present:

Councillors G L Bowles, C L Doyle, J M Macfadyen, H A Morris, V L Scott and J C Strickson.

MOVED (Strickson/Macfadyen) that ***this matter be referred to the Chief Executive Officer to be considered under delegated authority.***

On being put to the meeting the MOTION WAS CARRIED.

RESOLVED that ***this matter be referred to the Chief Executive Officer to be considered under delegated authority.***

For the Resolution: Councillors Bowles, Doyle, Macfadyen, Morris, Scott and Strickson.

On 27 June 2014 the Acting CEO approved the following amendment:

- A *With regard to the subject Planning Proposal for various lots in Glenworth Valley and Council's resolution of 17 December 2013 to support a request for a 'Gateway' determination pursuant to Section 55 Environmental Planning and Assessment Act, that Crown Land (being Lot 7027 DP 1051931, Lot 7029 DP 93603, Lot 7035 DP 1051932, Lot 7036 DP 1059768, Lot 7037 DP 1059769, Lot 7038 DP 1059769) be included in an amended Planning Proposal to be sent to the Department of Planning and Environment for a Gateway determination, and Department of Trade and Investment be consulted during consultation with public agencies.*
- B *Council seeks delegations from the Department of Planning and Infrastructure for this Planning Proposal.*
- 1 *Upon Council receipt of the Department of Planning & Infrastructure's intention to issue delegation, Council will submit to the Department of Planning & Infrastructure a "Written Authorisation to Exercise Delegation" for the same*
 - 2 *Any delegation to Council is to be delegated to the Chief Executive Officer - Paul Anderson, per s381 of the Local Government Act 1993, who will complete the "Authorisation" on behalf of Council and submit to the Department of Planning & Infrastructure.*

ATTACHMENT 5 – Strategic Assessment



Central Coast Council

Strategic Planning Framework Assessment

Lots 19, 20, 21, 23, 24, 25, 30, 31, 32, 33, 37, 50, 53, 64, 65, 68, 81, 82, 85, 86, 87, 89, 91, 108, 145 DP 755221, Lots 22, 23, 32, 73, 75, 76 DP 755253, Lots 1, 3 DP 617088, Lot 881 DP 563889, Lot 1 DP 1222754, Lot 245 DP 48817, Lot 7 DP 1230083, Lot 7012 DP 1059767, Lot 7029 DP 93603, Lot 7035 DP 1051932, Lot 7036 DP 1059768, Lot 7303 DP 1154929, Glenworth Valley, and Lot 882 DP 563889, Lot A DP 365595, Lot C DP 382358, Lot 2 DP 1139242, part of Lot 102 DP 1139060, Lot 7039 DP 1059766, Lot 7303 DP 1161109, Calga

PP/38/2013;
November 2019

(a)

Relationship to strategic planning framework

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

1. *Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?*

Central Coast Regional Plan 2036

The *Central Coast Regional Strategy 2036 (CCRP)* applies to both of the former Gosford and Wyong local government areas (LGAs). The vision of the CCRP is for a healthy natural environment, a flourishing economy and well-connected communities.

The CCRP is to provide the basis of planning by Council and sets out a number of actions. The table below demonstrates that the Planning Proposal is consistent with the relevant actions identified in the CCRP:

3	Direction 3: Support priority economic sectors	
	Action	Assessment
3.5	Capitalise on the region's location and coastline to enhance the visitor economy with a focus on events-based tourism and update planning controls.	The Planning Proposal will allow a regionally significant nature-based tourist development to add complementary nature based tourist facilities, including accommodation that will build on existing capital investment, and allow additional outdoor recreational opportunities as they emerge.
7	Direction 7: Increase job containment in the region	
	Action	Assessment
7.1	Facilitate economic development that will lead to more local employment opportunities on the Central Coast.	The applicant has advised that the current use of the land for a range of outdoor recreation activities employs approximately 25 full-time and 80 part-time employees and attracts up to 200,000 tourists per annum. The planning proposal will enable the continued operation and ongoing growth and development of the business which will provide additional employment opportunities and growth within the tourist industry.
8	Direction 8: Recognise the cultural landscape of the Central Coast	
	Action	Assessment
8.1	Protect the Central Coast's scenic amenity by planning for development that respects the distinct qualities of different places.	The scenic significance of Glenworth Valley will be retained by including additional permitted uses in Schedule 1 of GLEP 2014 whilst retaining the E2 Environmental Conservation zone.

12	Direction 12: Protect and manage environmental values	
	Action	Assessment
12.1	Identify terrestrial and aquatic biodiversity values and protect areas of high environmental value to sustain lifestyle, economic success and environmental health of the region.	That part of the subject land zoned E2 consists of coastal wetlands to the south and vegetated escarpment surrounding the valley. It has characteristics of environmental value, scenic quality and habitat for native flora and fauna which is reflective of the environmental and scenic significance of the locality.
12.5	Sensitively manage natural areas on the fringe of urban areas to mitigate land use incompatibility issues and provide important quality of life and tourism benefits	Some of the proposed recreational and tourism uses currently operate on the site and are not incompatible with the site's natural setting. Specific on-site effects of any proposed uses are able to be managed through the development assessment process.

Table 1: Central Coast Regional Plan Assessment

2. Is the planning proposal consistent with the local Council's Community Strategic Plan, or other local strategic plan?

Central Coast Community Strategic Plan (One – Central Coast)

One – Central Coast outlines a set of guiding principles, aspirations and values for the community. These reflect on social, economic, environmental and governance aspects for now and the future.

The following objectives outlined in *One- Central Coast* are applicable to this Planning Proposal:

C	Focus Area – A growing and competitive region	
	Objectives	Assessment
C4	Promote and grow tourism that celebrates the natural and cultural assets of the Central Coast in a way that is accessible, sustainable and eco-friendly.	The planning proposal will showcase the environmental values and recreational opportunities of the region and offer significant economic benefits and synergies. The planning proposal will also have the potential to encourage greater expenditure by tourists and therefore benefit the local economy.
F	Focus Area – Cherished and protected natural beauty	
	Objectives	Assessment
F1	Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas and the diversity of local native species.	The Planning Proposal will protect the intrinsic environmental values of the land by retaining it generally in an environmental zone, whilst allowing it to grow and develop with additional recreation activities and to provide a range of appropriate tourist accommodation.
L	Focus Area – Healthy lifestyles for a growing community	
	Objectives	Assessment
L1	Promote healthy living and ensure sport, leisure,	The planning proposal will enable the public to participate in outdoor recreational activities within a

	recreation and aquatic facilities and open spaces are well maintained and activated.	natural setting which would enhance personal well-being. The planning proposal will permit additional uses on-site which have the potential to encourage greater expenditure by tourists and therefore benefit the local economy.
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Table 2 – Central Coast Community Strategic Plan Assessment

Biodiversity Strategy

The Biodiversity Strategy provides a framework and guide for the management of biodiversity in Gosford area that is consistent with regional, state, national and international strategies, plans and policies. The following Actions in the Biodiversity Strategy are applicable to the Planning Proposal:

- *enable biodiversity conservation to be taken into consideration in Council's strategic planning.*
- *environmental zoned lands need to be retained with current minimum lot area standards to enable the lot sizes to allow sufficient space for land uses to occur without loss of biodiversity.*
- *the land zoning and permitted land uses within identified vegetation and wildlife corridors and riparian habitats need to reflect the biodiversity values.*
- *consider biodiversity criteria for conserving areas of high biodiversity working towards maintenance and enhancement of existing biodiversity as a key priority with the aim of no net loss in development assessments and future LEPs.*
- *identify, protect and manage wildlife and vegetation corridors to maintain biodiversity.*

The Planning Proposal is consistent with these actions in that the land will be retained in the existing RU2 Rural Landscape and E2 Environmental Conservation zones, and that appropriate activities will be listed in Schedule 1 of GLEP 2014 that are intrinsically linked to the environmental values of the land.

Policy D2.02 – Rezoning of Land Zoned Conservation & Scenic Protection (Conservation) 7(a)/Environmental Conservation E2

As part of the subject land is zoned E2, this Policy applies. The Policy objectives are:

- 1 *To define objectives for the Conservation 7(a) / E2 zone to ensure the long term preservation of the scenic and environmental qualities of the region and to ensure Planning Proposals (ie LEPs) are consistent with the prescribed objectives.*
- 2 *To establish criteria to be used by Council to assess requirements to prepare a Planning Proposal. (ie local environmental plan) primarily for the purpose of providing dedication of strategically environmentally/scenically important land for the community benefit in exchange for additional development rights having regard to the land's attributes pertaining to the zone boundary of the 7(a) Conservation zone / Environmental Conservation E2, but also for the purpose to alter the zone, uses, subdivision or other provisions.*

All Planning Proposals must be in conformity with the objectives of the Conservation and Scenic Protection 7(a) (Conservation) / Environmental Conservation E2 as prescribed within this Policy.

The objectives of the Conservation 7(a) / Environmental Conservation E2 Zone:

- a *The conservation and rehabilitation of areas of high environmental value.*

b The preservation and rehabilitation of areas of high visual and scenic quality in the natural landscape.

c The provision and retention of suitable habitats for native flora and fauna.

d The prohibition of development on or within proximity to significant ecosystems, including rainforests, estuarine wetlands etc.

e The provision and retention of areas of visual contrast within the City, particularly the "backdrop" created by retention to the ridgelines in their natural state.

f The provision of opportunities for informal recreation pursuits, such as bushwalking, picnic areas, environmental education, etc in appropriate locations.

g The minimisation or prohibition of development so that the environmental and visual qualities of the natural areas are not eroded by the cumulative impact of incremental individually minor developments.

h The minimisation or prohibition of development in areas that are unsuitable for development by virtue of soil erosion, land slip, slope instability, coastal erosion or bushfire hazard.

The additional uses proposed to be permitted on land within the E2 zone are outdoor recreation facilities, extensive agriculture, camping grounds and function centre/entertainment facility/food and drink premises. These uses are the standard LEP definitions of the existing uses operating on the site at present. These low impact uses, or similar, are generally compatible with the E2 zone. Any other uses permitted under the definition of recreation facility (outdoor) would be required to satisfy the objectives of the E2 zone.

The overall use and management of the site as a nature based recreation facility would be consistent with the policy, as it promotes environmental awareness and education by users and provide opportunities for informal recreation. The more environmentally sensitive parts of the site would be evaluated and protected as part of the assessment process for individual applications.

Besides being assessed on environmental, statutory and strategic grounds any Planning Proposal pertaining to 7(a)/E2 zoned land must include the following:

- Land capability assessment
- Vegetation analysis
- Faunal analysis
- Visual assessment
- Bushfire hazard analysis
- SEPP 19 - Bushland in Urban Areas
- Strategic basis
- Preparation of DCP
- Dedication of land to COSS

Since the preparation of this Policy, the matters relating to land capability, vegetation, fauna and bushfire have become statutory matters which have to be addressed in any Planning Proposal assessment, and have been addressed separately to this Policy later in the report. SEPP 19 is a statutory matter and has been addressed later in the report. The matters relating to visual quality and COSS are the subject of Council's DCPs or strategies which have also been addressed separately in the report, if applicable.

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

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

State Environmental Planning Policy	Comment
SEPP No 19 – Bushland in Urban Areas	
<p>The general aim of this Policy is to protect and preserve bushland within the urban areas referred to in Schedule 1 because of:</p> <ul style="list-style-type: none"> (a) its value to the community as part of the natural heritage, (b) its aesthetic value, and (c) its value as a recreational, educational and scientific resource. <p>The specific aims of this policy are:</p> <ul style="list-style-type: none"> (a) to protect the remnants of plant communities which were once characteristic of land now within an urban area, (b) to retain bushland in parcels of a size and configuration which will enable the existing plant and animal communities to survive in the long term, (c) to protect rare and endangered flora and fauna species, (d) to protect habitats for native flora and fauna, (e) to protect wildlife corridors and vegetation links with other nearby bushland, (f) to protect bushland as a natural stabiliser of the soil surface, (g) to protect bushland for its scenic values, and to retain the unique visual identity of the landscape, (h) to protect significant geological features, (i) to protect existing landforms, such as natural drainage lines, watercourses and foreshores, (j) to protect archaeological relics, (k) to protect the recreational potential of bushland, 	<p>The objectives of the SEPP relate to protecting rare and endangered flora and fauna, protecting habitat, protecting vegetation links and retaining the unique visual identity of the landscape within the E2 zoned part of the subject site.</p> <p>Glenworth Valley adjoins both National Park and Crown Land which accommodate significant bushland areas, as do substantial areas of the subject site. The planning proposal seeks to permit additional uses on the site and given its large size, any effects on any particular part of the site will be subject to detailed development assessment of the effects on bushland, with the opportunity for site works in less significant areas..</p>

State Environmental Planning Policy	Comment
<p>(l) to protect the educational potential of bushland,</p> <p>(m) to maintain bushland in locations which are readily accessible to the community, and</p> <p>(n) to promote the management of bushland in a manner which protects and enhances the quality of the bushland and facilitates public enjoyment of the bushland compatible with its conservation..</p>	
SEPP No 44 – Koala Habitat	
<p>Aims to encourage the proper conservation and management of areas of natural vegetation that provide habitat for koalas to ensure a permanent free-living population over their present range and reverse the current trend of koala population decline:</p> <p>(a) by requiring the preparation of plans of management before development consent can be granted in relation to areas of core koala habitat, and</p> <p>(b) by encouraging the identification of areas of core koala habitat, and</p> <p>(c) by encouraging the inclusion of areas of core koala habitat in environment protection zones</p>	<p>Individual assessment of any potential koala habitat would need to be undertaken on a case by case basis depending on where works were proposed to be undertaken. It is envisaged that any works would be located away from areas that may provide koala habitat, or otherwise assessment would need to be undertaken to ensure no adverse impact.</p>
SEPP No. 55 – Remediation of Land	
<p>Aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment</p> <p>(b) by specifying when consent is required, and when it is not required, for a remediation work, and</p> <p>(c) by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and</p> <p>(d) by requiring that a remediation work meet certain standards and notification requirements.</p>	<p>The SEPP lists some activities that may cause contamination, one of which is agricultural or horticultural activities.</p> <p>The initial Gateway Determination required an initial site contamination investigation to be undertaken to demonstrate that the site is suitable for rezoning. A Stage 1 Site Contamination Assessment was prepared and the conclusion states:</p> <p><i>Based on the desk study and field investigation the site is assessed to be of low risk of contamination. It is assessed that a Stage 2 Contamination Assessment is not required for the proposed re-zoning of land.</i></p> <p>The then owner of Lot A DP 365595 Cooks Road submitted a Preliminary Site Contamination Investigation Report which concludes:</p>

State Environmental Planning Policy	Comment
	<p><i>A Preliminary Site Contamination Investigation Report has been prepared for Lot A DP 365595, as is required under SEPP 55 for Planning Proposal. The report finds there is unlikely to be any contamination of the site arising from the previous use as a citrus orchard and current use for cattle grazing. There is storage of diesel fuel and oil on the property, consistent with rural use, and there could be some minor contamination associated with this in 2 small, localised areas. Any future development application impacting on these areas would be able to address the issue in more detail through soil testing and remediation, if required. If remediation was required, this would be expected to be minor and not of a nature or scale that the land could not be made suitable for the uses proposed in the Planning Proposal.</i></p> <p><i>The report concludes that Lot A DP 365595 is suitable or can be made suitable for the uses proposed in Planning Proposal.</i></p>
SEPP Mining, Petroleum Production and Extractive Industries 2008	
<p>Aims to :</p> <p>(a) provide for the proper management and development of mineral, petroleum and extractive material resources for the purpose of promoting social and economic welfare of the State;</p> <p>(b) to facilitate the orderly and economic use of development of land containing mineral, petroleum and extractive material resources; and</p> <p>(c) to establish appropriate planning controls to encourage ecologically sustainable development through the environmental assessment and sustainable management of development of mineral, petroleum and extractive material resources.</p> <p>Before determining a development application in the vicinity of an existing mine, petroleum production facility or extractive industry, the consent authority must consider:</p> <p>(a) the existing uses and approved uses of land in the vicinity of the development;</p> <p>(b) whether or not the development is likely to have a significant impact on current or future</p>	<p>Calga Sands, an existing quarry of regional significance, immediately adjoins part of the site located off Cooks Road, being located on Lot 2 DP 229889. It is noted that this quarry has been the subject of protracted concerns by the community in relation to its impacts. It is considered that there is sufficient area on the Glenworth Valley landholding overall so as to locate activities, including those which will be permitted through the Schedule 1 listing, in areas remote from the impacts of the quarry. The Planning Proposal should not have the effect of restricting the obtaining of extractive material from the Calga Sands Quarry.</p>

State Environmental Planning Policy	Comment
<p>extraction or recovery of minerals, petroleum or extractive materials;</p> <p>(c) any ways in which the development may be incompatible with any of the existing or approved uses or that current or future extraction or recovery.</p>	
SEPP Coastal Management 2018	
<p>The aim is to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area, by</p> <p>(a) managing development in the coastal zone and protecting the environmental assets of the coast; and</p> <p>(b) establishing a framework for land use planning to guide decision-making in the coastal zone; and</p> <p>(c) mapping 4 coastal management areas that comprise the NSW coastal zone for the purpose of the definitions in the Coastal Management Act 2016.</p> <p>All development within the Coastal Wetlands Area requires development consent. All development, except environmental protection works is declared designated development. Consent must not be granted for development within the Coastal Wetlands Area unless sufficient measures have been or will be taken to protect the biophysical, hydrological and ecological integrity of the coastal wetland.</p> <p>Development consent must not be granted to development on land identified as "proximity area for coastal wetlands" unless the proposed development will not significantly impact on:</p> <p>(a) the biophysical, hydrological or ecological integrity of the adjacent coastal wetland, or</p> <p>(b) the quantity and quality of surface and ground water flows to and from the adjacent coastal wetland.</p> <p>Consent must not be granted for development within the Coastal Environment Area if the</p>	<p>The southern part of the subject site adjoining Popran Creek is identified as "coastal wetlands" and "proximity area for coastal wetlands". Therefore the additional permitted uses allowed on this land as a result of the planning proposal would be treated as designated development if a development application was received to locate such uses within the coastal wetlands.</p> <p>Future development applications for uses in the Coastal Wetland Area and the Proximity Area for Coastal Wetlands will be assessed to ensure the biophysical, hydrological and ecological integrity of the coastal wetland is maintained.</p> <p>The flats adjoining the upper reaches of Popran Creek and the lower slopes are located within the Coastal Environment Area. The proposal to permit additional uses within this Area would not adversely impact on the coastal environment values and natural processes of the locality. However the future outdoor recreation proposed for this land would have to be considered in detail at the development application stage when and if such uses are proposed.</p>

State Environmental Planning Policy	Comment
<p>proposed development is likely to cause adverse impacts on the following</p> <ul style="list-style-type: none"> (a) the integrity and resilience of the biophysical, hydrological and ecological environment; (b) coastal environmental values and natural coastal processes; (c) the water quality of the marine estate, in particular the cumulative impacts of the proposed development on any sensitive coastal lakes (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public (f) Aboriginal cultural heritage, practices and places (g) The use of the surf zone. 	
Deemed SEPP Sydney REP No 8 – Central Coast Plateau Areas	
<p>Aims:</p> <ul style="list-style-type: none"> (a) to provide for the environmental protection of the Central Coast plateau areas and to provide a basis for evaluating competing land uses, (b) to encourage the use of land having a high agricultural capability for that purpose and, as much as possible, to direct development for non-agricultural purposes to land of lesser agricultural capability, (c) (Repealed) (d) to protect regionally significant mining resources and extractive materials from sterilization, (e) to enable development for the purposes of extractive industries in specified locations, (f) (Repealed) (g) to protect the natural ecosystems of the region, and (h) to maintain opportunities for wildlife movement across the region, and 	<p>All of the land is within the boundary of SREP 8, however only the land near Cooks Road which is zoned RU2 has been the subject of detailed mapping of agricultural land. This land is identified as Classes 3 and 4 (coloured in pink) Prime Agricultural Land, with the upper side slopes as Classes 4-5 and 5, which are not prime agricultural land. Land within the valley floor has not been mapped under the REP. The planning proposal does not reduce the agricultural capability of the land as it seeks to retain the RU2 zone and all the uses permitted within that zone.</p> <p>The issues to be addressed in any draft local environmental plan are addressed in order below:</p> <ul style="list-style-type: none"> (a) The additional uses are proposed to be undertaken on the E2 component of the site and are located away from any adjoining agricultural operation. For the RU2 component located off Cooks Road, adjoining land is within the same RU2 zoning, and the planning

State Environmental Planning Policy	Comment
<p>(i) to discourage the preparation of draft local environmental plans designed to permit rural residential development, and</p> <p>(j) to encourage the preparation of draft local environmental plans based on merits.</p> <p>In preparing any draft local environmental plan applying to land to which this plan applies, the council should have regard to the objective that any development allowed by the plan should:</p> <p>(a) not impact upon the current or future use of adjoining land for existing or future agricultural uses, and</p> <p>(b) not result in an increased settlement pattern (by way of urban development, rural residential development, residential accommodation of a permanent or semi-permanent nature, community titles subdivisions or any other features that would facilitate increased settlement), and</p> <p>(c) have a significant positive economic contribution to the area and result in employment generation, and</p> <p>(d) not result in any adverse environmental effect on or off the site, and</p> <p>(e) be consistent with the strategic direction for water quality standards and river flow objectives developed through the State Government's water reform process, and</p> <p>(f) be consistent with rural amenity (including rural industries) and not detract significantly from scenic quality, and</p> <p>(g) not encourage urban (residential, commercial or industrial) land uses, and</p> <p>(h) not require augmentation of the existing public infrastructure (except public infrastructure that is satisfactory to the council concerned and is provided without cost to public authorities), and</p> <p>(i) result in building works being directed to lesser class soils.</p>	<p>proposal reflects existing approved uses (i.e. the motel). It is considered there is adequate separation between Glenworth Valley holdings land and adjoining agricultural land to provide sufficient separation between uses.</p> <p>(b) An eco-tourist facility, camping ground and tourist accommodation will not practically be able to be separately titled, and is only for the transient accommodation of tourists/visitors to the site. Hence the planning proposal would not result in an increased settlement pattern.</p> <p>(c) Allowing additional outdoor recreation facilities and tourist facilities will value add to the existing tourist infrastructure at the site and have a positive economic contribution and employment generation, and will benefit wider local businesses.</p> <p>(d) Adverse environmental effects will be minimised through regulation of development, and allowing flexibility in siting of works and activities.</p> <p>(e) Water quality standards will be assessed on an individual case by case basis and do not represent an impediment to the planning proposal as they can be managed through appropriate on-site practices.</p> <p>(f) The additional uses proposed will need to be sited and designed so as to not detract from scenic quality.</p> <p>(g) The land use will remain for conservation and environmental values for the valley floor, side slopes and ridgelines, with additional uses complementary to these values. The proposal will not encourage urban development.</p> <p>(h) Augmentation of any infrastructure that may be required (e.g. electricity) will need to be funded by the developer dependent upon what is required.</p> <p>(i) Building location within the RU2 zoned land can be assessed on an individual case by case basis and do not represent an impediment to the planning proposal. Soil classes within the valley have not been mapped.</p>
<p>Deemed SEPP Sydney REP No 9 - Extractive Industry (No 2 - 1995)</p>	

State Environmental Planning Policy	Comment
<p>Aims:</p> <p>(a) to facilitate the development of extractive resources in proximity to the population of the Sydney Metropolitan Area by identifying land which contains extractive material of regional significance, and</p> <p>(b) to permit, with the consent of the council, development for the purpose of extractive industries on land described in Schedule 1 or 2, and</p> <p>(c) to ensure consideration is given to the impact of encroaching development on the ability of extractive industries to realise their full potential, and</p> <p>(d) to promote the carrying out of development for the purpose of extractive industries in an environmentally acceptable manner, and</p> <p>(e) to prohibit development for the purpose of extractive industry on the land described in Schedule 3 in the Macdonald, Colo, Hawkesbury and Nepean Rivers, being land which is environmentally sensitive.</p>	<p>Division 4 of Schedule 1 of the SREP identifies Lot 2 DP 229889 (Calga Sands) as a "sand extraction area of regional significance - current and potential". Lot 108 DP 755221, owned by Glenworth Valley holdings, off Cooks Road immediately adjoins this land. A separate DA has already been approved on the RU2 zoned part of Lot 108 for a motel comprising a 3 unit motel and five caravan park sites (as permissible in the existing zoning) (DA 43465 approved on 11 November 2013 refers). The proposed listing of tourist and visitor accommodation in Schedule 1 of GLEP 2014 as it relates to the RU2 zone will reflect existing approved uses. Other eco-tourist components would be located further away from the Calga Sands Quarry and hence would not have the impact of sterilising the extractive resource.</p> <p>The amended Gateway is likely to require consultation with Director General of Trade and Investment - Mineral Resources and The Director General of the Environment Protection Authority (or their equivalent under the new State Government structure).</p>
Deemed SEPP Sydney REP No 20 - Hawkesbury-Nepean River (No 2 - 1997)	
<p>The aim of this plan is to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context.</p> <p>The plan contains a number of specific policies aimed at protecting water quality, recreational values, ecosystems, cultural heritage, flora and fauna communities, scenic quality and tourist values.</p>	<p>Popran Creek (including the creekline, river flats and vegetated hillsides) are within the riverine corridor as mapped under SREP 20. There are also mapped SREP 20 wetlands on the lower portions of Glenworth Valley landholding, and further downstream. Retention of the valley area and ridgelines in the E2 zone will assist in ensuring that downstream impacts and effects on receiving wetlands are considered as part of any future application. There is sufficient area available on-site to manage water quality and nutrients. The Planning Proposal seeks to permit extensive agriculture on the cleared riverflats. The grazing of horses and growing of fodder is already operating on the site so no additional impact on the environment would occur. The Planning Proposal seeks to facilitate a range of nature-based recreational activities (as outdoor recreation facilities), and environmentally appropriate tourist accommodation. This will further achieve the</p>

State Environmental Planning Policy	Comment
	goals of SREP 20 by building on the existing tourist values of Glenworth Valley.

Table 3 – State Environmental Planning Policy Assessment

4. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

No.	Direction	Applicable	Consistent
Employment & Resources			
1.1	Business & Industrial Zones	N	N/A
1.2	Rural Zones	Y	Y
1.3	Mining, Petroleum Production and Extractive Industries	Y	Y
1.4	Oyster Aquaculture	N	N/A
1.5	Rural Lands	N	N/A
Environment & Heritage			
2.1	Environmental Protection Zones	Y	Y
2.2	Coastal Management	Y	Y
2.3	Heritage Conservation	Y	Y
2.4	Recreation Vehicle Areas	N	N/A
2.5	Application of E2 and E3 Zones and Environmental Overlays in Par North LEPs	N	N/A
Housing, Infrastructure & Urban Development			
3.1	Residential Zones	N	N/A
3.2	Caravan Parks and Manufactured Home Estates	N	N/A
3.3	Home Occupations	N	N/A
3.4	Integrating Land Use & Transport	N	N/A
3.5	Development Near Licensed Aerodromes	N	N/A
3.6	Shooting Ranges	N	N/A
3.7	Reduction in non-hosted short term rental accommodation period	N	N/A

No.	Direction	Applicable	Consistent
Hazard & Risk			
4.1	Acid Sulfate Soils	Y	Y
4.2	Mine Subsidence and Unstable Land	N	N/A
4.3	Flood Prone Land	Y	Y
4.4	Planning for Bushfire Protection	Y	Y
Regional Planning			
5.1	Implementation of Regional Strategies	N	N/A
5.2	Sydney Drinking Water Catchments	N	N/A
5.3	Farmland of State and Regional Significance on the NSW Far North Coast	N	N/A
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	N	N/A
5.8	Sydney's Second Airport: Badgery's Creek:	N	N/A
5.9	North West Rail Link Corridor Strategy	N	N/A
5.10	Implementation of Regional Plans	Y	Y
5.11	Development of Aboriginal Land Council land	N	N/A
Local Plan Making			
6.1	Approval and Referral Requirements	Y	Y
6.2	Reserving Land for Public Purposes	N	N/A
6.3	Site Specific Provisions	Y	Y
Metropolitan Planning			
7.1	Implementation of A Plan for Growing Sydney	N	N/A
7.2	Implementation of Greater Macarthur Land Release Investigation	N	N/A
7.3	Parramatta Road Corridor Urban Transformation Strategy	N	N/A
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N	N/A

No.	Direction	Applicable	Consistent
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	N/A
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N	N/A
7.7	Implementation of Glenfield to Macarthur Urban Renewal Corridor	N	N/A
7.8	Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N	N/A
7.9	Implementation of Bayside West Precincts 2036 Plan	N	N/A
7.10	Implementation of Planning Principles for the Cooks Cove Precinct	N	N/A

Table 4 – S9.1 Ministerial Direction Compliance

Ministerial Section 9.1 Directions

Direction	Comment
Employment & Resources	
1.2 Rural Zones	
<p>Aims to protect the agricultural production value of rural land.</p> <p>Applies when the relevant planning authority prepares a planning proposal that will affect land within an existing or proposed rural zone.</p> <p>A planning proposal must not:</p> <p>(a) rezone land from a rural zoned to a residential, business, industry, village or tourist zone;</p> <p>(b) contain provisions that will increase the permissible density of land within a rural zone.</p>	<p>Some of the subject land fronting Cooks Road is zoned RU2 so this Direction applies. The planning proposal does not propose to rezone rural land to a more intensive zone nor is it increasing density within the RU2 zone. However it is proposing to include additional uses on the RU2 zoned land which would be permitted subject to development consent. These uses for tourist accommodation are temporary and generally low key thus unlikely to affect the agricultural viability of the land. Hence the Planning Proposal is consistent with this Direction.</p>
1.3 Mining, Petroleum Production and Extractive Industries	
<p>Aims to ensure that the future extraction of State or regionally significant reserves of coal, other minerals, petroleum and extractive materials are not compromised by inappropriate development.</p> <p>Applies when a relevant planning authority prepares a planning proposal that would have the effect of:</p> <p>(a) prohibiting the mining of coal or other minerals, production of petroleum, or winning or obtaining of extractive materials, or</p>	<p>Part of the subject land (i.e. Lot 108 DP 755221) immediately adjoins the existing Calga Sands quarry. However is considered that the planning proposal is satisfactory, as a motel has already been approved on the RU2 zoned part of Lot 108 in the vicinity of the quarry. Furthermore the majority of the land subject to this planning proposal is located away from the quarry and any additional uses would not impact on the quarry or would be</p>

Direction	Comment
<p>(b) restricting the potential development of resources of coal, other minerals, petroleum or extractive materials which are of State or regional significance by permitting a land use that is likely to be incompatible with such development.</p> <p>The relevant planning authority must consult with the Director-General of the Department of Primary Industries regarding the development potential of resources and any likely land use conflicts.</p>	<p>impacted upon by the quarry operation. However the planning proposal will be referred to the relevant State Department for comment.</p>
Environment & Heritage	
2.1 Environmental Protection Zones	
<p>Aims to protect and conserve environmentally sensitive areas.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p> <p>A planning proposal must include provisions that facilitate the protection and conservation of environmentally sensitive areas.</p> <p>A planning proposal that applies to land within an environment protection zone or land otherwise identified for environment protection purposes in a LEP must not reduce the environmental protection standards that apply to the land (including by modifying development standards that apply to the land). This requirement does not apply to a change to a development standard for minimum lot size for a dwelling in accordance with clause (5) of Direction 1.5 "Rural Lands".</p>	<p>The additional outdoor recreational facilities proposed to be permitted in the E2 zone reflect the existing uses operating on site at present i.e. horse riding trails, quad biking, kayaking, and abseiling. These low impact uses, or similar, are compatible with the Environmental Conservation zone. Any other uses permitted under the definition of recreation facility (outdoor) would be required to satisfy the objectives of the E2 zone.</p> <p>The use of extensive agriculture in the E2 zone is proposed to be permitted on the cleared land within the valley and on the escarpment adjacent to RU2 zoned land. The use is currently conducted in these areas so no additional environmental impact would occur.</p> <p>The additional uses of function centre, entertainment facility and food and drink premises are proposed to be permitted in, and around the existing multi-purpose building. The surrounding land is generally cleared so will not impact on the environmental qualities of the site.</p> <p>Likewise, the cleared areas of adjoining lots are suitable for outdoor functions and camping.</p> <p>The additional use of tourist and visitor accommodation on cleared E2 zoned land adjoining the RU2 zone is considered to be compatible with the scenic amenity and environmental character of the locality.</p>
2.2 Coastal Management	
<p>Aims to protect and manage coastal areas of NSW.</p> <p>Applies when a relevant planning authority prepares a planning proposal that applies to land within the coastal zone as identified by SEPP (Coastal Management) 2018.</p>	<p>That part of the subject land adjacent to Popran Creek, which is a tidal creek, is in the coastal zone. The land is an estuarine environment and not subject to active coastal processes.</p> <p>The objects of the Coastal Management Act 2016 are to manage the coastal environment of New South</p>

Direction	Comment
<p>A planning proposal must include provisions that give effect to and are consistent with:</p> <p>(a) the objects of the Coastal Management Act 2016 and the objectives of the of the relevant coastal management areas, and</p> <p>(b) the NSW Coastal Management Manual and associated toolkit,</p> <p>(c) the NSW Coastal Design Guidelines 2003.</p> <p>A planning proposal must not rezone land which would enable increased development or more intensive land use on land:</p> <p>(a) within a coastal vulnerability area identified by the SEPP (Coastal Management) 2018, or</p> <p>(b) that has been identified as land affected by current or future coastal hazard in a LEP or DCP, or a study or assessment undertaken by a public authority or a relevant planning authority.</p>	<p>Wales in a manner consistent with the principles of ecologically sustainable development for the social, cultural and economic well-being of the people of the State.</p> <p>The additional uses proposed for the site relate to forms of outdoor recreational pursuits, camping ground and use of an existing building and surrounds for functions. These additional uses would be able to fit unobtrusively within the landscape and be ecologically sustainable. The operation of these tourist related uses would benefit the local economy and benefit the well-being of the people who visit the site and partake in the activities.</p> <p>The NSW Coastline Management Manual provides "information to assist present and potential users and occupiers of the coastline to understand the nature of coastline hazards and the options available for their management." As the site is not subject to immediate coastal processes it is not relevant to the Planning Proposal.</p> <p>The Coastal Design Guidelines relates to design of dwellings and location of new settlements and is not strictly relevant to this Planning Proposal. The following objective is however pertinent to this Planning Proposal:</p> <p>-To protect and enhance the cultural, ecological and visual characteristics of a locality.</p> <p>Due to the size of the subject land (approx. 1000 Ha), the additional permitted uses would be able to be accommodated within the landscape with minimal impact on the cultural, ecological and visual characteristics of the locality.</p> <p>The listing of additional permitted uses in the planning instrument will not have any substantive impact in terms of coastal protection and the proposal is considered to be consistent with this direction.</p>
2.3 Heritage Conservation	
<p>Aims to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>Since 1 October 2019 Calga Aboriginal Cultural Landscape became a State Heritage Item. This area generally applies to Australian Wildlife Walkabout Park and surrounding landscape. Part of this surrounding landscape applies to the eastern part of Lot 108 DP 755221. Future uses permitted in this area of Lot 108 would be low impact activities identified</p>

Direction	Comment
	<p>in a future Conservation Management Plan endorsed by the Heritage Council.</p> <p>The area of Lot 108 affected by the State Heritage Item is zoned E2 and inaccessible from Cooks Road so the proposed additional permitted uses of eco-tourist facilities and recreation facilities (outdoor) are unlikely to occur in this area.</p> <p>There are currently three (3) local environmental heritage items in the Valley:</p> <ul style="list-style-type: none"> - Grave of Owen Maloney - Lot 19 DP 755221 - Remains of stone walling - Lot 37 DP 755221 - House "Glenworth Valley" - Lot 89 DP 755221 <p>These heritage items are identified and protected under the provisions of the Gosford LEP 2014.</p> <p>In relation to aboriginal archaeology, given the setting of the land, with a permanent creek, sandstone ridgelines and exposed rocky outcrops, it could be expected that items may be identified. Future development would need to comply with relevant legislation (National Parks and Wildlife Act, 1974) in relation to archaeological heritage. Given the variability of site characteristics, there is flexibility in the location of works to minimise disturbance and the E2 zone over the valley area is the most appropriate having regard to potential for further archaeological sites. Archaeological values could also be complementary to nature-based recreational activities. Given the size of the subject site (i.e. approx. 1000 Ha) it is unreasonable to undertake a detailed Aboriginal Heritage Study over the whole site when only small areas will in reality be subject to future development applications. A more reasonable approach would be to undertake detailed investigations for the specific locations of future individual development applications.</p>
Hazard & Risk	
4.1 Acid Sulfate Soils	
<p>Aims to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p> <p>Applies when a relevant planning authority prepares a planning proposal that will apply to land having a probability of containing acid sulfate soils.</p>	<p>Land adjacent to Popran Creek is identified on the Acid Sulfate Soils Planning Maps as having a probability of acid sulfate soils. Planning for acid sulphate soils is now incorporated as a general provision in the LEP and will apply to any future development on land affected by acid sulfate soils.</p>

Direction	Comment
4.3 Flood Prone Land	
<p>Aims to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and ensure that the provisions of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.</p> <p>Applies when a relevant planning authority prepares a planning proposal that creates, removes or alters a zone or a provision that affects flood prone land.</p>	<p>The river flats adjacent to Popran Creek are mapped as flood liable. If building works are proposed in proximity to the creek, a specific flood investigation may be required to support future development and there may be issues associated with flood free access and/or isolation as a result of flood waters. The management of the site would respond to adverse weather conditions, including rain events and flooding, and adapt to conditions appropriate at the time.</p> <p>The rezoning is consistent with this Direction.</p>
4.4 Planning for Bushfire Protection	
<p>Aims to protect life, property and the environment from bushfire hazards, and encourage sound management of bushfire prone areas.</p> <p>Applies when a planning proposal affects or is in proximity to land mapped as bushfire prone land.</p>	<p>The land is mapped as Vegetation Categories 1 and 2 as well as Buffer. As the subject site is bushfire prone, it is considered necessary to refer the Planning Proposal to the Rural Fire Service for comment following the receipt of a Gateway determination. Issues that may be of relevance would relate to emergency evacuation procedures, on-site fire refuge, etc that may be more of an operational than planning nature.</p>
Regional Planning	
5.10 Implementation of Regional Plans	
<p>Aims to give legal effect to the vision, land use strategy, policies, outcomes and actions contained within regional strategies.</p> <p>Applies when the relevant planning authority prepares a planning proposal.</p>	<p>The Planning Proposal is considered to be consistent with the directions and actions contained in the Central Coast Regional Plan as indicated in the response to Question 1 above.</p>
Local Plan Making	
6.1 Approval and Referral Requirements	
<p>Aims to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p> <p>A Planning Proposal must minimise the inclusion of provisions that require concurrence, consultation or referral of development applications to a Minister or public authority and not identify development as designated development.</p>	<p>The planning proposal will not increase the need for referrals for development applications.</p>
6.3 Site Specific Provisions	

Direction	Comment
<p>Aims to discourage unnecessarily restrictive site specific planning controls.</p> <p>Applies when the relevant planning authority prepares a planning proposal to allow particular development to be carried out.</p> <p>The Planning Proposal must use an existing zone already applying in an environmental planning instrument and not impose any development standards in addition to those already contained in the environmental planning instrument. The proposal shall not contain or refer to drawings/concept plans that show details of the proposed development.</p>	<p>The Glenworth Valley site is unique in that it is of significant size (approx. 1000 Ha), allowing uses to be dispersed through the site and being located in less constrained areas, is relatively isolated from more urbanised coastal areas and has an existing nature based tourist development operating from the land. Given this and the inappropriateness of other zones (other than those existing) for the overall holding, the addition of uses in Schedule 1 of the relevant LEP is justified.</p> <p>If relevant mapping was updated no additional development standards than currently exist would be applied.</p>

Table 5 – S9.1 Ministerial Direction Assessment



Item No: 3.1

Title: Deferred Item - Draft 2018-19 Financial Reports for Central Coast Council and Central Coast Council Water Supply Authority

Department: Finance

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00035 - D13465167

Author: Mellissa McKee, Financial Controller
Michelle Best, Financial Controller

Manager: Vivienne Louie, Unit Manager, Financial Performance

Executive: Craig Norman, Chief Financial Officer

Due notice is given of this matter in accordance with Council's Code of Meeting Practice.

The report and any relevant attachments will be provided prior to the Council Meeting.



Item No: 3.2
Title: Fraud and Corruption Control Policy
Department: Governance

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00086 - D13701621

Author: James Taylor, Acting Unit Manager, Governance and Business Services

Manager: Shane Sullivan, Unit Manager, Governance and Business Services

Executive: Dr Liz Develin, Director Governance

Report Purpose

At its meeting held 26 August 2019, Council resolved as follows:

776/19 That Council refer the draft policy to the Audit Risk and Improvement Committee for review and comment prior to coming to Council for adoption

The Audit Risk and Improvement Committee considered the draft policy at its meeting held 1 October 2019 and the Committee feedback has been incorporated into the attachment.

The purpose of this report is for Council to consider the adoption of a Fraud and Corruption Control Policy as part of a Fraud and Corruption Control Framework as provided in Attachment 1 to this report.

Recommendation

That Council adopt the Central Coast Council Fraud and Corruption Control Policy as set out in Attachment 1 to this report, noting that it will form part of Council's Fraud and Corruption Control Framework.

Context

At its meeting held 26 August 2019 Council considered a Report titled *Item 4.2 Fraud and Corruption Control Policy*. The contents of that report are not repeated.

As previously resolved, Council's draft Fraud and Corruption Control Policy that is Attachment 1 to this report was provided to Council's Audit Risk and Improvement Committee for review and comment.

At Council's Audit Risk and Improvement Committee meeting on 1 October 2019, the following was resolved:

4.2 Fraud and Corruption Control Policy

3.2 Fraud and Corruption Control Policy (contd)

Resolution

- 1 *That the Audit, Risk and Improvement Committee receive the Fraud and Corruption Control Policy noting it is a very thorough document, however the following to be included:*
 - a *the Internal Ombudsman should be included in the framework.*
 - b *a quick reference guide to be included at the beginning of the document including definitions and examples.*
 - c *Public Interest Disclosures and Complaints to be included.*
 - d *provision of Fraud and Corruption Control Training to be provided for all staff, not just Managers and Team Leaders (including the provision of annual online training).*
 - e *the protection of customers and community members privacy when providing information of suspected fraud or corruption to be further investigated.*
- 2 *That the Committee recommends that the supporting papers to this report be made publicly available, pursuant to Clause 6.4 of the Audit, Risk and Improvement Committee Charter.*

The suggested amendments in above have been incorporated into Council's draft Fraud and Corruption Control Policy that is Attachment 1 to this report as follows:

Item	Changes made
1 a	Internal Ombudsman included in the framework at page nine.
1 b	Definitions and examples have been expanded on pages five and six of the framework. A reference guide will be developed as part of the training collateral.
1 c	Public Interest Disclosures and Complaints included in the framework at page six and throughout the document.
1 d	Provision of Fraud and Corruption Control Training to be provided for all staff in the framework at page 14.
1 e	The protection of customers and community members privacy included in the framework at page 14.

The provision of Council wide Fraud and Corruption Control Training to all staff, not just Managers and Team Leaders (including the provision of annual online training) is also being developed in consultation with Council's *Learning and Development* area. A quick reference guide will also be developed and provided throughout this training.

Consultation

The development of the Fraud and Corruption Control Framework leverages the sessions conducted by the Independent Commission Against Corruption with Councillors on 4 March 2019 and staff on 3 and 30 April 2019.

The draft Fraud and Corruption Control Framework was also reviewed by Council's Audit Risk and Improvement Committee

The Policy and Procedures have been based on the NSW Audit Office Fraud Control Improvement Kit (February 2015). No public consultation is required nor recommended.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G2: Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect.

Attachments

- 1 Fraud and Corruption Control Framework - November 2019 D13701862

Governance Framework

Central Coast Council



Fraud and Corruption Control Framework

Prepared by	Shane Sullivan, Unit Manager Governance and Business Services
ELT Member	Dr Liz Develin, Director Governance
Approved by	Gary Murphy, Chief Executive Officer
Next Review Date	30 November 2022

History of Revisions:

Version	Date	Reason	Council Resolution
1	November 2019	Creation of Document	

COMMUNITY STRATEGIC PLAN

Central Coast Council (Council) has an adopted [Community Strategic Plan](#) that will shape all activities and projects over the next four years.

The Fraud Corruption Control Strategy and Action Plan aligns with the [Community Strategic Plan](#) theme of 'Responsible'.

ONE-CENTRAL COAST
CENTRAL COAST COUNCIL

RESPONSIBLE

WE'RE A RESPONSIBLE COUNCIL AND COMMUNITY, COMMITTED TO BUILDING STRONG RELATIONSHIPS AND DELIVERING A GREAT CUSTOMER EXPERIENCE IN ALL OUR INTERACTIONS. We value transparent and meaningful communication and use community feedback to drive strategic decision making and expenditure, particularly around the delivery of essential infrastructure projects that increase the safety, liveability and sustainability of our region. We're taking a strategic approach to ensure our planning and development processes are sustainable and accessible and are designed to preserve the unique character of the coast.



GOOD GOVERNANCE
AND GREAT
PARTNERSHIPS

OBJECTIVES

- G1** Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice
- G2** Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect
- G3** Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions
- G4** Serve the community by providing great customer experience, value for money and quality services

Fraud and Corruption Control Framework

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A. POLICY

Council's adopted *Fraud and Corruption Control Policy* confirms Council's commitment to the proactive and effective prevention, detection and investigation of fraud and corruption.

This Strategy and Action Plan draws together all of the governance, policy and procedural elements to be applied throughout the organisation to manage the risk of fraud and corruption within and against Council, and details the responsibilities of Councillors, senior management, all staff members and others.

STATEMENT OF COMMITMENT

Council is committed to the implementation of the Fraud and Corruption Control Policy through a risk management approach to the prevention, detection and response to all forms of fraud and corrupt conduct. This incorporates the design and implementation of a range of fraud and corruption prevention, detection and response strategies, and their routine evaluation.

Council has a zero tolerance for fraud or corruption and is committed to minimising the incidence of fraud and corruption. Council will take appropriate action against Council Officers, contractors and elected members who have participated in such behaviour and those who allow it to occur.

The Chief Executive Officer has ultimate responsibility for managing fraud and corruption risks in Council.

SCOPE

This Strategy and Action Plan applies to all Council staff members; Councillors; volunteers; Section 355 Committees; key stakeholders such as suppliers, contractors and consultants; and relevant third parties with regard to functions and operations undertaken for or on behalf of Council.

DEFINITIONS

Corruption means dishonest activity in which a director, executive, manager, employee or contractor of an entity acts contrary to the interests of the entity and abuses his/her position of trust in order to achieve some personal gain or advantage for him or herself or for another person or entity. The concept of 'corruption' within this standard can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity either directly or indirectly. (Australian Standard 2008)

Fraud and Corruption Control Framework

Corrupt Conduct means:

- Conduct of a person (whether or not a public official) that adversely affects, or could affect the honest and impartial exercise of public official functions, or
- Conduct of a public official that involves the dishonest or partial exercise of any of his or her public official functions, or
- A breach of public trust, or
- The misuse of information or material acquired in the course of a public official's functions.

Corrupt conduct can also include the conduct of any person (whether or not a public official) that adversely affects or could affect the exercise of official functions and involves conduct such as bribery, blackmail, fraud, forgery and various other crimes.

For conduct to be corrupt it must be covered by one of the conditions above and also any one of the following:

- A criminal offence, or
- A disciplinary offence, or
- Reasonable grounds for dismissal or dispensing or terminating the services of a public official.

Fraud means a deliberate and premeditated turn of events which involves the use of deception to gain advantage from a position of trust and authority. The type of events include: acts of omission, theft, the making of false statements, evasion, manipulation of information and numerous other acts of deception. (Audit Office of NSW)

Maladministration means conduct that involves action or inaction of a serious nature that is contrary to law; or unreasonable, unjust, oppressive, improperly discriminatory; or based wholly or partly on improper motives ([Public Interest Disclosure Act 1994](#)).

Serious or substantial waste means the uneconomical, inefficient or ineffective use of resources, authorised or unauthorised, which results in a loss/wastage of public funds/resources.

Public Interest Disclosures (PIDs) fall under the [Public Interest Disclosure Act 1994](#), which prescribes how people working within the NSW public sector can make reports/complaints about corrupt conduct, serious maladministration, substantial waste of public money, and failures to comply with legislation such as the *Local Government Act* or *Government Information (Public Access) Act*, in a way that minimises risk of reprisal.

Control (also 'internal control') means an existing process, policy, device, practice or other action that acts to minimise negative risks or enhance positive opportunities.

Fraud and Corruption Risk Assessment means the application of risk management principles and techniques in the assessment of the risk of fraud and corruption within an entity.

Fraud and Corruption Control Framework

Council Official means an individual who carries out public official functions of Council or acts in the capacity of a public official, For Central Coast Council this includes the Mayor, Councillors, employees, members of Council committees and delegates of Council.

REVIEW

This document is to be reviewed every three (3) years to ensure that it remains relevant and meets legislative requirements.

RELATED RESOURCES

Legislation

- [Local Government Act 1993 \(NSW\)](#)
- [Local Government \(General\) Regulation 2005](#)
- [Environmental Planning and Assessment Act 1979](#)
- [Independent Commission against Corruption Act 1988 \(NSW\)](#)
- [Public Interest Disclosures Act 1994 \(NSW\)](#)
- [Crimes Act 1900 \(NSW\)](#)
- Audit Office of NSW Fraud Control Improvement Kit 2015

This Strategy and Action Plan aligns with the following 'Best Practice' guidelines:

- AS8000-2003 - Corporate Governance Standards Set, including AS 8001-2008 - Fraud and Corruption Control.
- AS/NZS ISO 31000:2009 - Risk Management.
- NSW Audit Office Fraud Control Improvement Kit (2015). Specifically the ten (10) fraud control attributes developed by the Audit Office of NSW as below and detailed at Annexure A.

Council Documents

- [Code of Conduct](#) and associated documents
- Fraud and Corruption Control Policy
- Public Interest Disclosures (Internal Reporting) Policy

RESPONSIBILITY STRUCTURE

Council has clearly defined responsibilities for implementing and monitoring actions associated with fraud and corruption control across Council and in relation to this Strategy and Action Plan. These responsibilities will be clearly communicated to Councillors, staff, management and relevant Council Committees and will be detailed in position descriptions and committee charters so that there is a common understanding of fraud and corruption control responsibilities and expectations.

Fraud and Corruption Control Framework

All Staff

All Council staff are responsible to:

- Prevent and mitigate fraud, corruption, maladministration and waste within their area of operation and responsibility by, at a minimum, implementing and abiding by relevant internal controls and adhering to the Policy, and this Strategy and Action Plan.
- Operate systems of internal control to prevent and detect fraud or corruption in accordance with instructions and established procedures.
- Report all instances of suspected or attempted fraudulent or corrupt conduct in accordance with Council's internal reporting procedures.
- Protect colleagues who have made reports of fraud or corruption from detrimental action. (See *Public Interest Disclosures Policy*).
- Have regard to fraud and corruption related risks when undertaking risk assessments in relation to Council's daily functions and operations, when specific projects or events are planned, or when changes to Council's systems, processes or functions occur.
- Provide co-operation and assistance to investigators or officials investigating suspected or reported fraud or corruption.
- Undertake any responsibilities allocated to them in other relevant Council policies.

Managers

In addition to their responsibilities as Council staff members, Managers will:

- Assess the risks of fraud and corruption and the effectiveness of internal controls in place to mitigate such risks within their areas of operation and responsibility.
- Implement recommendations arising from fraud and corruption detection systems and internal audits.
- Monitor their workplaces to identify and address situations that are likely to raise ethical dilemmas or place staff in compromising situations (ie. by establishing good procedural guidance for decision-making, including the exercise of discretion).
- Be available and support staff that require guidance on ethical dilemmas.
- Foster a work environment free of harassment, discrimination, victimisation, corruption, fraud, maladministration and waste.
- Ensure that staff are aware of the principles contained in Council's [Code of Conduct](#) and the established systems and procedures for addressing ethical problems.
- Support and protect staff who report, in good faith, instances of potentially unethical, fraudulent or corrupt practices.
- Ensure that staff are treated fairly, equitably and in accordance with legislation and policy (eg. access to training and other development possibilities).
- Ensure that contractors, consultants, suppliers, and the like, engaged within their area of operation are aware of and have an understanding of Council's Fraud and Corruption Control Policy and Strategy and Action Plan and related Council policies and procedures and that these documents are readily available to them.

Fraud and Corruption Control Framework

Leadership Group (ELT and Unit Managers)

In addition to their responsibilities as Council staff members, the Leadership Group are responsible for actively fostering an ethical culture and supporting and promoting the objectives of this Strategy and Action Plan throughout the organisation by:

- Setting an example of observable adherence to Council's [Code of Conduct](#), Fraud and Corruption Control Strategy and Action Plan and related Council policies and procedures.
- Supporting and promoting ongoing identification, analysis, mitigation and review of fraud and corruption risks and internal controls.
- Setting an example of internal control adherence in relation to identified fraud and corruption risks.
- Implementing recommendations arising from fraud and corruption detection systems and internal audits.
- Supporting fraud and corruption awareness programs for Councillors and staff.
- Supporting the continued operation of Council's Audit, Risk and Improvement Committee (ARIC) in the pursuit of successful enterprise risk management.
- Fostering a work environment free of harassment, discrimination, victimisation, corruption, fraud, maladministration and waste.
- Undertaking internal reporting responsibilities in accordance with Council's *Internal Reporting (under [Public Interest Disclosures Act 1994](#)) Policy* and notify the Unit Manager Governance and Business Services of all fraud and corruption matters reported via the various channels.

Internal Ombudsman

In addition to their responsibilities as Council staff members, Council's Internal Ombudsman is Council's nominated Disclosures Co-ordinator and is responsible for:

- Implementing Council's Fraud and Corruption Control Policy, and Strategy and Action Plan.
- Promoting ethical behaviour and awareness that fraud and corruption will not be tolerated.
- Providing reports to the Chief Executive Officer of suspected fraud and corrupt conduct, maladministration and serious and substantial wastage; and receive allegations of reprisal action, in accordance with *Council's Internal Reporting (under [Public Interest Disclosures Act 1994](#)) Policy*.
- Ensuring that all reports of suspected fraud or corruption, maladministration, serious and substantial wastage are referred to the ICAC as required. *Refer section 11 ICAC Act*
- Keeping the Chief Executive Officer informed in line with ICAC directions about confidentiality.
- Making decisions about reporting criminal matters to the New South Wales Police Force.
- Providing to the Chief Executive Officer summary information about investigations undertaken into suspected fraud and corruption.

Fraud and Corruption Control Framework

- Ensuring that Council's Fraud and Corruption Control Strategy and Action Plan and related policies and procedures are adequate, and that regular reviews and checks are undertaken to detect irregularities.
- Making recommendations to the to the Chief Executive Officer regarding restitution and criminal charges in all cases of fraud and corruption.
Making recommendations to the to the Chief Executive Officer as to what disciplinary action is appropriate for employees involved in fraud and corruption.

Chief Executive Officer

In addition to responsibilities as a Council staff member, the Chief Executive Officer is responsible to:

- Implement Council's Fraud and Corruption Control Policy, and Strategy and Action Plan.
- Promote ethical behaviour and awareness that fraud and corruption will not be tolerated.
- Receive reports of suspected fraud and corrupt conduct, maladministration and serious and substantial wastage; and receive allegations of reprisal action, in accordance with *Council's Internal Reporting (under [Public Interest Disclosures Act 1994](#)) Policy*.
- Ensure that all reports of suspected fraud or corruption, maladministration, serious and substantial wastage are referred to the ICAC as required. *Refer section 11 ICAC Act*
- Keep the Council informed in line with ICAC directions about confidentiality.
- Make decisions about reporting criminal matters to the New South Wales Police Force.
- Receive summary information about investigations undertaken into suspected fraud and corruption.
- Ensure that Council's Fraud and Corruption Control Strategy and Action Plan and related policies and procedures are adequate and that regular reviews and checks are undertaken to detect irregularities. The ARIC may assist in this process.
- Make decisions regarding restitution and criminal charges in all cases of fraud and corruption.
- Decide what disciplinary action is appropriate for employees involved in fraud and corruption.

Council

The Council is responsible for:

- Implementing and promoting Council's overall approach to fraud and corruption control.
- Assessing and dealing with issues related to fraud and corruption control as the need arises.
- Deciding what disciplinary action is appropriate for Councillors involved in fraud and corruption in cases where it is not decided by the Director General of Local Government.

Fraud and Corruption Control Framework

Governance and Business Services Unit

In addition to their responsibilities as Council staff members, Council's Governance and Business Services Unit is responsible for:

- Developing, implementing and reviewing fraud and corruption related Council policies, procedures and training proposals, including this Strategy and Action Plan .
- Maintaining a register of all reported actual or suspected fraudulent or corrupt activities and investigations and periodically reporting the register to Council's Audit, Risk and Improvement Committee.
- Liaising with internal and external investigators.
- Ensuring a high quality of fraud and corruption investigation procedures and reports.
- Undertaking internal reporting responsibilities in accordance with Council's *Internal Reporting (under [Public Interest Disclosures Act 1994](#)) Policy*.

Audit, Risk and Improvement Committee (ARIC)

ARIC is responsible for:

- Overseeing Council's fraud and corruption control program;
- Approving reviews of the Fraud and Corruption Control Strategy and Action Plan;
- Reviewing and approving Council's enterprise-wide Fraud and Corruption Risk Assessment.
- Recommending Fraud and Corruption Control Health Checks and Improvement Workshops at least once every two years; and
- Other relevant responsibilities in accordance with the Audit Committee Charter.

Internal Auditor

Council recognises that internal audit is an effective part of the overall control environment. Whilst undertaking audits within Council the Internal Auditor is responsible for:

- Examining and evaluating the effectiveness of internal controls;
- Making recommendations to Council management to further enhance internal control design and effectiveness; and
- Making notifications of actual or suspected instances of fraud and corruption in accordance with relevant reporting procedures.

B. STRATEGY

OBJECTIVES

The objectives of this Strategy and Action Plan are to:

- Eliminate or reduce opportunities for fraudulent or corrupt activities within or against Council.
- Promote an organisational environment that encourages professionalism, integrity and ethical conduct.
- Uphold a commitment to accountable and transparent decision making.

Fraud and Corruption Control Framework

- Ensure that the identification and management of fraud and corruption risks are undertaken in line with the documented principles and procedures
- Support the identification and implementation of appropriate internal controls, including procedures and policies, which support the prevention and detection of fraudulent or corrupt activities.
- Support the implementation and maintenance of effective reporting disclosure systems and investigation and disciplinary procedures for suspected or actual fraudulent or corrupt behaviour.
- Clearly define the responsibilities of Councillors, senior management, all staff and Committees of Council in relation to the prevention, detection, reporting and investigation of fraud and corruption.
- Provide Councillors, senior management and all staff with the necessary tools and understanding to meet their responsibilities in this regard.

PRINCIPLES OF THE STRATEGY AND ACTION PLAN

The principals of the Strategy and Action Plan are::

1. Prevention
2. Detection
3. Response

These principals are further guided by the ten attributes as detailed in the Audit Office of NSW Fraud Control Improvement Kit (February 2015), Managing your fraud control obligations.

1. Leadership
2. Ethical Strategy and Plan
3. Responsibility Structures
4. Fraud Control Policy
5. Prevention Systems
6. Fraud Awareness
7. Third Party Management Systems
8. Notification Systems
9. Detection Systems
10. Investigation Systems



1. PREVENTION

Fraud and Corruption Control Framework

This section of the document details the strategies that are in place to identify and prevent fraud and corruption risks within or against Council.

Fraud and Corruption Control Policy

Council's adopted *Fraud and Corruption Control Policy* reinforces Council's commitment to fraud and corruption prevention by providing guidance regarding Council's actions and expectations in relation to fraud and corruption. The Policy also confirms that fraud and corruption prevention is the responsibility of Councillors, Senior Management and every employee of Council.

Responsibility Structure

The organisational responsibilities for implementing and managing Council's Fraud and Corruption Control Strategy and Action Plan; and Councillor, staff and senior management responsibilities in relation to the prevention, detection and investigation of fraud and corruption; are clearly defined earlier in this document.

In addition, Council's *Public Interest Disclosures Policy* (under [Public Interest Disclosures Act 1994](#)) identifies the responsibilities of staff and Councillors, and provides procedures for reporting and handling of Public Interest Disclosures.

Fraud and corruption control responsibilities will be communicated to all levels of the organisation to ensure that there is a common understanding of fraud and corruption responsibilities and expectations.

Fraud and Corruption Risk Assessment

Council will undertake high level Fraud and Corruption Risk Assessment workshops in relation to the various functions and operations of Council. These workshops will:

- Identify specific fraud and corruption risks;
- Rate the likelihood and consequence of each fraud and corruption risk with and without existing controls;
- Review the adequacy of existing internal controls; and
- Develop action plans to treat the identified risks.

Council's identified fraud and corruption risks, internal controls and proposed risk treatment action plans will be documented and recorded in Council's Risk Register.

Council will continue to assess fraud and corruption risks periodically as part of Council's enterprise wide approach to risk management. Furthermore, as resources and budget permits, Council will identify high fraud and corruption risk areas and activities and conduct a more detailed risk assessment involving key staff in each section.

A review of Council's Risk Register will be undertaken on an annual basis for identification of fraud and corruption risks to ensure that additional fraud and corruption risks are identified as they emerge and that Council's operations and functions, particularly those with a high predisposition to fraud and corruption, are subject to ongoing and effective internal controls.

Fraud and Corruption Control Framework

Council recognises that internal audit complements internal assessment of fraud and corruption related risks and controls and therefore independent identification and assessment of Council's fraud and corruption risks will be arranged with Council's Internal Auditor and Audit, Risk and Improvement Committee as warranted.

Councillor and Employee Awareness

Council will make the following clear to all staff, Councillors, volunteers and contractors:

- The ethical behaviours expected of them in the workplace; and
- That the organisation will not tolerate corruption, including fraudulent dealings, and that people are encouraged to provide information if they suspect corruption is occurring.

Council has the following processes in place to ensure awareness of Council's position in respect to fraud and corruption:

- Induction training that includes elements of fraud and corruption.
- Provision of Fraud and Corruption Control Training for all staff.
- Provision of [Code of Conduct](#) training to ensure an understanding of the ethical behaviour expected in the workplace and the types of activities that may constitute fraudulent or corrupt behaviour and Council's response to this type of activity.
- Public Interest Disclosure Training for staff.
- Making Council's Fraud and Corruption Control Strategy and Action Plan and related policies and procedures readily available.
- Active use of Council's Gifts and Benefits Register and Political Donations and Gifts Disclosure Register in Councils Electronic Document Management System (EDMS).

Customer and Community Awareness

Council will communicate the following to key stakeholders, including customers and members of the general and business community, to ensure confidence in the integrity of the organisation:

- That Council will not tolerate fraudulent and corruption behaviour and perpetrators will be prosecuted;
- That key stakeholders are encouraged to provide information if they suspect fraud or corruption is occurring and that there are channels available for them to do so; and
- That customers and community members' privacy, when providing information of suspected fraud or corruption to be further investigated, will be protected and treated as confidential information.

Council will communicate the above principles through the following mediums.

Statement of Business Ethics

Council's Statement of Business Ethics outlines expected behaviour, key code of conduct principles, Council expectations, conflict of interest protocols, gifts and benefits protocols and how to report corruption, maladministration and wastage.

Fraud and Corruption Control Framework

Council's Statement of Business Ethics is available on Council's website and incorporated into and referred to in tender invitations and/or contract documentation.

Political Donations

Council's Development Application submission forms require residents / developers to complete a Political Donation Statement.

Council's website includes information with respect to obligations in relation to the disclosure of political donations.

Policy Register

Council's website includes a Policy Register of all key Council policies.

Other

Declarations in general terms and conditions of business dealings with external parties. Council may undertake surveys to gauge community perception of integrity, fraud and corruption at Council as time and resources permit.

2. DETECTION

This section of the Strategy and Action Plan deals with Council's approach to the early detection of fraudulent and corrupt behaviour within or against the organisation.

It is noted that Council's Fraud and Corruption Risk Assessment and Responsibility Structure detailed earlier in the document also support this part of Council's Strategy and Action Plan.

Detection Systems

Council recognises the importance of early warning systems to alert possible fraud and corruption and that the implementation and maintenance of a rigorous system of internal controls is the first line of defence against fraud and corruption within and against Council.

Council therefore requires all organisational activities to be designed with an awareness of the fraud and corruption risks that may arise and management controls to be put in place to reduce the risk to an acceptable level.

Council has identified a number of existing internal controls relevant to the fraud and corruption risks faced by Council. These controls are documented in Council's Risk Register and include:

- Review by a senior officer.
- Segregation of duties.
- Authorisation / approval by a senior person.
- Sign-off.

Fraud and Corruption Control Framework

- Supervisor checks.
- Visual inspections.
- Audit trails.
- Audits.
- Reconciliations.

Council will review its internal controls in conjunction with its fraud and corruption risk assessment review on at least an annual basis in consultation with relevant Council staff to ensure that internal controls remain in place and effective and that additional internal controls are identified and recorded.

Notification Systems (Reporting Suspected Fraud and Corruption)

Council recognises that ignoring fraud or corruption is tantamount to endorsement of the activity. As such Council will create and foster an organisational culture and environment:

- That supports reporting of suspect actions and behaviour.
- Where staff, volunteers and contractors feel comfortable reporting matters; and
- That promotes confidence in the fact that Council will address complaints genuinely and protect anyone who reports such an activity from reprisal.

The following policies, procedures, documents and systems establish and facilitate the notification of suspected or actual fraudulent and corrupt behaviour to Council.

Internal Reporting (under Public Interest Disclosures Act 1994) Policy

Council's adopted Public Interest Disclosures Policy (under [Public Interests Disclosures Act 1994](#)) complements normal communication channels between Council supervisors and staff members by providing the following:

- Appropriate avenues for reporting fraudulent and corrupt conduct internally and detailing options available for reports to be made to external authorities;
- An assurance that any person who makes disclosures receives protection from reprisals; and
- Confirming Council's commitment to appropriately investigating matters raised in public interest disclosures.

Council's Policy also details the responsibilities of Council's nominated Disclosure Co-ordinator, Disclosure Officers, Chief Executive Officer and Mayor in relation to Council's Internal Notification and Reporting Systems.

Statement of Business Ethics

Council's Statement of Business Ethics is required to be written into the contracts of third parties dealing with Council, and those who may be seen by the public as representing Council, such as suppliers, consultants and contractors.

The statements makes third parties aware that they, and their employees, must adhere to Council's ethical standards; report any suspected or alleged fraud or corruption involving the

Fraud and Corruption Control Framework

Council to the Chief Executive Officer; and that breaches of the Statement may result in penalties being imposed and possible cancellation of their contract.

Code of Conduct

Council's [Code of Conduct](#) establishes the standard of ethical behaviour expected of all Council staff and Councillors and therefore supports the objectives of this Strategy and Action Plan.

[Code of Conduct](#) training is provided to Councillors and all staff upon induction and periodically throughout their term of employment to ensure awareness in this regard.

It is noted that in some cases a breach of Council's [Code of Conduct](#) may constitute fraudulent or corrupt behaviour. Such breaches will be investigated in accordance with relevant sections of this Strategy and Action Plan and any relevant Human Resources policies and procedures. Where deemed necessary, Council will take the appropriate disciplinary action.

Complaints Management

Council's Complaints Handling Policy sets out Council's approach and procedures for receiving and effectively and positively handling complaints from any person, group or organisation (or their representative) that uses Council's services or is impacted by Council's decisions, actions or lack of actions.

The Policy also details the avenues available for the lodgement of complaints to Council and reinforces that complainants will not be subject to disadvantage or victimisation.

Grievance Handling Procedure

Council's Grievance Handling Procedure provides avenues for Council staff to report grievances and the manner in which such reports will be managed by Council.

The Procedure reinforces that Council will apply equity and confidentiality in dispute resolution processes and work towards expediting a return to productive and harmonious workplace relations for all involved.

External Notification Systems

Council recognises that it has a legal obligation to:

- Report fraudulent conduct to the police;
- Report suspected corruption to the Independent Commission against Corruption (ICAC); and
- Notify other external authorities as appropriate.

The following policies and procedures detail Council's approach to notifying external authorities. Other external bodies may also be relevant in particular situations (eg. ATO) and will be notified where necessary.

Fraud and Corruption Control Framework

Internal Reporting (under Public Interests Disclosures Act 1994) Policy

Council's adopted Public Interest Disclosures Policy (under [Public Interests Disclosures Act 1994](#)) details the procedures for external reporting to the Independent Commission Against Corruption (ICAC), NSW Ombudsman and Office of Local Government. It also defines the responsibilities of Council's nominated Disclosure Co-ordinator, Disclosure Officers, Chief Executive Officer and Mayor in relation to external notification systems and associated procedures.

Independent Commission Against Corruption (ICAC)

Under section 11 of the [Independent Commission Against Corruption Act 1988](#), the principal officer of a public authority has a duty to report to the Commission any matter that the officer suspects on reasonable grounds concerns, or may concern, corruption.

The principal officer is defined as the person who is the head of the authority, its most senior officer or the person normally entitled to preside at its meetings. The Council's principal officer is the Chief Executive Officer.

When another person acts as the Chief Executive Officer during periods of leave or other absence, the duty applies to that person who is acting.

The reference to suspects on reasonable grounds, according to ICAC means that there is a real possibility that corrupt conduct may be involved. Proof is not necessary.

The ICAC encourage organisations to contact the Commission to discuss particular matters if they are unsure about whether or not to report, and to seek clarification about other issues related to reporting.

Section 11 applies despite any duty of secrecy or other restriction on disclosure.

The requirement to report suspected corruption to ICAC does not affect the obligations to report or refer matters to other bodies, such as the Police, the Ombudsman, or to carry out disciplinary procedures as required.

The Independent Commission Against Corruption (ICAC) has stated that reporting criminal matters to the Commission should not delay the matter being reported to the Police.

ICAC has advised that the following items should be included in reports:

- details of the allegations
- the name and position of any public official/s alleged to be involved
- the name and role of any other people relevant to the matter
- when the alleged conduct occurred
- whether the alleged conduct appears to be a one-off event or part of a wider pattern or scheme
- when the allegation was made or you became aware of the alleged conduct
- what your organisation has done about the suspected conduct, including notification to any other agency

Fraud and Corruption Control Framework

- what further action is proposed
- an indication of the estimated amount of money (if any) involved
- any other indicators of seriousness
- any other relevant information

The Commission may use the matters reported to ICAC in the following ways:

- all information is assessed in terms of the contribution it may make to the work of the Commission;
- a small number of reports are selected for full investigation by ICAC;
- reports may form the basis of corruption prevention advice and project work;
- reports may be referred to more appropriate investigative authorities.

Police

Where the Chief Executive Officer reasonably believes that a Council employee, Councillor or related party has committed a criminal offence, the matter will be referred to the police.

According to Section 316 of the [Crimes Act 1900](#), concealing a serious offence is a criminal offence:

If a person has committed a serious offence and another person who knows or believes that the offence has been committed and that he or she has information which might be of material assistance in securing the apprehension of the offender or the prosecution or conviction of the offender for it fails without reasonable excuse to bring that information to the attention of a member of the Police Force or other appropriate authority, that other person is liable to imprisonment for 2 years.

Where any other Council employee or Councillor suspects on reasonable grounds that a crime has been committed, this will be reported in accordance with Council's adopted Public Interest Disclosures Policy (under [Public Interests Disclosures Act 1994](#)).

3. RESPONSE

Council will deal fairly with all parties in the course of investigating allegations of fraud or corruption, however if fraud or corruption is proven Council will apply the appropriate sanctions.

Guiding Principles

The overall guiding principles of any investigation into alleged improper conduct will be independence, impartiality and objectivity; however it is noted that matters referred to the Independent Commission Against Corruption (ICAC) or NSW Police may lead to criminal proceedings.

Council's investigation standards are clearly documented in various Council policies and procedures, including Council's *Fraud and Corruption Control Policy*, [Code of Conduct](#), *Public Interest Disclosures Policy (under [Public Interests Disclosures Act 1994](#))* and *Workplace Investigations Policy and Procedure*.

Investigation Systems

Internal Investigations Procedures

The investigation procedure undertaken by Council will ensure fairness and consistency in accordance with the rules of natural justice and with respect for the civil rights of staff members and citizens.

All Councillors, staff members and stakeholders are expected to fully co-operate in relation to such investigations.

Responsibilities

Internal investigations into potential fraud and corruption related activities will be undertaken by Council's suitably authorised and trained staff in accordance with Council's *Public Interest Disclosures Policy (under [Public Interests Disclosures Act 1994](#))* and investigation procedures detailed in *AS8001-2008 Fraud and Corruption Control* and ICAC's "*Guide to Conducting Internal Investigations*".

It is noted that when potential internal investigators have conflicts of interest, an external consultant will be engaged to assist with the conduct of the investigation. All persons engaged will be appropriately qualified by reason of formal qualifications and relevant experience.

Record Keeping and Information Protection

Council recognises that the manner in which evidence is collected and stored in relation to any fraud or corruption investigation will have a critical impact on its value as evidence in any later inquiries or court proceedings.

Fraud and Corruption Control Framework

Council officers involved in internal investigations will keep records in accordance with Council's record keeping policies and procedures, the [State Records Act 1998 \(NSW\)](#) and the following procedure:

1. Investigation files and reports should be kept securely locked when not in use. They should not be left unattended on desks even for short periods.
2. Evidence collected will be stored and labelled systematically, and kept confidential. Additionally original documents will not be altered or annotated in any way.
3. Access to files and reports should only be given to people for official purposes and on a needs basis.
4. People to whom access is given must observe the same security procedures. This should be explained to them.
5. The name of the person suspected of the conduct should not be mentioned on the cover of any files.
6. The name of the person who reported the suspected conduct should not be mentioned on the cover of any file.
7. No information from the investigation report is to be attached to any employee's personnel file.
8. The Disclosure Co-ordinator is responsible for maintaining a record (Investigation Register) of any investigation conducted as a result of suspected instances of fraud and corrupt conduct being reported.
9. The Disclosure Co-ordinator is responsible for all investigation files dealing with suspected fraud, corruption, maladministration and wastage.
10. All investigation files and related records will be retained and destroyed by Council in accordance with the [State Records Act 1998 \(NSW\)](#) and related Council record keeping policies and procedures.

Investigation Register

Council's Disclosure Co-ordinator will maintain a register of all investigations conducted as a result of suspected or actual instances of fraud and corruption being reported.

The Investigation Register will include the following information in relation to every reported fraud and corruption incident:

- Date and time of report.
- Date and time that incident was detected.
- How the incident came to the attention of management (e.g. anonymous report, normal report, supplier report).
- The nature of the incident.
- Value of loss (if any) to the entity.
- The action taken following discovery of the incident.

Each case will stay on the schedule and not be reported until all action is finalised. Once all action for a case is finalised, including all managerial action, it will be reported as finalised.

All investigation action, including any managerial disciplinary action, if applicable, is expected to be completed within 3 months of the allegation being received.

Fraud and Corruption Control Framework

All preventative action, if any, required by management as recommended and agreed with the investigator, is to be implemented within 3 months of the investigation being completed.

The Disclosure Co-ordinator is responsible for analysing and undertaking trend analysis of information contained on the register/database, e.g. by location, by investigation type.

Investigation Results

Details of investigations will be communicated to the Chief Executive Officer by the Disclosures Co-ordinator as per Council's *Public Interest Disclosures Policy (under [Public Interests Disclosures Act 1994](#))* and by use of Council's Management Investigation Report.

The Chief Executive Officer will have access to:

- Council's Risk Register
- Council's Management Investigation Report

The Chief Executive Officer will take relevant fraud and corruption information into account when reviewing Council's Fraud and Corruption Control Strategy and Action Plan

Conduct and Disciplinary Systems

Fraud and corruption will not be tolerated by Council and perpetrators will face disciplinary action and will be prosecuted if necessary.

Where crimes have been committed Council will report the matters to the police and where appropriate criminal prosecution will be undertaken. Civil and administrative action may also be instituted to recover any losses to Council.

To support a sound conduct and disciplinary system, Council's related policies and procedures will ensure that staff members and Councillors understand that:

- Fraud is a crime and will not be tolerated;
- The rules and requirements, values and behaviour expected of them; and
- Those committing fraud or corruption will be prosecuted.

Disciplinary Standards

In all cases of fraud and corruption, consideration will be given to restitution and criminal charges. The Chief Executive Officer is responsible for making the decision about these matters.

The Chief Executive Officer will be responsible for deciding what disciplinary action is appropriate for staff members involved in fraud and corruption.

The Council and/or the Director General of Local Government is responsible for deciding what disciplinary action is appropriate for Councillors involved in fraud and corruption.

Fraud and Corruption Control Framework

Council's Public Interest Disclose Policy (under [Public Interests Disclosures Act 1994](#)) details Council's approach to the notification of instances of fraud and corruption to external authorities.

IMPLEMENTATION

The successful implementation and the achievement of Council's Fraud and Corruption Control Strategy and Action Plan objectives relies heavily on the provision of effective staff and Councillor education and training.

Any person employed by Council and Councillors will be required to undertake training in relation to Council's Fraud and Corruption Control Strategy and Action Plan, [Code of Conduct](#); Public Interest Disclosures Policy (under [Public Interest Disclosures Act 1994](#)) and Complaints Handling Policy.

A copy of these documents will be provided to staff at that time.

Fraud and corruption investigation training will also be provided to relevant Council staff as appropriate.

Council undertakes regular culture surveys and it should be noted that if Council's observable ethical culture falls below acceptable levels, remedial action, including a broad-based communication and training program, will be undertaken as a matter of priority.

Council's Fraud and Corruption Control Strategy and Action Plan, along with related Council policies and procedures, will be made readily available including at induction to Council staff, Councillors and stakeholders. Such availability will ensure a continued awareness and understanding of what constitutes fraudulent and corrupt conduct, reinforce Council's approach should such behaviour be suspected or substantiated, and ensure the continued promotion of ethical and professional conduct throughout the organisation.

Council will develop and maintain an Implementation Action Plan to ensure the appropriate implementation of the Policy and this Strategy.

MONITOR AND REVIEW

Monitoring and reviewing Council's Fraud and Corruption Control Strategy and Action Plan and associated procedures and systems will ensure effective ongoing implementation and improvement of all aspects of the Strategy and Action Plan across the organisation, and in particular will:

- Identify specific work areas where implementation of some elements of the Strategy and Action Plan may need modification or improvement;
- Identify elements of this Strategy and Action Plan that may need attention across the entire organisation;
- Develop a targeted plan for improving implementation of this Strategy and Action Plan;

Fraud and Corruption Control Framework

- Monitor the ongoing extent of the implementation of the Strategy and Action Plan across all areas within Council;
- Identify resourcing requirements and, in particular, ensuring that the anti-fraud and anti-corruption human resources are appropriately senior and skilled for the role and that they have a sufficient allocation of time to discharge their responsibilities; and
- Ensure Council meets its legislative obligations.

STRATEGY AND ACTION PLAN REVIEW

Council's Fraud and Corruption Control Strategy and Action Plan will be reviewed at minimum of once every two years by Council's Manager Governance and Business Services to ensure it remains current and effective. During such reviews, regard will be given to the results of Council's fraud and corruption "Health Checks" and "Improvement Workshops".

HEALTH CHECKS AND IMPROVEMENT WORKSHOPS

Council will undertake fraud and corruption "Health Checks" at least once every 2 to 3 years in all work areas across the organisation, in line with the requirements of the Audit Office of NSW, Better Practice Guide "Fraud Control Improvement Kit". A Health Check may also be undertaken more regularly as deemed necessary by the Audit, Risk and Improvement Committee, particularly in areas that present a higher level of fraud and corruption related risks.

The results of the Health Check will be considered by Council's Audit, Risk and Improvement Committee and the results will assist in the identification of the areas of Council that require a fraud and corruption control "Improvement Workshop" to be undertaken. Such workshops will be undertaken in line with the requirements of the Audit Office of NSW, Better Practice Guide "Fraud Control Improvement Kit".

FRAUD AND CORRUPTION RISK ASSESSMENTS

Council's enterprise wide fraud and corruption risk assessment will be reviewed on an annual basis by ELT and reported to Council's Audit, Risk and Improvement Committee, in order to ensure:

- Additional fraud and corruption related risks are identified and managed appropriately; and
- Ensure the ongoing effectiveness of fraud and corruption prevention and detection related controls utilised throughout the organisation.
- The ongoing awareness and commitment of ELT to fraud and corruption control throughout the organisation.

It is recommended that within their area of operations and responsibility, Unit Managers continually monitor their fraud and corruption related risks to ensure that appropriate measures are being implemented to reduce those risks and that any amendments are reflected within Council's Risk Register.

CODE OF CONDUCT

The Code is required to be revised on a regular basis to ensure that it remains relevant, comprehensive and continues to meet the standards of the [Model Code of Conduct](#) issued by the Office of Local Government.

C. ACTION PLAN

The Action plan will be provided separately. It is aligned to the NSW Audit Office Fraud Control and Corruption Framework. Actions are cross referenced to the NSW Audit Office checklist. Actions are assigned to a responsible position or positions for implementation.

Fraud and Corruption Control Framework

ANNEXURE A - TOP 10 ATTRIBUTES OF FRAUD

The "critical factors for success" (top 10 attributes) suggested under the "Fraud Control Improvement Kit (February 2015): Managing Your Fraud Control Obligations" developed by the Audit Office of NSW, that underpin Council's Fraud and Corruption Control Strategy and Plan are outlined below.

PREVENTION		
Attribute No.		Aim of Attribute is to ensure that:
1.	Leadership	<ul style="list-style-type: none"> ▪ Senior Management commitment is demonstrated through behaviour and allocation of resources.
2.	Ethical Strategy and Plan	<ul style="list-style-type: none"> ▪ A suite of Policies and procedures have been developed to establish a standard of behaviour ▪ A strong governance Strategy and Action Plan has been developed and is entrenched in ethical and transparent decision making
3.	Responsibility Structure	<ul style="list-style-type: none"> ▪ There is a clear accountability and responsibility for implementation and monitoring of the Fraud and Corruption Control Strategy and Action Plan; ▪ This accountability is well known by all staff at all levels and in all sections of the organisation; ▪ There is a common understanding that everyone in the organisation has a role to play in effective fraud management.
4.	Fraud and Corruption Control Policy	<ul style="list-style-type: none"> ▪ Council has in place the necessary policies, systems and procedures to minimise fraud and corruption in all sections, and at all levels of an organisation; ▪ Policies, systems and procedures respond, and are proportionate, to the fraud risks faced by Council.
5.	Prevention Systems	<ul style="list-style-type: none"> ▪ Proactive and integrated fraud risk assessments are conducted and reviewed in a timely manner ▪ High Risk areas are an organisational focus ▪ There is a commitment to planning, accountability and reporting
6.	Fraud Awareness (Employees, Councillors and the Community)	<ul style="list-style-type: none"> ▪ All employees understand the ethical behaviours required of them in the workplace; ▪ Training programs in ethical behaviours are in place across the organisation; ▪ Training deals with the fraud risks faced by individuals in their workplaces. ▪ Employees understand that fraud will not be tolerated and that perpetrators will face disciplinary action; ▪ Employees have access to written information to assist them understand their ethical obligations; ▪ Approaches will be developed that are consistent with both perceived risks and the organisation's approach to human resources management.
7.	Third Party Management Systems	<ul style="list-style-type: none"> ▪ Effective third party controls are in place particularly in the area of procurement and engaging contractors ▪ A secondary employment policy is implemented and communicated to third parties ▪ A statement of business ethics sets expectations and mutual obligations

Fraud and Corruption Control Framework

DETECTION		
Attribute No.		Aim of Attribute is to ensure that:
8.	Notification Systems	<ul style="list-style-type: none"> ▪ There is a culture within the organisation that supports and encourages reporting of actual and suspected fraud and corruption ▪ Reporting under section 11 of the ICAC Act is undertaken ▪ Policies, systems and procedures are in place to encourage the reporting of suspect behaviours; ▪ Council has policies which clearly identify the nature of suspect actions which require reporting to the Police, the ICAC, the Ombudsman, etc; ▪ External notification takes place as required in light of the above legal and policy requirements. ▪ Fraud notification systems give the complainant the opportunity to report the suspect behaviours anonymously; ▪ "Whistle-blowers" are protected by the organisation Policies, systems and procedures and give equal opportunities to managers, staff, contractors, consultants, customers, suppliers etc. to notify the organisation of suspect behaviours.
9.	Detection Systems	<ul style="list-style-type: none"> ▪ Available data is thoroughly monitored and reviewed to ensure that irregularities and warning signals are picked up at a very early stage and flagged for further detailed review; ▪ Internal audits regularly examine samples of medium and high risk financial decision making across the organisation; ▪ The AC make decisions and recommendations, based on risk, about key systems and decisions to be audited; ▪ Outcomes of audits are reported to executive management on a quarterly basis. ▪ A separate fraud risk assessment is undertaken by the organisation; ▪ The fraud risk assessment quantifies the level, nature and form of the risks to be managed; ▪ Actions will be taken by the organisation to mitigate the risks identified in the fraud risk assessment.
RESPONSE		
Attribute No.		Aim of Attribute is to ensure that:
10.	Investigation Systems	<ul style="list-style-type: none"> ▪ Procedures and other appropriate support (including training, where required) is provided to staff undertaking investigation activity on behalf of the organisation; ▪ Investigation actions undertaken should be consistent with commonly used investigation standards; ▪ Where appropriate expertise is not available internally, then external assistance should be sought; ▪ All investigations consider what improvements can be made to policies, systems and procedures within the organisation; ▪ All investigation reports are referred to the AC or an equivalent, and the organisation's senior executive, for action.



Item No: 3.3
Title: Annual Report 2018-19
Department: Innovation and Futures

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00047 - D13698992

Author: Sharon McLaren, Senior Project and Research Officer

Manager: Sandi Dufficy, Unit Manager, Corporate Strategy and Performance

Executive: Ricardo Martello, Executive Manager Innovation and Futures

Summary

The Annual Report for 2018-19 (Attachment 1) provides a comprehensive account of Council's performance from 1 July 2018 to 30 June 2019. The Annual Report is a key method for Council to maintain accountability and transparency with the community. It details Council's performance against the Operational Plan 2018-19, and includes information on the region and community, the organisation and workforce, and specific information required under legislation.

The Annual Report is recommended for adoption and posting on Council's website in accordance with the *Local Government Act 1993* ("the Act").

Recommendation

- 1 That Council adopt the Annual Report 2018-19.**
- 2 That Council authorise the Chief Executive Officer to make final editorial amendments to the Annual Report 2018-19 to ensure correctness and clarity with the inclusion of the Chief Executive Officer's Message, Mayor's Message and Financial Performance Summary following adoption of the audited financial statements.**
- 3 That Council upload the Annual Report 2018-19 on Council's website.**
- 4 That Council advise the Minister for Local Government of Council's URL link to access the Annual Report.**

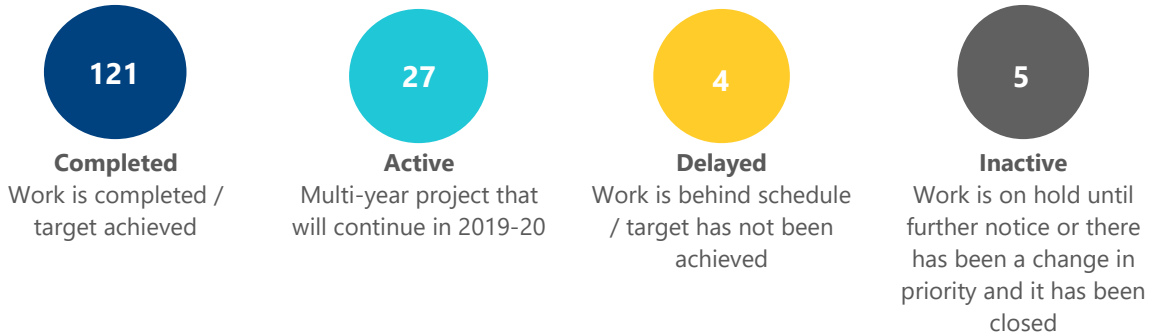
Context

The Annual Report for 2018-19 (Attachment 1) covers the 2018-19 financial year from 1 July 2018 to 30 June 2019. This Annual Report has been prepared in accordance with S.406 and S.428 of the Act and with S.217 of *the Local Government (General) Regulation 2005*.













Current Status

The Report includes achievements over the reporting period, based on the Community Strategic Plan (CSP) Themes of *Belonging, Smart, Green, Responsible* and *Liveable*.

A total of 157 action and targets from the Operational Plan 2018-19 are included in the reporting period, with the following progress achieved.



A summary of highlights and performance on each CSP Theme is provided below.

Theme	Results	Highlights
Belonging  	   	<ul style="list-style-type: none"> Continued implementation of the Disability Inclusion Action Plan; Engagement with youth across the Coast to develop the draft Youth Strategy; Gallery exhibitions resulting in 177,076 people attending; 301 performances at Laycock Street Community Theatre; and 25 major events held with over 299,000 people attending.
Smart  	   	<ul style="list-style-type: none"> Development of strategies focused on activating the Coast through tourism and economic activities, including the draft Tourism Opportunity Plan, draft Major Events Strategy and draft Ourimbah Town Centre Masterplan; and Delivery of five social enterprise projects including the Ignite Business LaunchPad and Social Enterprise LaunchPad, with over 5,500 participants.

3.3 Annual Report 2018-19 (contd)

Theme	Results	Highlights
Green 	11 3 2 0	<ul style="list-style-type: none"> • Delivery of 16 environmental education programs on the lakes and coastal areas resulting in 72% increase in knowledge; • Collection of 15,213m³ of wrack and macro algae from Tuggerah Lakes Estuary; and • Development and exhibition of the Climate Change Policy, with the development of the Climate Change Action Plan planned for 2019-20 following adoption of the Policy.
Responsible 	53 11 0 2	<ul style="list-style-type: none"> • Development and adoption of the Code of Meeting Practice providing a standard for Council meetings and Council Committee meetings; • 30 information sessions held with 1,783 people attending; • Development of a Customer Experience Strategy; • Completed 93kms of road resurfacing; and • Development of a Car Park Strategy for the Central Coast.
Liveable 	23 6 0 1	<ul style="list-style-type: none"> • Constructed 7.4km of shared pathway; • Accessibility improvements at Umina and Terrigal Beaches; • Over 1 million people attended one of Council's five aquatic and leisure centre; and • Over 1.5 million library loans (electronic and physical) and over 900,000 library visits.

Financial Impact

The audited financial statements for the 2018-19 reporting period are required to be included in this Annual Report. Council has sought and been granted an extension by the NSW Office of Local Government to 30 November 2019. As this Annual Report will be adopted in line with the legislated date of 30 November 2019, the audited financial statements for 2019-20 will subsequently form an addendum to this Report once they are adopted by Council.

It should be noted that all financial information, disclosed in this Annual Report are drawn from draft, unaudited results. Readers should therefore be mindful that the financial information contained within this Report is subject to review and adjustment as part of the audit process.

Due to this extension, the Chief Executive Officer Message, Mayor's Message and Financial Performance Summary will be included in the published version following adoption of the audited financial statements.

Link to Community Strategic Plan

The Annual Report 2018-19 responds to all five CSP Themes.

The requirement to provide the Annual Report 2018-19 and meet legislation is linked to the following:

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G2: Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect.

Critical Dates or Timeframes

In accordance with S.428 of the Act the annual report must be prepared by 30 November, posted on Council's website and provided to the Minister for Local Government.

Social Impacts

The Annual Report is a key method for Council to maintain accountability and transparency with the community.

The Annual Report structure reflects the Community Strategic Plan Themes of *Belonging, Smart, Green, Responsible, and Liveable*. It includes progress reporting and achievements over the 2018-19 reporting period.

Risk Management

The Annual Report 2018-19 complies with legislative requirements. This includes the requirements of the *Local Government Act (1993)*, *Local Government (General) Regulation 2005*, *Companion Animals Act 1998*, *Companion Animals Regulation 2008*, *Independent Pricing and Regulatory Tribunal Act 1992*, *Government Information (Public Access) Regulation 2009*, *Environmental Planning and Assessment Act 1979*, *Swimming Pool Act 1992*, *Public Interest Disclosure Act 1992*.

Attachments

1	<u>Draft Annual Report 18/19 - For Adoption</u>	Provided Under Separate Cover	D13706464
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Item No: 3.4
Title: Adoption of amendment to 2019-20 Fees and Charges - Level 3 Sportsfields
Department: Finance

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00464 - D13645444
Author: Mellissa McKee, Financial Controller
Manager: Brett Sherar, Unit Manager, Open Space and Recreation
Executive: Scott Cox, Director Environment and Planning

Report Purpose

Council's 2019-20 Fees and Charges were adopted as part of the 2019-20 Operational Plan ("the Plan") at the ordinary meeting of Council on 11 June 2019.

Subsequent to the adoption of the 2019-20 Fees and Charges, at the ordinary meeting on 12 August 2019 Council proposed to introduce an additional category of sportsfields (level 3) and to re-categorise a number of sportsfields to level 3. The charge for level 3 sportsfields was proposed to be \$858.87 per field, per day (including GST).

In accordance with Sections 610F and 705 of the *Local Government Act 1993*, at the ordinary meeting of 9 September 2019 Council resolved to place the proposed changes to sportsfields on public exhibition for a period of 28 days to allow for public comment.

This report advises that 5 submissions were received during the public exhibition period for Council to consider and to recommend that Council approve the proposed fees.

Recommendation

- 1 That Council note that the proposed fees for level 3 sportsfields, per day, per field in 2019-20 were publicly exhibited from 13 September 2019 to 11 October 2019 in accordance with ss. 610F and 705 of the Local Government Act 1993.**
- 2 That Council further note that there were 5 submissions received during the public exhibition of the proposed fees for level 3 sportsfields for the 2019-20 financial year.**
- 3 That Council determine, pursuant to s. 610F of the Local Government Act 1993, to approve the exhibited proposed fees for 2019-20.**

Context

Council's 2019-20 Fees and Charges were adopted as part of the 2019-20 Operational Plan ("the Plan") at the ordinary meeting of the Council on 11 June 2019.

3.4 Adoption of amendment to 2019-20 Fees and Charges - Level 3 Sportsfields (contd)

At the ordinary meeting of 12 August 2019 Council proposed to change the categorisation of a number of sportsfields and charge a new rate of \$858.87 per ground. Council resolved as follows on 12 August 2019:

710/19 That Council classify the following grounds as Level 3 grounds and fees and charges at a rate of \$858.87 per ground as from 2019-20 financial year:

Old Gosford LGA - Davistown Oval, Eve Williams Oval, Terry Oval, Fred Pinkstone, Kitchener Oval, Patrick Croke and Saratoga Oval

Old Wyong LGA - Eastern Road Top Oval, Harry Moore Oval 3, Sir Joseph Banks Passive, Lakehaven 1 and 2, Mannering Park Oval, Norah Head Hockey Oval, Sohler Park 4, Tunkuwallin Oval 1 and 2, Tuggerah Oval 1 and Wadalba High School 3

At the ordinary meeting of 9 September 2019 Council resolved to place the proposed changes on public exhibition for a 28 day period.

851/19 That Council endorse, for public exhibition pursuant to s. 610F of the Local Government Act 1993, the changes to Sportsfield Categories and related fees and charges as set out in attachment 1 to this report.

852/19 That Council note the proposed fees subject of resolution 1 have not been adopted and that a further report will be presented to Council after the public exhibition of the fees has been completed.

The proposed amended fees were publicly exhibited from 13 September 2019 to 11 October 2019. The exhibition was undertaken in accordance with legislative requirements including advertising in the Central Coast Express Advocate, electronic exhibition on Council's website and copies were available at all of Council's Customer Contact Centres and Libraries.

A copy of the proposed changes to 2019-20 sportsfield charges is included as Attachment 1.

Current Status

Five submissions were received during the exhibition period. All submissions received were supportive of the introduction of level 3 fees that reflect varied conditions and amenities of Council's sportsfields.

Consultation

During exhibition the proposed amended fee was available at:

3.4 Adoption of amendment to 2019-20 Fees and Charges - Level 3 Sportsfields (contd)

- Libraries – Bateau Bay, Erina, Gosford, Kariong, Kincumber, Lake Haven, The Entrance, Tuggerah, Umina, and Woy Woy
- Civic Centres – Gosford and Wyong

- Online – Your Voice Our Coast consultation hub

Options

Council can determine to adopt or not adopt the proposed level 3 sportsfield fees.

Financial Impact

The endorsement of the proposed fees will have an impact on the income estimates included in Council's adopted 2019-20 Operational Plan. A budget adjustment will be included as part of Council's quarterly budget review process.

The proposal will see fees for 2019-20 set per day, per field (inclusive of GST) as follows:

- Level 1 \$1,363.25
- Level 2 \$1,260.75
- Level 3 \$858.87

The adoption of the new fee will reduce income by an estimated \$7,000 in 2019-20 financial year but this will vary dependant on the requests for ground usage.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

G4: Serve the community by providing great customer experience, value for money and quality services.

Critical Dates or Timeframes

The approval of the proposed level 3 sportsfield fees and charges will allow them to be implemented in 2019-20.

Attachments

- 1 Level 3 Sportsfield 2019-20 Fees and Charges D13644485

Proposed Amendment to 2019-20 Fees and Charges

Council proposed that the following grounds be classified as Level 3 grounds and fees and charges set at a rate of \$858.87 (including GST) per day, per field as from 2019-20 financial year.

Former Gosford Local Government Area

- Davistown Oval,
- Eve Williams Oval,
- Terry Oval,
- Fred Pinkstone,
- Kitchener Oval,
- Patrick Croke and
- Saratoga Oval

Former Wyong Local Government Area

- Eastern Road Top Oval,
- Harry Moore Oval 3,
- Sir Joseph Banks Passive,
- Lakehaven 1 and 2,
- Mannering Park Oval,
- Norah Head Hockey Oval,
- Sohier Park 4,
- Tunkuwallin Oval 1 and 2,
- Tuggerah Oval 1 and
- Wadalba High School 3

Fee Category – 5

The price of this good/service is set at a level to make a contribution towards the cost of providing the service. With the remainder of the costs being subsidised by Council in the provision of this service.



Item No: 3.5
Title: Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale
Department: Innovation and Futures

11 November 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13535836

Author: Joe O'Connor, Property Development Manager

Manager: Jamie Barclay, Unit Manager, Economic Development and Project Delivery

Executive: Ricardo Martello, Executive Manager Innovation and Futures

Report Purpose

The purpose of this report is to provide an update to Resolution Nos 1082/18, 1083/18 and 333/19, regarding the sale of land at 4 and 10 Warren Road, Warnervale, being Lots 1 and 2 DP 1230740. Additionally, this report seeks endorsement of expenditure associated with consultant reports required for the sale of the lots.

Recommendation

- 1 That Council receive the report on Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale.**
- 2 That Council authorises the budget adjustment for the preparation of consultant reports associated with an ecological assessment of the lots.**

Background

At the Ordinary Meeting of Council held on 8 October 2018, Council resolved:

1082/18 That Council request that the Chief Executive Officer proceed with the sale of 4 and 10 Warren Road, Warnervale, being Lots 1 and 2 in DP 1230740.

1083/18 That Council requests the Chief Executive Officer to bring a report to Council by the Ordinary Meeting of 26 November 2018 in relation to listing for sale 4 and 10 Warren Road, Warnervale, being Lots 1 and 2 DP 1230740, being the site of the formerly proposed Australian Chinese Theme Park. The Report is to include:

- i Whether it is recommended that the land be sold through an expressions of interest process (EOI), a tender process (Tender), sale at auction (Auction), or sale at market value;*
- ii Identification of the estimated current market value price as determined by a valuation assessment;*

3.5 Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale (contd)

- iii *The "Land Economics Report" and the "Chinese Theme Park Proposal – Site Evaluation" (confidential attachment D0318469) referred to on page 215 of the staff report (TRIM F2011/00192 – D03176019) in the business paper of the Ordinary Meeting of Council held on 14 November 2012.*

A further report was referred to the Ordinary Meeting of Council held on 29 April 2019 addressing Resolution Nos 1082/18 and 1083/18. At this Council meeting it was resolved:

- 332/19 *That Council receive the report on Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale.*
- 333/19 *That Council request that the Chief Executive Officer provide a further report on the progress of this matter at the 27 May 2019 Ordinary Meeting and such report include a list (in confidential if appropriate) of all inquiries already made in respect to the purchase of the Warren Road property and the responses given.*

Since the making of these resolutions it has been identified that there are potential ecological communities which should be investigated to either ensure their preservation or address this matter to avoid price discounting during the sales negotiation. It should be noted that between the years 2000 and 2005 Council conducted various flora and fauna investigations to accompany a development application (DA 3130/2004) to subdivide the area resulting in the subject lots. During this period various subject species were encountered. However, as a considerable amount of time has lapsed as well as the passing of new legislation (Biodiversity Conservation Act 2016), a new ecology assessment is now required.

It is proposed that a consultant ecologist be engaged to undertake a high-level ecology constraints assessment of the area. This would include the mapping (if identified) of habitat trees and locations of threatened fauna and flora populations. Typically, the assessment would require a full calendar year of field work in order to assess specified flowering periods of threatened species (such as orchids) that may occur on the site.

A budget adjustment of \$30,000 should be allowed for these works, with a timeframe of twelve (12) months from the appointment of the consultant to receive the report and recommendations.

Once the ecology assessment has been received and reviewed, Council would then be able to appoint a valuer to undertake an assessment of the site in accordance with **Resolution No 1083/18 subsection (ii)**. The valuation can only be undertaken once the ecological assessment has been completed, as this assessment will determine the extent or value of credits required to develop the site. At this time, a further report will be put to Council recommending the preferred method for selling the lots (i.e. expressions of interest process (EOI), a tender process (Tender), sale at auction (Auction), or sale at market value).

3.5 Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale (contd)

On the basis that Council resolves to sell the lots, Council would then be in the position to commence the process to prepare a scope, tender evaluation and engage a real estate agent to market and sell the lots. This process, including preparation of marketing campaign and contract of sale, could take another 2–3 months. Feedback from the real estate market indicate that Council should allow at least 6–8 months for the sales campaign.

Link to Community Strategic Plan

Theme 2: Smart

Goal C: A growing and competitive region

S-C3: Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents.

Attachments

Nil.



Item No: 3.6
Title: 2019-20 Heritage Grant Program Round 1
Department: Connected Communities

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-02 - D13694478
Author: Stuart Slough, Team Leader, Community Planning and Funding
Manager: Glenn Cannard, Unit Manager, Community Partnerships
Executive: Julie Vaughan, Director Connected Communities

Report Purpose

This report considers the applications and recommendations for the Heritage Grant Program, which supports and celebrates local history, culture and diversity across the region.

Recommendation

That Council allocate \$64,437.75 from the 2019-20 grants budget to the projects as outlined in the following report and Attachment 1.

Context

Council's grant programs are provided to support the community to deliver quality programs, projects or events that build connections, celebrate our local community and align with objectives within the One-Central Coast Community Strategic Plan.

The Heritage Grant Program aims to support and retain the local heritage of the Central Coast Region. The program aims to encourage the retention, conversation and promotion of the material and social heritage of the Central Coast.

The Heritage Grant Program provides a maximum allocation of \$10,000 per application, in combined funding and in-kind Council services. Individuals, private and commercial entities are required to match funds.

3.6 2019-20 Heritage Grant Program Round 1 (contd)

The Heritage Grant Program provides a budget of \$130,000 annually as detailed in table 1 below.

Table 1: Heritage Grant Program 2019/20

Program	Budget	Opening Period	2019/2020 allocation to date	Recommendation allocation within this report	Allocation to date + Recommendation within report
Heritage Grant Program	\$130,000.00	Twice annually	\$0	\$64,437.75	\$64,437.75
TOTAL			\$0	\$64,437.75	\$64,437.75

Current Status

The Heritage Grant Program is currently closed. Round 2 will open in February 2020.

Assessment

Ten (10) applications were received in Round 1 for the 2019-20 program. Ten (10) applications to the combined value of \$64,437.75 are recommended for funding in this Council report.

The Heritage Grant Program assessment panel included:

- Council's Grants Officer
- Council's Heritage Program and Projects Officer
- Council's Contractor Heritage Advisor
- Council's Strategic Planner
- Council's Unit Manager Community Partnerships

Consultation

Information on Council's Community Grants programs is provided on Council's website and promoted through Council's Social Media platforms.

Regular email's with relevant information is provided to the community grants database

Council staff also provided information sessions and individual appointments with interested applicants to assist with their submissions where required.

General grant information sessions and drop-in sessions were held during August 2019 at:

3.6 2019-20 Heritage Grant Program Round 1 (contd)

- Wyong RSL Club
- Woy Woy Library
- The Erina Centre

Options

- 1 Approval of all recommended applications as submitted will provide a community benefit to residents of the Central Coast Local Government Area.
- 2 Non approval of some or all applications, as recommended, may result in projects not being undertaken if the respective proponents are unable to secure alternate funding.

Financial Impact

Council's 2019/2020 Operational Expenditure budget allocates \$130,000 to the Heritage Grant Program.

Expenditure is approved until the end of the 2019-20 financial year. Unspent funds will expire on 30 June 2020.

Link to Community Strategic Plan

Theme 4: Responsible

Goal I: Balanced and sustainable development

R-I1: Preserve local character and protect our heritage and rural areas including concentration of development along transport corridors and around town centres and east of the M1.

Risk Management

All successful applications will receive a letter of offer outlining Council's requirements of funding, service delivery and accountability for both Council and the funded organisation.

All successful applicants are required to advise Council on completion of works and organise a suitable time for an inspection by Heritage staff. Applicants are required to submit a final project acquittal report no later than 12 weeks after the agreed completion date of the activity/project with copies of any photos, promotional materials and evidence of payment/purchase for each funded item.

Critical Dates or Timeframes

Many of these grant applications are dependent upon support via Council's grant program. Should decisions be delayed or not supported, projects may not be undertaken.

Attachments

- | | |
|---|-----------|
| 1 2019-20 Heritage Grant Program - Round 1 Assessment -
Recommended for Funding | D13701351 |
|---|-----------|

2019-20 Heritage Grant Program Round 1 Assessment

Recommended for Funding

Applicant Number	Project Title	Staff Funding Recommendation	Staff Assessment
001HGP R1 1920	St Paul's Heritage	\$4,248.75	Recommended for funding as all required information is provided on condition the stainless-steel angles supporting gable stones are to be concealed and not visible from the ground.
002HGP R1 1920	Norah Head Lighthouse Tower Parapet Repairs	\$5,000.00	Recommended for funding as all required information is provided on condition that all required approvals from office of premier and cabinet (heritage) are provided.
003HGP R1 1920	Former Managers Cottage-Narara Ecovillage	\$9,823.00	Recommended for funding as all required information is provided.
004HGP R1 1920	Coolabah	\$8,000.00	Recommended for funding as all required information is provided.
005HGP R1 1920	Waterview Gardens	\$10,000.00	Recommended for funding as all required information is provided on condition that the wall must be photographed prior to any construction to the wall for archival recording. Proposed works must re-instate wall to original position.

Applicant Number	Project Title	Staff Funding Recommendation	Staff Assessment
006HGP R1 1920	Holy Cross Catholic Cemetery	\$10,000.00	Recommended for funding as all required information is provided.
008HGP R1 1920	Seville	\$5,000.00	Recommended for funding as all required information is provided on condition that floors not finished in polyurethane, recommend a finish that is approved by Council's Heritage Officer prior to installation.
010HGP RQ 1920	Mangrove Mountain Districts Community Group Inc	\$4,343.00	Recommended for funding as all required information is provided on condition that committee minutes confirming the approval is submitted.
011HGP RQ 1920	The Entrance Historical Carousel	\$6,978.00	Recommended for funding as all required information is provided on condition the new works are to match existing.
012HGP R1 1920	Old Wyong Police Station	\$1,045.00	Recommended for funding as all required information is provided on condition new paint work to match existing colour.
TOTAL:		\$64,437.75	



Item No: 3.7
Title: Community Support Grant Program - August 2019
Department: Connected Communities

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-02 - D13694491
Author: Stuart Slough, Team Leader, Community Planning and Funding
Manager: Glenn Cannard, Unit Manager, Community Partnerships
Executive: Julie Vaughan, Director Connected Communities

Report Purpose

This report considers the applications and recommendations for the Community Support Grant Program, which supports the community to deliver community activities which require a small amount of funding and/or in-kind support.

Recommendation

- 1 That Council allocate \$84,038.77 from the 2019-20 grants budget to the community grant programs as outlined in the following report and Attachment 1.**
- 2 That Council decline applications for the reasons indicated in Attachment 2 the applicants be advised and where relevant, directed to alternate funding.**

Council's grant programs are provided to support the community to deliver quality programs, projects or events that build connections, celebrate our local community and align with objectives within the One-Central Coast Community Strategic Plan.

The Community Support Grant Program is provided to support the community to deliver activities which require a small amount of funding and/or in-kind support. The Community Support Grant Program remains open throughout the year to provide assistance for community activities that require:

- 1 In-kind support through the provision of subsidised access to Council services.
- 2 Financial assistance for community activities that require a smaller amount of support.

The Community Support Grant Program provides a combined budget of \$300,000 annually as detailed in table 1 below.

3.7 Community Support Grant Program - August 2019 (contd)

Table 1: Community Support Grant Program

Program	Budget	Opening Period	2019/2020 allocation to date	Recommendation allocation within this report	Allocation to date + Recommendation within report
Community Support Grant Program	\$300,000	Ongoing	\$78,759.05	\$84,038.77	\$162,797.82
TOTAL			\$78,759.05	\$84,038.77	\$162,797.82

Current Status

The Community Support Grant Program remains open for applications throughout the year and the closing date for each assessment period is the last day of each month.

The Community Support Grant Program provides up to \$5,000 per project per financial year in combined funding and in-kind Council services to applicants who are a legally constituted not-for profit organisations, or auspiced by one.

Assessment

Thirty one (31) applications were received and assessed by 31 August 2019 with twenty six (26) recommended for funding in this Council report.

The Community Support Grant applications were assessed by Council's Unit Manager Community Partnerships and the Community Planning and Funding Team.

Consultation

Information on Council's Community Grants programs is provided on Council's website and promoted through Council's Social Media platforms.

Regular email's with relevant information is provided to the community grants database

Council staff also provided information sessions and individual appointments with interested applicants to assist with their submissions where required.

Options

- 1 Approval of all recommended applications as submitted will provide a community benefit to residents of the Central Coast Local Government Area.
- 2 Non approval of some or all applications, as recommended, may result in projects not being undertaken if the respective proponents are unable to secure alternate funding.

Financial Impact

Council's 2019/2020 Council Operational Expenditure budget allocates \$300,000 to the Community Support Grant Program.

Expenditure is approved until the end of the 2019-20 financial year. Unspent funds will lapse on 30 June 2020.

Link to Community Strategic Plan

Theme 1: Belonging

Goal C: A growing and competitive region

B-A1: Work within our communities to connect people, build capacity and create local solutions and initiatives.

Risk Management

All successful applications will receive a letter of offer outlining Council's requirements of funding, service delivery and accountability for both Council and the funded organisation.

All successful applicants are required to submit a final project acquittal report no later than twelve weeks after the agreed completion date of the activity/project with copies of any photos, promotional materials and evidence of payment/purchase for each funded item.

Critical Dates or Timeframes

Many of these grant applications are dependent upon support via Council's grant program. Should decisions be delayed or not supported, projects may not be undertaken.

Attachments

- | | | |
|----------|--|-----------|
| 1 | Community Support Grants August 2019 - Recommended for Funding | D13700974 |
| 2 | Community Support Grants August 2019 Not Recommended for Funding | D13701003 |

Recommended for Funding – August 2019

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Staff Assessment
CWA of NSW Northumberland Group	CWA of NSW Northumberland Group Website Development	\$3,520.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Chain Valley Bay Progress Association Incorporated	Grand Opening Celebration of new Playground in Joshua Porter Reserve	\$1,620.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Graffiti Removal Australia Inc	Green Screening for corner of Wyong Road and Bundilla Parade Berkeley Vale to combat graffiti	\$829.00	Recommended for funding as community benefit is demonstrated and all required information is provided. Recommendation conditional on land owner approval being provided prior to release of funds.
Shoebox Revolution	400 Christmas Care Packages for the homeless on the Central Coast	\$4,400.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Shoebox Revolution	Subsidy of renting office space at The Entrance Community Centre	\$3,325.00	Recommended for part funding for rental period within the Community Support Grant program eligibility period. Community benefit is demonstrated and all required information is provided.
Peninsula Ducks Softball Club Inc.	Playing and Training Equipment for new softball club	\$5,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Mannering Park Tidy Town	Green screening day - green screening against colour bond fence to combat graffiti	\$750.00	Recommended for funding as community benefit is demonstrated and all required information is provided. Recommendation conditional on asset owner approval being provided prior to release of funds.
Wyongah Progress Association	Rates Subsidy for Wyongah Progress Hall	\$1,558.00	Recommended for funding as community benefit is demonstrated and all required information is provided.

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Staff Assessment
Mangrove Mountain & Districts Country Fair	Mangrove Mountain & Districts Country Fair - running costs for traffic management, toilets hire, waste bins hire and printing	\$4,949.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Toukley & Districts Art Society Inc.	Annual Art Competition for children aged 5-14	\$212.50	Recommended for part funding for printing costs only as other items are ineligible as per Community Support Grant Program Guidelines Ineligibility Clause 7.13 "7.13 Applications seeking funds for prize money, gifts or awards including, gift vouchers" Community benefit is demonstrated, and all required information is provided.
The Uniting Church in Australia Property Trust (NSW) on behalf of Gosford Uniting Church	Christmas Eve Community Carols in Kibble Park	\$5,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Lisarow Ourimbah Cricket Club	Lisarow Ourimbah Girls Cricket to encourage more participation of girls playing cricket	\$3,140.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Davistown Progress Association Incorporation	Rates subsidy for Davistown Progress Hall	\$1,108.09	Recommended for part funding for eligible rates period from budget as per application and funding Eligibility Guideline 6.6. "6.6 Rates subsidy is only available for community facilities that provide a community service to residents of the Central Coast. All rates must have been paid in full and rebates are only available for 50% of the ordinary rates component." Community benefit is demonstrated and all required information is provided.

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Staff Assessment
Blue Thunder Softball Club Incorporated	Blue Thunder Softball sun safe uniforms and equipment	\$5,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Kariong Community Baptist Church - Kariong Community Care	KCBC Christmas Carols by Candlelight for the Kariong Community	\$5,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Central Dance Company (Australia) Incorporated	New Tarkett flooring for Swan Lake 30 th Gala Performance and ongoing dance program	\$5,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Wyong Dog Training Club Incorporated	Ground Fees and Club Laptop	\$2,148.22	Recommended for part funding of \$648.22 for period of grounds hire excluding September 2019 which is ineligible as per grant guidelines and \$1500 for computer from budget as per application. Community benefit is demonstrated and all required information is provided.
Uniting	Brighter Futures Christmas party for families and young children	\$105.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Central Coast Domestic Violence Committee	Central Coast Against Domestic and Family Violence Walk at The Entrance 2019	\$4,965.72	Recommended for funding as community benefit is demonstrated and all required information is provided. Recommendation conditional on Central Coast Council logo being included on printed bags.
The Uniting Church in Australia Property Trust (NSW)	Cook.Eat.Grow - nutrition/Cooking workshop for parents and young children	\$4,318.24	Recommended for funding as community benefit is demonstrated and all required information is provided.
St Vincent de Paul Society NSW	Female Futures - professional leadership workshops for women in Gorokan to build confidence and skills	\$4,400.00	Recommended for funding as community benefit is demonstrated and all required information is provided.

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Staff Assessment
Norah Head Lighthouse Reserve Land Manager Board	Marketing, Website Design, and publication of a historical book about the Norah Head Lighthouse	\$4,950.00	Recommended for funding as community benefit is demonstrated and all required information is provided. Recommendation conditional on the book being reviewed by Council's Heritage staff prior to publication, and Council's logo is included on the book.
Macmasters Surf Lifesaving Club	Allagai Bay Artisan Exhibition - a partnership project between community-based artists and Macmasters SLSC showcasing the diverse and creative skills and abilities of local community members	\$3,000.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Gosford Sailing Club	Sabot NSW State Titles Series 2019/2020	\$3,140.00	Recommended for part funding of \$3,140 - for coaching, jury, t-shirts, reserve water station fountain hire, bottles, cups and gazebo from budget as per application. Community benefit is demonstrated, and all required information is provided.
Central Coast Family History Society Inc.	Upgrade Air Conditioner. To replace an aged air conditioner to enhance the learning facilities for senior members.	\$1,600.00	Recommended for funding as community benefit is demonstrated and all required information is provided.
Berkeley Vale Neighbourhood Centre Inc	KBT Community Nursery Up Grade	\$5,000.00	Recommended for part funding as community benefit is demonstrated and all required information is provided. Recommendation conditional on finalized construction schedule being provided prior to release of funds.
	TOTAL:	\$84,038.77	

Not Recommended for Funding – August 2019

Organisation Name	Project Title and Summary	Staff Funding Recommendation	Staff Assessment
Shoebox Revolution	Shoebox Revolution Socks for Homelessness	\$0.00	Not recommended for funding as the application is ineligible in accordance with ineligibility clause 7.12 and 7.16 of the Community Support Grant Program Guidelines. "7.12 Applications seeking funds for goods or services to 'on-sell'. 7.16 General fundraising events."
Gosford City Sports Stadium Inc	Basketball Family and Community Open Day.	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
Gosford City Sports Stadium Inc	Basketball Koori Round - dedicated Indigenous Round of Representative Basketball	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.
The Piano Bug	Venue Rent	\$0.00	Not recommended for funding as the application is ineligible in accordance with eligibility clause 6.1 of the Community Support Grant Program. 6.1 Applicants must be a legally constituted not-for-profit organisation or be auspiced by a legally constituted not-for-profit organization."
Erina Baptist Community Care Ltd	Portable Power - to replace old and worn cordless drill sets that were donated when the shed was opened over 4 years ago	\$0.00	Not recommended for funding as currently proposed as insufficient information is provided to make an accurate assessment. Recommend applicant liaise with Council Grants Officers and consider resubmitting in a subsequent round.



Item No: 3.8
Title: Appointments to the Water Management Advisory Committee
Department: Water and Sewer

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/01200 - D13681152

Executive: Daniel Kemp, Acting Director Water and Sewer

Report Purpose

To recommend Council determine the Councillor and community representative positions on the Central Coast Water Management Advisory Committee.

Recommendation

- 1 That Council determine the Councillor representatives on the Central Coast Water Management Advisory Committee.**
- 2 That Council endorse the recommendation included in the confidential attachment that is Attachment 1 to this report titled "Water Management Advisory Committee – Full EOI Applications and Convenor Recommendation".**
- 3 That Council resolve, pursuant to s10A(2)(a) of the Local Government Act 1993, that Attachment 1 to this report remain confidential as it contains personnel matters concerning particular individuals (other than councillors), and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it may compromise the personal information of Central Coast community members.**

Context

At its Ordinary Meeting on 11 June 2019, Council resolved to establish a Central Coast Water Management Advisory Committee (CCWMAC) in accordance with the below resolution in part.

539/19 *That Council establish a Central Coast Water Management Advisory Committee (CCWMAC)*

3.8 Appointments to the Water Management Advisory Committee (contd)

- 540/19 *The Advisory Committee will be responsible for providing advice and feedback to Council on the management of the water supply and related matters including, but not limited to:*
- i. promoting the efficient delivery of the water supply, sewerage and drainage services for the long-term interests of consumers with respect to price, quality, safety, reliability and security of supply.*
 - ii. maximising water conservation, demand management and the use of recycled water.*
 - iii. total catchment management and consideration of the entire water cycle.*
 - iv. community education on the sustainable use of water.*
 - v. implementation of Water Sharing Plans relevant to the Central Coast.*
 - vi. development of the Integrated Water Management Plan with a long-term focus.*
- 541/19 *Membership of the Committee is to comprise the Mayor, nominated Councillors, the CEO and committee members with knowledge, skills and / or experience that can contribute to the functions and deliberations of the committee including social, economic and environmental considerations.*
- 542/19 *That the Chief Executive Officer work with interested Councillors to develop a Terms of Reference and an Expression of Interest Process for the Water Management Advisory Committee.*

In accordance with Resolution 542/19, Councillors were invited to provide feedback on the draft Terms of Reference and Expression of Interest process via the 9 August 2019 Councillor Support Update. No feedback was received from Councillors and the Expression of Interest process proceeded as usual, with advertising for the community representative positions occurring as follows:

- Council's Website (EOI page): 9 September 2019
- Council e-news: 17 September and 24 September 2019
- Twitter posts: 9 September, 18 September and 26 September 2019
- Facebook posts: 9 September, 18 September and 26 September 2019
- Instagram post: 16 September 2019
- Coast Community News: 19 September 2019
- Wyong Regional Chronicle: 11 September 2019
- Express Advocate: 12 September 2019
- Peninsula News: 16 September 2019

3.8 Appointments to the Water Management Advisory Committee (contd)

The Expression of Interest period closed on Sunday 29 September 2019 and a total of seven (7) applications were received. One of these applications was received the day after the closing date, however, is still included for Council's consideration.

All applications were made available to Councillors via the Councillor Hub on 3 October 2019, with a notice featuring in the Councillor Support Update on 4 October 2019. The applications are also included in the confidential attachment that is Attachment 1 to this report.

Councillors were also invited to attend a review session with the Director Water and Sewer on Friday 10 October 2019 to discuss the applications received. During the review session it was decided to undertake some additional targeted notification of the Committee to broaden the skill set available on the Committee.

All applications received have been reviewed by the Staff Convenor, who considered each submission on its merit against the draft Terms of Reference for the Committee. The draft Terms of Reference for the CCWMAC has also been included in this report at Attachment 3. The recommendations of the Staff Convenor are noted in the confidential attachment that is Attachment 1 to this report.

Attachment 2 to this report includes any Declaration of Interest made by the applicant and their responses to the selection criteria. Each applicant's personal details and signature have been removed to protect their personal information.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

Attachments

- | | | |
|----------|---|-----------|
| 1 | Draft Terms of Reference - Water Management Advisory Committee | D13617330 |
| 2 | Confidential - Water Management Committee - Full EOI Applications with Evaluations and Member Recommendations - | D13709673 |
| 3 | Confidential - Water Management Advisory Committee - Reduced EOI Applications - | D13709625 |

Draft Terms of Reference – Central Coast Water Management Advisory Committee (CCWMAC)

1. Role

Central Coast Council (Council) has an adopted Community Strategic Plan and Delivery Plan that will shape all activities and projects over the next four years. Council's Advisory Groups are an important mechanism for consultation, advice and feedback to Council staff on implementation and review of the Community Strategic Plan.

The role of the Central Coast Water Management Committee (the Advisory Group) is to provide high level advice to Council on integrated water management, with the objective of ensuring ongoing water security for the Central Coast in line with social, economic and environmental considerations.

2. Responsibilities

The Advisory Group is responsible for providing advice and feedback to Council on:

- Promoting the efficient planning and delivery of regional water supply resources, within an integrated water cycle management framework. This will consider the long-term interests of consumers with respect to price, quality, safety, reliability and security of supply.
- Maximising efficient levels of water conservation, demand management and the use of alternate water sources (eg. recycled water, stormwater harvesting and groundwater).
- Total catchment management and consideration of the entire water cycle.
- Community education on the sustainable use of water.
- Implementation of Water Sharing Plans relevant to the Central Coast.
- Development of the Integrated Water Management Plan with a long term focus.
- Drought Management Planning

3. Membership, Voting and Quorum.

Membership

- Central Coast Council Mayor (voting member)
- No less than one Councillor appointed for the term of Council (voting members)
- Up to six community representatives (voting members)
- Central Coast Council Chief Executive Officer (voting member)
- Additional representation from relevant agencies (non-voting)

Community representatives will be selected based on their knowledge, skills and/or experience with integrated water management, as well as their ability to demonstrate a connection to social, economic and environmental considerations as they relate to water management principles.

Draft Terms of Reference – Central Coast Water Management Advisory Committee (CCWMAC)

Community representatives shall be appointed by resolution of Council following an open advertisement for nominations. Nominations are to be in writing and will be circulated in full to Councillors for evaluation and consideration. The Advisory Group is not involved in the evaluation or selection process, this is a matter for Council. Membership can be withdrawn by resolution of Council.

The staff holding the following Central Coast Council positions may attend the Advisory Group meetings:

- Director Water and Sewer
- Section Manager Water Services and Design
- Senior Engineer Water Resource Planning
- Any other Council Staff as determined by the Chief Executive Officer

Council officers will provide professional advice and administrative support. Employees of the Council are not subject to the direction of the Advisory Group or any members of it. Staff attendance is at the discretion of the Chief Executive Officer.

Non-staff members appointed to the Advisory Group are appointed for the remainder of the current Council term, although membership can be altered at any time by a resolution of Council.

If a member misses three consecutive meetings without apology, their membership may be withdrawn and their position deemed vacant.

Casual Vacancy

A casual vacancy is caused by the resignation or death of a member or the withdrawal of membership. To fill a casual vacancy:

- The Advisory Group staff contact will report the vacancy to the Advisory Group and then to the next available Council meeting.
- If the member was nominated as a representative of an organisation, it will be recommended that the organisation be invited to nominate a replacement member.
- If the member was nominated as an individual, the original expressions of interest will be reviewed to identify an appropriate replacement member.
- Where there are no appropriate alternate nominations, expressions of interest will be called for to replace the member.
- Where the vacancy occurs within nine months of the end of the term of the Advisory Group the vacancy will not be filled.

Chairperson

The Chairperson is a Councillor. The Chairperson is to have precedence at the meeting and shall determine the order of proceedings, generally as set out in the agenda.

Draft Terms of Reference – Central Coast Water Management Advisory Committee (CCWMAC)

Where the Mayor is appointed to be a delegate to an Advisory Group it is not necessary that the Mayor be the Chairperson.

Convenor

A Central Coast Council staff position shall be nominated as convenor by the Chief Executive Officer. They will be a staff member responsible for coordinating the preparation of agendas, invitations and minutes (meeting records).

The Section Manager Water Services and Design shall be the convenor of the Water Management Advisory Committee.

Voting

No formal voting rules apply.

As the Advisory Group has an advisory role, its recommendations are to be made by consensus. Where consensus cannot be reached, a vote may be taken at the request of the Chairperson. The vote will be carried by a majority of voting members. The meeting record would reflect this process.

Council is the decision making body and the Advisory Group provides recommendations for consideration.

The Advisory Group may agree to allow participation in meetings through conference calls and other technology. As no formal voting rules apply, there is no proxy voting.

Quorum

The Quorum for a meeting is half the Advisory Group voting membership plus one and must include at least one Councillor.

However the Chairperson shall use their discretion to determine if a meeting should be postponed due to insufficient members being able to attend.

4. Meetings

- Meetings are held quarterly.
- The Chairperson has the authority to call additional meetings.
- The agenda and meeting papers will be distributed to members at least three days prior to the meeting.
- Meetings will be recorded by the taking of minutes (meeting record) – the minutes will document agreed outcomes and will not record discussions.

Draft Terms of Reference – Central Coast Water Management Advisory Committee (CCWMAC)

5. Communications and reporting

The agendas and meeting records of the Advisory Group will be stored as a permanent record of Council. All agendas and meeting records will be published on Council's website.

Where the Advisory Group recommends an action that is outside the delegation of staff to determine, a report will be provided to Council.

Staff will prepare the report that recommends that Council note the meeting record of the Advisory Group. Reporting of Advisory Group recommendations to Council will be reported as Committee Recommendations without change. Staff will also provide professional commentary on the Group's recommendation and provide a staff recommendation which may or may not align to that of the Group. Council may then, at its discretion, resolve to adopt some or all of the Advisory Group's recommendations.

Where the Advisory Group has not recommended an action, the meeting record will be reported to Council as an Information Report only.

6. Conduct

Code of Conduct training will be provided to all Advisory Group members, and must be completed prior to attending a meeting of the Advisory Group. Each member of the Advisory Group will be provided with Council's adopted Code of Conduct. The conduct of members is expected to be consistent with the principles outlined in the Code of Conduct.

For the avoidance of doubt, members of the Advisory Group are not permitted to speak to the media or make representations on social media on behalf of the Advisory Group or Council unless approved by Council.



Item No: 3.9
Title: Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 24 September 2019
Department: Roads Transport Drainage and Waste

11 November 2019 Ordinary Council Meeting

Trim Reference: F2018/00788 - D13692679

Manager: Jeanette Williams, Unit Manager, Roads Business Development and Technical Services

Executive: Boris Bolgoff, Director Roads Transport Drainage and Waste

Report Purpose

To note the Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 24 September 2019 and consider the recommendations from the Committee, including staff consideration of those recommendations.

Recommendation

- 1 That Council receive the report on Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 24 September 2019 that is Attachment 1 to this report.**
- 2 That the Terms of Reference be amended to provide that a Quorum for a meeting of the Pedestrian Access and Mobility Advisory Committee is half the Advisory Group Community Members plus two Councillor Members, noting that Terms of Reference for other Advisory Groups will be similarly reviewed.**

Background

The Pedestrian Access and Mobility Advisory Committee (the Advisory Group) held a meeting on 24 September 2019. The Meeting Record of that meeting is Attachment 1 to this report.

Staff Comment:

There have been ongoing difficulties with achieving quorum for this Advisory Group. At the 24 September 2019 meeting, it was suggested that the voting membership be revisited with a view to reduce the number of voting Councillor representatives. It is noted that any Councillor may attend an Advisory Group meeting, however when identified as a voting member in the Terms of Reference they contribute to the number required for quorum.

It is noted that a review is being undertaken of all Advisory Group Terms of Reference with regard to the requirements for a quorum that will likely result in similar changes across the Groups.

**3.9 Meeting Record of the Pedestrian Access and Mobility Advisory
Committee held on 24 September 2019 (contd)**

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

Attachments

- | | | |
|----------|---|-----------|
| 1 | Pedestrian Access and Mobility Advisory Committee Meeting Record -
24 September 2019 | D13692736 |
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Pedestrian Access and Mobility Advisory Committee Meeting Record 24 September 2019



Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford	
Date:	24 September 2019	
Time	Started at: 4.11pm	Closed at: 5.52pm
Chair	Councillor Jane Smith	
File Ref	F2018/00788	

Present:

Councillor Rebecca Gale Collins, Councillor Jillian Hogan, Councillor Jane Smith, John Anderson, Wendy Baylis

Council Staff present:

Boris Bolgoff – Director Roads, Transport Drainage and Waste, Jeanette Williams – Unit Manager Roads Business Development and Technical Services, Jay Spare – Unit Manager Roads Assets Planning and Design, Jodie Frost-Foster – Disability Inclusion Officer, Zoie Magann – Advisory Group Support Officer

Item 1 Welcome, Apologies and Acknowledgement of Country

Apologies received: Councillor Doug Vincent, Helen Beazley, Rachael Thelwell

Councillor Jane Smith declared the meeting open and completed an Acknowledgement of Country and Connection to Land statement.

Item 2 Disclosures of Interest

The Chairperson called for any Disclosures of Interest. No disclosures were received.

Item 3 Confirmation of Previous Meeting Record

The Committee confirmed the Meeting Record of 14 May 2019.

The Committee reviewed the Action Log.

Regarding Action 6, Jay Spare (Unit Manager Roads Assets Planning and Design) distributed a hardcopy of the feedback provided following public exhibition of the Bike Plan and Pedestrian Access and Mobility Plan. An electronic copy will also be distributed.



The Committee noted the plans were endorsed by Council at the 9 September 2019 Ordinary Council Meeting.

Item 4 Greening our Pathways

Jeanette Williams (Unit Manager Roads, Business Development and Technical Services) provided a presentation on Greening our Pathways, noting the draft Greener Places Strategy that is underway. Preparation for the Strategy will include two pilot projects (one in the north and one in the south) which involves greening the identified spaces in partnership with the communities. Landscape Design Guidelines are also being prepared to complement the Strategy.

There are also a number of green initiatives currently implemented by staff, including use of recycled materials (eg. sand in bedding, plastic reinforcement in place of steel) and minimisation of impact on environments through design considerations (eg. raising sections of paths, route selection).

The Committee was asked for feedback on what they would like to see in a 'green pathway'. The below ideas were noted:

- Use of sustainable products in a placemaking theme (eg. involve children, tell a story)
- Appropriate landscaping
 - Imaginative and appealing (eg. use of different hedges)
 - Mixed vegetation – low and high, diversity of species
 - Consideration of views when an issue
 - Provide shady areas (native deciduous trees ideal)
- Interpretative signage
- Preference for local provenance native plants on public land
- Opportunities for replacing of habitats – potential wildlife corridors (often applies along linear routes)
- Strong focus on community engagement
- Use of flower boxes in town centres
- 'Adopt-a-plant' initiative
- Opportunity for graffiti determent (access to wall restricted if plants/trees are placed in front)
- Offsetting greenhouse emissions from use of concrete
 - Alternate product to concrete

Action: Committee feedback to be forwarded to relevant Council sections for consideration with future programs

Item 5 Review Draft Program for 2020/21

Jay Spare (Unit Manager Roads, Assets Planning and Design) provided an update on the draft Capital Works Program for 2020/21. The final program is subject to ongoing project validation, property acquisition, and adoption of the program by Council. Staff continue to explore grant opportunities available to assist with project costs.

It was noted that Council often engages with schools in the LGA to determine needs and safety considerations regarding roads, transport and accessibility.



Action: An update on Council's work with schools to come back to the Committee when possible, ideally to the first meeting of 2020.

Item 6 Council's Disability Inclusion Officer

Jodie Frost-Foster (Disability Inclusion Officer) provided a presentation on disability access and inclusion, highlighting the importance of considering all disabilities and needs. It was noted that it's important to be mindful that not all disabilities are visible, however can still impact access and mobility (eg. hearing and sight).

Jodie provided an overview of Council's Disability Inclusion Action Plan (DIAP), and her role in facilitating and reporting on the progress of the Plan.

Jodie also outlined the Spatial Mapping Project undertaken by Council, which involved a ground audit of five business districts (Woy Woy, Umina, Budgewoi, The Entrance and Wyong) to track accessibility and surface quality.

Action: Advisory Group Support Officer to circulate an electronic copy of Council's Disability Inclusion Action Plan to Committee members for their information.

Item 8 General Business and Close

- a) Helen Beazley submitted some feedback on a Council project via email which was she asked to be shared with the Committee:

I wish to acknowledge completion of concrete footpath on section of Racecourse Rd fronting upgraded carpark at tennis complex (western side); pedestrians between hospital and West Gosford can now walk off road.

The Committee noted the feedback and thanked staff for their efforts in this project.

- b) The Committee discussed the ongoing issue of quorum and possibility of altering the Terms of Reference to reduce the number of voting members (noting that any Councillor can attend a meeting, but may no longer wish to be a nominated member if unable to attend meetings)

Recommendation: That Council consider altering the adopted Terms of Reference with regard to membership to reduce the number of voting members, and hopefully resolve ongoing quorum issues.

The meeting closed at 5.52pm

Next Meeting: Thursday, 28 November 2019
4pm – 6pm
Central Coast Council Gosford Office
Level 1 Committee Room



Item No: 4.1
Title: Meeting Record of the Employment and Economic Development Committee held 11 September 2019
Department: Innovation and Futures

11 November 2019 Ordinary Council Meeting

Trim Reference: F2018/00100 - D13680549

Manager: Jamie Barclay, Unit Manager, Economic Development and Project Delivery

Executive: Ricardo Martello, Executive Manager Innovation and Futures

Report Purpose

To note the Meeting Record of the Employment and Economic Development Committee held on 11 September 2019.

Recommendation

That Council receive the report on Meeting Record of the Employment and Economic Development Committee held 11 September 2019.

Background

The Employment and Economic Development Committee held a meeting on 11 September 2019. The Meeting Record of that meeting is Attachment 1 to this report.

There are no actions recommended to Council. The Meeting Record is being reported for information only in accordance with the Terms of Reference.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

Attachments

- 1 Employment and Economic Development Committee Meeting Record - 11 September 2019 D13680541

Employment and Economic Development Committee Meeting Record 11 September 2019



Location:	Central Coast Council Wyong Office Level 2 Committee Room 2 Hely Street, Wyong	
Date:	11 September 2019	
Time	Started at: 5.04pm	Closed at: 6.21pm
Chair	Mayor Jane Smith	
File Ref	F2018/00100	

Present:

Mayor Jane Smith, Councillor Chris Holstein, Councillor Bruce McLachlan, Councillor Jilly Pilon, Councillor Jeff Sundstrom, William Adames, Mike Goodman

External Attendees:

Paula Martin – NSW Business Chamber

Council Staff present:

Ricardo Martello – Executive Manager Innovation and Futures, Jamie Barclay – Unit Manager Economic Development and Project Delivery, Tina Nay – Advisory Group Support Officer

Item 1 Apologies, Welcome and Acknowledgement of Country

Apologies received: Councillor Rebecca Gale Collins, Councillor Kyle MacGregor, John Asquith

The Chairperson, Mayor Jane Smith, declared the meeting open at 5.04pm and completed an Acknowledgement of Country statement.

Mayor Jane Smith also acknowledged the connection that we have to this land and place, and the shared responsibility that we have to care for and protect this land for future generations.

Item 2 Disclosure of Interest

The Mayor called for any declarations of interest.

Councillor McLachlan declared a less than significant non-pecuniary interest as he had done previously, as a business owner on the Central Coast.

Employment and Economic Development Committee Meeting Record
11 September 2019



Item 3 Confirmation of Previous Meeting Record

The Advisory Group confirmed the Meeting Record from 13 June 2019.

The Advisory Group reviewed the Action Log.

Item 4 NSW Business Chamber Presentation

Paula Martin gave presentations on apprentice and trainee data for 2019 and the 2018 Youth Census Survey results.

The Advisory Group congratulated and thanked Paula for the presentations.

Item 5 Update on Economic Development Strategy

Jamie Barclay (Unit Manager Economic Development and Project Delivery) gave an update on the Economic Development Strategy.

The draft Economic Development Strategy should be due for Council review in October 2019.

Item 6 Committee Changes

The Committee noted the resignation of Michael Pilon and would like to thank him for the effort and dedication given by Michael to this Committee since he was appointed.

Item 7 General Business and Close

A special thank you was given to Mike Goodman for a presentation about the Queensland Sunshine Coast Economic Development Strategy and resourcing at a previous meeting.

John Asquith also received a mention for the wrack information provided following the 13 June 2019 meeting.

The meeting closed at 6.21pm

Next Meeting: **Wednesday 20 November 2019**
 5pm – 7pm
 Wyong Administration Building
 Level 2 Committee Room



Item No: 4.2
Title: Meeting Record of Gosford CBD and Waterfront Advisory Committee held 18 September 2019
Department: Environment and Planning

11 November 2019 Ordinary Council Meeting

Trim Reference: F2018/00101 - D13680608

Executive: Scott Cox, Director Environment and Planning

Report Purpose

To note the Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 18 September 2019.

Recommendation

That Council receive the report on Meeting Record of Gosford CBD and Waterfront Advisory Committee held 18 September 2019.

Background

The Gosford CBD and Waterfront Advisory Committee held a meeting on 18 September 2019. The Meeting Record of that meeting is Attachment 1 to this report.

There are no actions recommended to Council. The Meeting Record is being reported for information only in accordance with the Terms of Reference.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

Attachments

- | | | |
|----------|--|-----------|
| 1 | Gosford CBD and Waterfront Advisory Committee Meeting Record - 18 September 2019 | D13680586 |
|----------|--|-----------|

Gosford CBD and Waterfront Advisory Committee Meeting Record 18 September 2019



Central
Coast
Council

Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street Gosford	
Date:	18 September 2019	
Time	Started at: 2:35pm	Closed at: 4:23pm
Chair	Mayor Jane Smith	
File Ref	F2018/00101	

Present:

Mayor Jane Smith, Councillor Louise Greenaway (arrived 4:09pm), Councillor Chris Holstein, Councillor Kyle MacGregor (arrived 3:09pm), Michael Conroy (left 3:42pm), Joy Cooper, Dianne Haydon, Chris Krogh

Council Staff present:

Scott Cox – Director Environment and Planning, Ricardo Martello – Executive Manager Innovation and Futures, Lisa Fox – Senior Advisor Policy and Projects, Jamie Barclay – Unit Manager Economic Development and Project Delivery, Glenn Cannard – Unit Manager Community Partnerships, Brett Sherar – Unit Manager Open Space and Recreation, Tina Nay – Advisory Group Support Officer

Item 1 Apologies and Acknowledgement of Country

Apologies received: Councillor Rebecca Gale Collins, Councillor Richard Mehrtens, Rod Dever, Edwina Nikora, Caine King – Urban Development Institute Australia (UDIA), Michael Papadopoulos – Roads and Maritime Services, Nicola Robinson – Central Coast Regional Development Corporation (CCRDC)

The Chairperson, Mayor Jane Smith, completed an Acknowledgement of Country and Connection to Land statement.

Quorum was not achieved until 3:09pm and was lost at 3:42pm with the departure of a voting member. The meeting achieved quorum again at 4:09pm with the late arrival of a voting member.

Item 2 Disclosures of Interest

No disclosures were made.

Item 3 Confirmation of Previous Meeting Record

The Meeting Records from 13 February and 8 May 2019 and the Action Log were held over till the next meeting.



Item 4 Road Infrastructure in and around Gosford CBD (deferred from previous meeting)

The Committee noted an issue with parking and traffic movement around Gosford Hospital, particularly concerning the access near Gosford High School.

The Committee briefly discussed the Erina to Somersby corridor and questioned the effect the rapid bus service may be having on the area.

Action: Gosford CBD Traffic Modelling Project to be an agenda item for next meeting.

Action: Representative from Roads and Maritime Services to be invited to discuss possibility of a traffic study at the next meeting.

Item 5 Reflect on Progress in line with Terms of Reference and Action Plan (deferred from previous meeting)

Mayor Jane Smith raised the issue of this meeting not reaching quorum, noting there are six Councillors on this Committee.

The Committee agreed that the voting membership of all Advisory Groups and Committees may need reviewing in the future. It was suggested that some Councillors may be willing to be 'non-voting' members of the Committee.

Item 6 Update on Kibble Park

Glenn Cannard (Unit Manager Community Partnerships) gave an update on Kibble Park.

It was noted that discussions about the William Street Mall Huts are ongoing. A decision will be made once Place Plans have been undertaken. Small businesses that use the Huts will be offered temporary space within the Imperial Centre, until another location is available.

The Committee discussed the proposal to do a Place Plan for Kibble Park. It was acknowledged there has been a Government Architect Plan already completed.

Brett Sherar (Unit Manager Open Space and Recreation) advised the Committee that Council does not have the funds to implement what the Plan had suggested and that it does not address the small-scale issues.

Action: Government Architect Plan and Place Plan for Kibble Park to be considered at the next meeting.

Item 7 Town Centre Changes

Glenn Cannard (Unit Manager Community Partnerships) gave an update on Town Centre Focus and events planned for the remainder of 2019.

A special thank you was given to the Connected Communities team due to the feedback received from the local community on the success of the Tai Chi classes; with 144 people attending.

Gosford CBD and Waterfront Advisory Committee Meeting Record
18 September 2019



Item 8 Christmas/NYE Events in Gosford

Glenn Cannard (Unit Manager Community Partnerships) gave an update on the events to be held in Gosford during Christmas and New Year.

Although there will be no Christmas Parade this year due to logistics, there are five other events being held over the Christmas and New Year period.

The oval space near Central Coast Leagues Club was discussed with regard to the New Year's Eve Fireworks being a popular location for families. It was noted that two thirds of the open space will be lost with the pending field works to commence in November.

Item 9 DA 54602/2018 Residential Flat Development containing 237 Units

Scott Cox (Director Environment and Planning) spoke to the DA document distributed to Committee members, noting there are currently two DA applications, although the revised DA is a reduction in size. The original DA submitted in 2003 did not comply with height restrictions and was originally a smaller footprint but a bigger building. Committee members raised concerns with the impact of traffic from the units on the already busy John Whiteway Drive.

It was noted that although DAs are considered via SEARs or a Local Planning Panel this Committee's Terms of Reference state that 'the role of the Gosford CBD and Waterfront Advisory Committee – Central Coast is to advise Council on all matters relating to the Gosford CBD and Waterfront'. The Committee is also 'responsible for providing advice and feedback to Council on; Initiatives to promote and appropriately develop the Gosford CBD'.

Action: Traffic Assessment Report and Information on 2018 DA application compliance to be referred to the Committee

Action: Director Environment and Planning to provide further commentary on how the Committee can provide advice and feedback on the future development of Gosford CBD.

Item 10 Updates from Committee Members if Applicable

Joy Cooper asked if the land in Brisbane Water near the railway line is Council or Crown land, as it has been reported as being the most polluted water in the area. It was noted that the water doesn't have great flow, however there may not be just an issue with water but also the soil. There was some discussion about the source of information that suggests soil / substrate is contaminated.

Action: Joy Cooper to provide further information on request regarding potential soil contamination.

Item 11 General Business and Close

No general business was discussed.

The meeting closed at 4:23pm.

Gosford CBD and Waterfront Advisory Committee Meeting Record
18 September 2019



Next Meeting: **Wednesday 13 November 2019**
 4pm - 6pm
 Central Coast Council Gosford Office
 Level 1 Committee Room



Item No: 4.3
Title: Response to Notice of Motion - Sculptures by the Sea
Department: Connected Communities

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-02 - D13694309
Author: Myra Pettinger, Marketing and Brand Coordinator
Manager: Sue Ledingham, Unit Manager Community Engagement
Executive: Julie Vaughan, Director Connected Communities

Report Purpose

This report provides Council with an overview of recent investigations into Sculptures by the Sea and the possibility of that activity or similar being held on the Central Coast.

Recommendation

That Council receive the report on Response to Notice of Motion - Sculptures by the Sea.

Background

Council, at its ordinary meeting on 22 July 2019 resolved the following Notice of Motion:

- 692/19 *That Council request the Chief Executive Officer to contact the organisers of Sculptures by the Sea in order to express an interest in relocating the event within the Central Coast Local Government Area.*
- 693/19 *That Council request the Chief Executive Officer to identify suitable potential coastal locations and investigate the feasibility and costs of a similar type of event to be staged within Central Coast Local Government Area.*
- 694/19 *That Council request the Chief Executive Officer to provide a report back to Council to consider options for staging a similar type of event, including an estimate of costs.*

Council Officers have met with the organisers of Sculptures by the Sea to discuss the Expression of Interest process for hosting an event or undertaking a cultural tourism project.

Advice received from the Sculptures by the Sea organisers, based on their understanding of the Central Coast region and the initial discussion with Council Officers, is that the primary event which is currently held in Bondi is unlikely to be realised on the Central Coast. This is due to the logistics and accessibility of locations, infrastructure and amenities that are currently available in our region to host an exhibition of this size.

4.3 Response to Notice of Motion - Sculptures by the Sea (contd)

The organisers were however interested in exploring other partnership and funding opportunities in the Central Coast region such as a temporary or permanent sculpture trail or park as a cultural tourism project for the region.

Internal discussions have taken place with Council Officers from Tourism and Community Partnerships, who have determined that while the premise of such an activity is consistent with objectives outlined in the Central Coast Tourism Opportunity Plan and the draft Central Coast Regional Cultural Plan, if Council Officers were instructed to proceed with this project or similar it is the initial recommendation that the earliest viable time line would be to host a local event in 2021.

It is the recommendation of Council Officers that an activity of this scale requires a delivery model with a ten-year development plan at a minimum.

Initial considerations for staging a similar type event are outlined below:

- The purpose of the event would be to ensure local content is featured amongst world class content.
- If Council were to suggest areas to be scoped for feasibility the preference is to narrow the focus of potential locations to areas that are already being investigated for place making opportunities.
- A local event should provide Council an opportunity to slowly build a collection of permanent installations while featuring temporary installations annually.
- A minimum of five months to prepare a feasibility study to develop a viable local model is required, this would involve devising a plan to activate the project, conduct a spatial audit, investigate the inclusion of public programming and establish a workable budget.
- Council Officers note any substantial activity such as what is proposed above would require appropriate and substantial allocation of resources and a ten-year plan for evolution to be devised.
- Council Officers note that the delivery of this activity has not been included in any current work plans and therefore would require further budget and resourcing to undertake project planning within this financial year.

Potential suitable locations initially identified to host a similar type event include:

- Ettalong to Umina Waterfront, due to existing pathway infrastructure and proximately to a variety of public transport hubs.
- The Entrance and Tuggerah Lakes, due to existing pathway infrastructure and substantial existing parking and event spaces.
- East Gosford, due to existing pathway infrastructure and the inclusion of Gosford Regional Art Gallery.

4.3 Response to Notice of Motion - Sculptures by the Sea (contd)

In the preparation of the above information, no feasibility study with costings has been undertaken.

A budget for a feasibility study will be built into the 2020-2021 budget.

Link to Community Strategic Plan

Theme 5: Liveable

Goal C: A growing and competitive region

C4: Promote and grow tourism that celebrates the natural and cultural assets of the Central Coast in a way that is accessible, sustainable and eco-friendly.

Attachments

Nil.



Item No: 4.4
Title: Local Government Elections 2020
Department: Governance

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00086 - D13687267
Author: Kathy Bragg, Senior Governance Officer
Manager: James Taylor, Section Manager, Governance
Executive: Dr Liz Develin, Director Governance

Report Purpose

To provide Council with an update regarding the conduct of the 2020 Local Government Elections.

Recommendation

That Council receive the report on Local Government Elections 2020.

Background

At its meeting held on 11 March 2019 Council resolved that the Central Coast 2020 Local Government Election would be administered by the NSW Electoral Commissioner as follows:

- 171/19 *That Council resolves pursuant to s.296(2) and (3) of the Local Government Act 1993 (NSW) (the Act) that an Election arrangement be entered into by contract for the NSW Electoral Commissioner to administer all Elections of the Council.*
- 172/19 *That Council resolves pursuant to s.296(2) and (3) of the Act, as applied and modified by s.18, that a council poll arrangement be entered into by contract for the NSW Electoral Commissioner to administer all Council polls of the Council.*
- 173/19 *That Council resolves pursuant to s.296(2) and (3) of the Act, as applied and modified by s.18, that a constitutional referendum arrangement be entered into by contract for the NSW Electoral Commissioner to administer all constitutional referenda of the Council.*
- 174/19 *That Council request the Chief Executive Officer to advise the NSW Electoral Commissioner before 12 March 2019 that Council has resolved to enter into an Election arrangement with the NSW Electoral Commissioner to administer all Council's Elections, polls and constitutional referenda.*

175/19 *That Council requests the Chief Executive Officer to advise NSW Regional Procurement as soon as practical that Council has resolved not to enter into an agreement with the Australian Election Company.*

IPART Review of Local Government Election Costs

In February 2019 the NSW Government approved a review by the Independent Pricing and Regulatory Tribunal (IPART) of the costs of conducting Local Government Elections in NSW.

On 30 August 2019 IPART provided its Final Report on the Review of Local Government Election Costs to the Minister for Local Government. IPART's final report is available at www.ipart.nsw.gov.au.

On 18 September 2019 the NSW Government released its response to IPART's Final Report and announced that it intended to fund the NSWEC's core costs in relation to the administration of Local Government elections, thereby reducing Council's election costs.

Under the new funding model, costs will be assigned as either direct or core costs and allocated to Councils or the NSW Government accordingly. The funding model will see costs allocated on the following basis:

- Direct (or marginal) costs are the costs that would not be incurred if an election was not held. These will be recovered from Councils on a direct allocation and per elector basis. These include election staffing, venues, ballot paper printing, council-specific advertising and voter information products.
- Core costs are defined as head office costs such as staff payroll, training, election security, project management, drafting of election procedures and policies, core IT system development and maintenance and ongoing voter roll maintenance. These are the costs the NSWEC must incur to maintain its capacity to conduct local government elections. The NSW Government will fund these core costs of \$19.9 million.

NSWEC Service Estimate for the Conduct of the 2020 Local Government Elections

Council has now received a Cost Estimate from the NSWEC for the conduct of the 2020 Local Government Elections (Attachment 1 to this report).

The total cost to Council is estimated to be \$2,147,083 excluding GST.

This cost estimate varies significantly from the costs published in IPART's Final Report. IPART's Final Report proposed that the 2020 net bill for Central Coast Council, including the NSW Government's subsidy, would be \$1.723 million, representing an 8% increase from the cost of the 2017 election.

The Cost Estimate from the NSWEC is \$424,000 more than the figure published in IPART's Final Report and represents an increase of 34% from the cost of the 2017 election.

4.4 Local Government Elections 2020 (contd)

Local Government NSW (LGNSW) is aware of this issue and has been approached by a number of Councils that have also received significantly increased Cost Estimates from the NSWEC that cannot be explained by CPI increases or population growth. LGNSW has raised this matter with the Office of the Minister for Local Government and advise that the Minister's staff were very concerned about this as the government's funding was intended to help alleviate cost impacts for Councils.

Council has provided the necessary information to LGNSW regarding the Cost Estimate received from NSWEC and LGNSW has stated it will continue to strongly advocate this issue on behalf of NSW Councils.

The contract with the NSWEC for the administration of the 2020 Local Government Elections must be signed and returned to the NSWEC no later than **1 January 2020**.

According to advice from the NSWEC, Council should have received the contract by the time this Business Paper is printed. NSWEC has advised that the contract is almost identical to the contract used for the 2016/2017 Local Government Elections. That contract was drafted by the Crown Solicitor's Office to meet the requirements of section 296 of the *Local Government Act 1993*.

Constitutional Referendums and Council Polls

Council must notify the NSWEC as soon as possible if they wish to enter into an arrangement for the administration of a referendum or poll to be conducted in conjunction with the 2020 Local Government Elections. The NSWEC has requested that wording for any referendum or poll be provided to the NSWEC by no later than **1 June 2020**.

Additional Details

The matters to be dealt with via a constitutional referendum are set out in section 16 of the *Local Government Act 1993* and include:

- dividing a Council area into wards or abolishing wards;
- changing the number of Councillors;
- changing the method of electing the Mayor;
- changing the method of election for Councillors where the Council's area is divided into wards.

Any changes approved at a referendum would come into effect at the September 2024 Local Government Elections.

Additional Costs

The NSWEC has advised that a referendum or poll typically adds 10% to the cost of the election. Every additional poll question adds to the cost.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

G2: Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect.

Attachments

- 1** 2020 Local Government Election - NSWEC Cost Estimate D13687692



2020 Local Government Election - Cost Estimate

Central Coast Council

Projects / Deliverables	Amount
<i>Ballot Papers</i>	81,830
<i>Call Centre</i>	69,905
<i>Event Management</i>	81,938
<i>Event Staffing</i>	1,096,360
<i>Information Technology</i>	141,586
<i>Logistics</i>	141,445
<i>Multi-Area Polling</i>	7,194
<i>Postal Voting</i>	105,347
<i>Venues</i>	304,026
<i>Voter Awareness</i>	117,452
TOTAL (excluding GST)	2,147,083
GST	214,708
TOTAL (including GST)	2,361,791

Assumptions

LGE 2020 Election Status - Fully Contested

NSWEC will conduct a similar proportion of council elections to 2016-17

Excludes cost for any referendum or poll a council may request NSWEC to conduct

All aspects of the election process will be as 2016/2017

Shared resources will be utilised where practical

Contact Details

Enquiries to Steve Robb, Director Customer Service & Relationship Management Tel: 02 9290 5431 Email: Steve.Robb@elections.nsw.gov.au

Level 25, 201 Kent Street Sydney 2000, GPO Box 832, Sydney 2001 Tel 02 9290 5999 Fax 02 9290 5991 ABN 94 828 824 124



Item No: 4.5
Title: Grant Funding Update as at 30 September 2019
Department: Innovation and Futures

11 November 2019 Ordinary Council Meeting

Trim Reference: F2004/06322 - D13702010

Author: Louise Fisher, Chief External Funding Coordinator

Executive: Ricardo Martello, Executive Manager Innovation and Futures

Report Purpose

To provide a quarterly report to Council on grant funding opportunities; and successful, unsuccessful and pending funding allocations at 30 September 2019.

Recommendation

- 1 That Council receive the report on Grant Funding Update as at 30 September 2019.**
- 2 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 3 to this report remain confidential in accordance with section 10A(2)(d) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed would confer a commercial advantage on a competitor of the Council and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Councils ability to obtain value for money services for the Central Coast community.**

Report

There are major funding opportunities available through the State and Federal Governments, and a significant amount of effort by Council staff has resulted in many elaborate and thoroughly considered expressions of interests, business cases and applications being submitted.

A concise list of the major funding opportunities is provided as Attachment 1.

Two reports are attached to identify how much Central Coast Council has applied for; all projects applied for; successful grants received and unsuccessful applications (detailing reasons why, if available). The following are attached:

- Applications for external funding where the outcome has been finalised – 30 June – 30 September 2019 – Attachment 2.
- Confidential - Applications for external funding that are under consideration – 30 September 2019 – Attachment 3.

Consideration of confidentiality

It is recommended that the Attachment 3 to this report, External Funding Applications under consideration, remain confidential for the purposes of s. 11(3) of the *Local Government Act 1993*, on the grounds that it includes:

- 2(d) commercial information of a confidential nature that would, if disclosed:
 - (ii) confer a commercial advantage on a competitor of the Council,

In addition, release of the information in Attachment 3 would on balance be contrary to the public interest as it would affect Councils ability to obtain value for money services for the Central Coast community and may reveal commercial-in-confidence provisions of a government contract.

Link to Community Strategic Plan

Theme 2: Smart

Goal C: A growing and competitive region

C1: Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast.

Attachments

- | | | |
|----------|---|-----------|
| 1 | Funding Opportunities 30 September 2019 | D13704126 |
| 2 | External funding submissions where the outcome has been finalised 30 June - 30 September 2019 | D13704127 |
| 3 | Confidential - External Funding Applications under consideration - 30 September 2019 - | D13704128 |

Funding Opportunities 30 September 2019



The following funding opportunities are available as at 30 September 2019

Program Name:	Stronger Country Communities Fund - Round 3
Date Close:	27 September 2019
Program Details:	The key changes compared to earlier rounds of Stronger Country Communities Fund: dedicates \$50 million to youth related projects; invites applications from councils and, for the first time, not-for-profit and community organisations; has been expanded to cover programs and events as well as infrastructure and has extended the application period to three months giving organisations time to submit their applications.
Funding Source:	NSW Government
Funding Available:	The funding allocated to the Central Coast LGA (not just Council) is \$2,935,576.
Website:	https://www.nsw.gov.au/improving-nsw/regional-nsw/regional-growth-fund/stronger-country-communities/

Program Name:	Fixing Country Roads
Date Close:	The first round for 2019 will be open from 20 August to 10 October.
Program Details:	Fixing Country Roads is a \$543 million NSW Government program providing targeted infrastructure funding from Restart NSW for regional freight projects.
Funding Source:	NSW Government
Funding Available:	The Fixing Country Roads program is for rural LGA's only – not including the Central Coast.
Website:	https://www.transport.nsw.gov.au/projects/programs/fixing-country-roads

Program Name:	Fixing Local Roads
Date Close:	The NSW Government expects to release the Fixing Local Road guidelines and open the program for applications before the end of 2019.
Program Details:	The Fixing Local Roads program is a \$500 million program that will be available to Central Coast Council. Its aim is to support councils with repairing, maintaining and sealing important local roads.
Funding Source:	NSW Government
Funding Available:	TBC
Website:	TBC

Program Name:	Community Swimming Grants Program
Date Close:	Applications Close 8 November 2019
Program Details:	Swimming Australia (SA) has received funding under the Move It AUS - Participation Grants Program. As part of this SA has committed to providing a portion of this funding towards community level swimming and aquatics programs that align with the Move It Aus - Participation Grants Program objectives.
Funding Source:	Federal Government
Funding Available:	The program allows organisations the opportunity to apply for grants of up to \$10,000.
Website:	https://www.swimming.org.au/community-swimming-grants

Program Name:	Environment Restoration Fund
Date Close:	Due to open for applications on 24 October 2019
Program Details:	The Australian Government is investing \$100 million, over four years from 2019-20 to 2022-23, to help ensure our environment is protected for future generations through the Environment Restoration Fund.
Funding Source:	Federal Government election commitment
Funding Available:	Central Coast Council is eligible to apply for the following two grants under the Environment Restoration Fund. <ul style="list-style-type: none"> - \$300,000 for improving the health of Gosford Coastal Lagoons. This project will undertake management actions to improve the water quality of Gosford lagoons including additional breeding habitat for Green and Golden Bell Frogs adjacent to Avoca Lagoon. - \$4,700,000 for Tuggerah Lakes. The project will undertake the restoration of bushland, saltmarshes, stream-banks and foreshores across the Tuggerah Lakes estuary.
Website:	https://www.environment.gov.au/environment-restoration-fund

Program Name:	Recreational Fishing Grants
Date Close:	31 October 2019
Program Details:	Funding is available for a range of projects including recreational fishing education; fishing access and facilities; recreational fishing enhancement; research on fish and recreational fishing; aquatic habitat rehabilitation and protection and enforcement of fishing rules
Funding Source:	NSW Government
Funding Available:	There are different funding application forms to choose from when applying for funding: <ol style="list-style-type: none"> 1. Small projects - seeking less than \$10,000 of funding, 2. Large projects - seeking more than \$10,000 of funding
Website:	https://www.dpi.nsw.gov.au/fishing/recreational/recreational-fishing-fee/licence-fees-at-work/apply-for-funds

Program Name:	NSW Environmental Trust's Restoration and Rehabilitation
Date Close:	18 November 2019
Program Details:	To assist community and government organisations to contribute to the ongoing sustainable management and stewardship of significant environmental assets and services in NSW.
Funding Source:	NSW Government
Funding Available:	A total of \$4 million is available to the following organisations for projects that assist in the ongoing sustainable management and stewardship of significant environmental assets and services in NSW: <ul style="list-style-type: none"> - \$2 million for projects by community organisations - \$2 million for projects by government entities Grants of between \$5,000 and \$100,000 are available.
Website:	https://www.environment.nsw.gov.au/funding-and-support/nsw-environmental-trust/grants-available/environmental-restoration-and-rehabilitation

Program Name:	Regional Airports Program
Date Close:	12 December 2019
Program Details:	The Regional Airports Program will improve the safety and accessibility of airports or aerodromes in regional areas of Australia by supporting critical air infrastructure that will: <ul style="list-style-type: none"> - improve the safety of aircraft, operators and passengers using regional airports or aerodromes - facilitate improved delivery of essential goods and services such as food supplies, health care and passenger air services - improve the connectivity of Australia's regions to domestic and global market opportunities - meet the operational requirements of aeromedical and other emergency services in the region.
Funding Source:	Federal Government
Eligibility:	Central Coast Airport, Warnervale is not eligible for this program as Warnervale is in the "Major Capital Cities" zone in the Australian Statistical Geography Standard (ASGS) - Remoteness Area map and only those airports in the 'Inner Regional' and 'Outer Regional' remoteness zones are eligible.
Funding Available:	There is a total of \$45 million available for this grant round. <ul style="list-style-type: none"> - The minimum grant amount is \$20,000. - The maximum grant amount is \$5 million. The grant amount will be up to 50% of eligible project costs, unless you and a third party are both contributing to eligible project costs. In this case, the grant amount will be up to 33.3% of eligible project costs.
Website:	https://www.business.gov.au/assistance/regional-airports-program

Program Name:	Public Library Infrastructure Grants
Date Close:	8 November 2019
Program Details:	Public Library Infrastructure Grants are for projects that will assist NSW councils to improve public library infrastructure, including buildings and information technology systems.
Funding Source:	NSW Government
Funding Available:	Each council may submit one application Public Library Infrastructure Grants will be awarded up to a maximum of \$500,000 with two categories of funding: <ul style="list-style-type: none"> - up to \$200,000 - \$200,001 to \$500,000 – detailed plans, DA, detailed costing and matching funding required
Website:	https://www.sl.nsw.gov.au/public-library-services/subsidies-and-grants/public-library-grants

Program Name:	LGNSW Research and Innovation Fund
Date Close:	EOI's due 25 September 2019
Program Details:	Supports new areas of research, policy development and innovation for the advancement of local government in NSW. Its purpose is to fill gaps in the evidence base, explore emerging issues, promote informed discussion and debate, and encourage the development of research capacity in the sector. Once applications close, our Advisory Committee will review the projects based on the Fund's criteria. Short-listed projects will be announced at the LGNSW Annual Conference in October, where applicants will have the opportunity to showcase their ideas and generate potential partnerships with other councils. Following further sector consultation, the Advisory Committee will announce the successful project in November 2019.
Funding Source:	LGNSW Board
Funding Available:	LGNSW Board has allocated \$50,000 to the Fund in 2019/20 for a new research project that drives innovation in the sector.
Website:	https://www.lgnsw.org.au/key-initiatives/research-and-innovation-fund

Program Name:	Regional Digital Connectivity program
Date Close:	Ongoing
Program Details:	The program will explore digital connectivity infrastructure and innovative technologies to improve liveability, productivity and innovation in regional NSW. Business cases will explore regional data hubs, high-capacity 'backbone' data links to Sydney, and improved connectivity and data access for businesses. Three priority areas for the program are: <ol style="list-style-type: none"> 1. Internet and data – closing the gap between metro and regional internet speeds, prices and reliability 2. Farm and water – enabling our farmers to leverage agricultural technology (AgTech) to boost competitiveness, productivity and water management

	3. Mobile – eliminating mobile black spots where people live & work
Funding Source:	NSW Government
Funding Available:	The 2019 NSW Budget included the \$400 million under the \$4.2 billion Snowy Hydro Legacy Fund. As this program is under the Snowy Hydro Legacy Fund, any application will require regional collaboration.
Website:	https://www.nsw.gov.au/improving-nsw/regional-nsw/regional-digital-connectivity-program/

Program Name:	Clubgrants Category 3 Infrastructure Grants for 2019/20
Date Close:	Opening: Monday, 18 November 2019 Closing: 5pm (AEDT) Monday, 9 December 2019
Program Details:	Infrastructure Grants can be used toward the costs of construction, alteration, renovation, completion and fit-out of buildings and community infrastructure in the following areas:
Funding Source:	NSW Government
Funding Available:	There can only be one application from Council per round
Website:	https://www.responsiblegambling.nsw.gov.au/infrastructure-grants/infrastructure-grants

Program Name:	Everyone Can Play in NSW
Date Close:	12pm, 11th December 2019
Program Details:	The Everyone Can Play (ECP) Grants Program is a NSW Government commitment to support councils to renew, renovate and build inclusive playspaces across all of NSW. The NSW Government is committed to providing playspaces for people of all ages, abilities and needs to enjoy, and to ensuring that Everyone Can Play.
Funding Source:	NSW Government
Funding Available:	Funding is available for the following projects: <ul style="list-style-type: none"> • Inclusive Playspace Upgrades (up to \$50,000 per project) • Inclusive Playspace New (up to \$200,000 per project) Successful applicants will be required to expend the funding within 18 months from the date of the funding agreement.
Website:	https://everyonecanplay.nsw.gov.au/grants

External Funding Applications where the outcome has been finalised 30 June - 30 Sept 2019



The outcomes for the following projects' external funding applications has been finalised - 30 June - 30 Sept 2019

Total funding allocated 30 June - 30 Sept 2019 - **\$9,561,890**

Total Funding allocated – Year to Date: **\$9,561,890**

North Avoca Camp Protection	
Status: Funding Allocated	
Project Description: Engage a community liaison expert consultant with experience in contentious issues to talk directly with residents about their concerns and provide them with practical help in the form of materials (car covers, etc) and subsidies for services (or air conditioning) to help them cope with the noise, smell and damage from the influx of bats. In consultation with Council tree assessment officers, provide advice to residents about legal trimming of branches or felling trees to create buffers on private land.	
Funding Program: Flying-fox Grant Program 2019	
Funding Source: NSW Government	Total Project Cost: \$39,640
Unit: Natural and Environmental Assets	Funding Allocated: \$19,820
Additional Notes:	

North Avoca Flying-fox Camp – supplementary	
Status: Funding Allocated	
Project Description: Supplementary funding	
Funding Program: LGNSW Emergency Stream Flying Fox management	
Funding Source: NSW Government	Total Project Cost: \$23,000
Unit: Natural and Environmental Assets	Funding Allocated: \$23,000
Additional Notes:	

Cullens Road, Copacabana	
Status: Funding Allocated	
Project Description: Cullens Road - full length between The Scenic Road and Cape Three Points Road - Safety barriers, Vehicle Activated Signs, signposting and delineation improvements	
Funding Program: Australian Government Blackspot 2019/20	
Funding Source: Federal	Total Project Cost: \$340,000
Unit: Roads Business Development and Technical Services	Funding Allocated: \$340,000
Additional Notes:	

The Ridgeway, between Paroo Road, Lisarow and Tumbi Road, Tumbi Umbi	
Status: Funding Allocated	
Project Description: Delineation improvements / shoulder widening / re surfacing / safety barrier along The Ridgeway, between Paroo Road, Lisarow and Tumbi Road, Tumbi Umbi	
Funding Program: Australian Government Blackspot 2019/20	
Funding Source: Federal	Total Project Cost: \$650,000
Unit: Roads Business Development and Technical Services	Funding Allocated: \$650,000
Additional Notes:	

Yarramalong Road, Hue Hue Road, Wyong	
Status: Funding Allocated	
Project Description: Yarramalong Road, Hue Hue Road, Wyong to Bumble Hill Road, Yarramalong - edgelines, Chevron alignment markers / Raised Reflective Pavement Markings / Guideposts / curve advisory signs	
Funding Program: Australian Government Blackspot 2019/20	
Funding Source: Federal	Total Project Cost: \$155,000
Unit: Roads Business Development and Technical Services	Funding Allocated: \$155,000
Additional Notes:	

Love Food Communities	
Status: Funding Allocated	
Project Description: The program involves approaching households, food related businesses, schools and child care centres, to participate in the Love Food Communities Program. This program is made up of 2 targeted food waste avoidance initiatives – Food Smart and Your Business is Food.	
Funding Program: Waste Less Recycle More Initiative	
Funding Source: NSW Government	Total Project Cost: \$200,000
Unit: Waste Services and Business Development	Funding Allocated: \$200,000
Additional Notes:	

Gwandalan Jetty Accessibility Upgrades	
Status: Funding Allocated	
Project Description: Upgrades to accessibility of jetty at Gwandalan Foreshore including a designated fishing area to allow for accessible and recreational fishing activities	
Funding Program: Recreational Fishing Trust	
Funding Source: NSW Government	Total Project Cost: \$71,300
Unit: Open Space and Recreation	Funding Allocated: \$24,300
Additional Notes:	

Entrance District Sporting and Community Centre (EDSACC) Cricket Practice Net Replacement	
Status: Funding Allocated	
Project Description: EDSACC Cricket Practice Net Replacement	
Funding Program: Australian Cricket Infrastructure Fund	
Funding Source: Federal	Total Project Cost: \$34,300
Unit: Open Space and Recreation	Funding Allocated: \$34,300
Additional Notes:	

Central Coast Council Renewable Energy Generation Facility	
Status: Unsuccessful	
Project Description: The project will undertake pre-investment studies to determine the feasibility of the proposed Central Coast Council Renewable Energy Generation Facility. The proposed Central Coast Council Renewable Energy Generation will include a Thermal Hydrolysis Plant (THP) that reduces the fugitive emissions of the treatment plant and provides combined heat and power. Energy storage will be considered as a way of providing demand response in conjunction with the THP/biogas generator.	
Funding Program: NSW Emerging Energy Program - Pre-investment Studies	
Funding Source: NSW Government	Total Project Cost: \$212,736
Unit: Water and Sewer	Funding Allocated: \$0
Additional Notes:	

Umina Ocean Beach Erosion Management Strategy	
Status: Funding Allocated	
<p>Project Description: Ocean/Umina Beach is located in Broken Bay at the southern end of the Central Coast Local Government Area. The sedimentary system within Broken Bay is extremely complex manifesting in medium to long term periods of cyclical beach erosion and accretion which appear to correlate with the "wet" and "dry" phases of various climate cycles. During extended periods of erosion the integrity and stability of The Esplanade is often compromised and historically this has been managed through implementing ad hoc protection and beach scraping. This project aims to set the direction for the long term management of coastal hazards within this embayment in accordance with the Gosford Beaches Coastal Zone Management Plan. There are two aspects being investigated:</p> <ol style="list-style-type: none"> 1. Nourishment of the beach utilising sand from the Ettalong Shoal offshore of Half Tide Rocks; and, 2. Terminal protection of The Esplanade between Ocean Beach SLSC and Koorung Street boat ramp 	
Funding Program: Coastal and Estuary Grants Program (Planning Stream) 2016-17	
Funding Source: NSW Government	Total Project Cost: \$490,000
Unit: Natural and Environmental Assets	Funding Allocated: \$205,950
Additional Notes:	

Implementation of Pearl Beach Coastal Zone Management Plan Actions Stage 1	
Status: Funding Allocated	
<p>Project Description: Pearl Beach Lagoon is a small and mostly closed coastal lagoon on the NSW Central Coast. The lagoon is a dynamic ecosystem that can vary between freshwater, brackish and saltwater environments and has historically, on occasion been completely dry. It is a unique feature of the local area and there are no comparable environments nearby. This project aims to address three key management actions identified in the Coastal Zone Management Plan for Pearl Beach Lagoon relating to hydrological and sedimentary processes.</p>	
Funding Program: Coastal and Estuary Grants Program (Planning Stream) 2017-18	
Funding Source: NSW Government	Total Project Cost: \$94,500
Unit: Natural and Environmental Assets	Funding Allocated: \$47,250
Additional Notes:	

Wamberal terminal protection and sand nourishment investigation and design	
Status: Funding Allocated	
Project Description: This project aims to investigate and design a terminal protection structure and beach nourishment program for the Wamberal Beach area to protect against future coastal erosion. Specifically the project aims to implement the following actions in the certified Coastal Zone Management Plan (CZMP): TW11: Terminal protection - Council to action review, design and funding of terminal protection structure for Wamberal. - Works may consist of a buried armour seawall TW15: Beach nourishment coupled with a terminal revetment to increase buffer against storm erosion. - Source sand for beach nourishment and place on the beach to build up dune and create buffer against storm erosion The project aims to build open previous studies and develop an up to date investigation and design package, cost benefit analysis, benefits distribution analysis and funding model. This will enable Council and other stakeholders to make an informed decision on the implementation of a terminal protection structure and beach nourishment.	
Funding Program: Coastal and Estuary Grants Program (Planning Stream) 2017-18	
Funding Source: NSW Government	Total Project Cost: \$207,500
Unit: Natural and Environmental Assets	Funding Allocated: \$207,500
Additional Notes:	

Hawkesbury River System Stage 1 Scoping Study	
Status: Funding Allocated	
Project Description: Development of a Stage 1 Coastal Management Plan Scoping Study in accordance with the NSW Coastal Management Manual cover the Hawkesbury River from the ocean to tidal limit inclusive of Brisbane Water and Pittwater estuaries.	
Funding Program: Floodplain Management Grants	
Funding Source: NSW Government	Total Project Cost: \$55,000
Unit: Natural and Environmental Assets	Funding Allocated: \$55,000
Additional Notes: This project is a partnership between Hornsby, Central Coast, Hawkesbury, The Hills, Northern Beaches and Kur-ring-gai Councils. Hornsby Council is the lead agency.	

Wyong River Floodplain Risk Management Study and Plan	
Status: Funding Allocated	
Project Description: This project will investigate practical, feasible and economic management measures to treat existing, future and residual risk. The floodplain risk management study will provide a basis for informing the development of a floodplain risk management plan.	
Funding Program: Floodplain Management Grants	
Funding Source: NSW Government	Total Project Cost: \$130,950
Unit: Natural and Environmental Assets	Funding Allocated: \$130,950
Additional Notes:	

Ourimbah Creek Floodplain Risk Management Study and Plan	
Status: Funding Allocated	
Project Description: This project will investigate practical, feasible and economic management measures to treat existing, future and residual risk. The floodplain risk management study will provide a basis for informing the development of a floodplain risk management plan.	
Funding Program: Floodplain Management Grants	
Funding Source: NSW Government	Total Project Cost: \$139,880
Unit: Natural and Environmental Assets	Funding Allocated: \$139,880
Additional Notes:	

Killarney Vale / Long Catchments Floodplain Risk Management Study and Plan	
Status: Funding Allocated	
Project Description: This project will investigate practical, feasible and economic management measures to treat existing, future and residual risk. The floodplain risk management study will provide a basis for informing the development of a floodplain risk management plan.	
Funding Program: Floodplain Management Grants	
Funding Source: NSW Government	Total Project Cost: \$113,940
Unit: Natural and Environmental Assets	Funding Allocated: \$113,940
Additional Notes:	

Northern Lakes Floodplain Risk Management Study and Plan	
Status: Funding Allocated	
Project Description: This project will investigate practical, feasible and economic management measures to treat existing, future and residual risk. The floodplain risk management study will provide a basis for informing the development of a floodplain risk management plan.	
Funding Program: Floodplain Management Grants	
Funding Source: NSW Government	Total Project Cost: \$161,000
Unit: Natural and Environmental Assets	Funding Allocated: \$161,000
Additional Notes:	

Mardi Water Treatment Plant Upgrade	
Status: Funding Allocated	
Project Description: This upgrade to the Mardi Water Treatment Plant will secure 160ML/D of drinking water production capacity to Australian Drinking Water Guidelines, for a contemporary raw water quality envelope which reflects water quality in Mardi Dam following the extraction regime implemented as part of the commissioning of the Mardi to Mangrove Transfer Pipeline.	
Funding Program: Safe & Secure Water Program	
Funding Source: NSW Government	Total Project Cost: \$24,400,000
Unit: Water Planning and Development	Funding Allocated: \$6,854,000
Additional Notes: The Safe and Secure Water Program (SSWP) is a \$1 billion regional infrastructure co-funding program under the NSW Government's Restart NSW Fund.	

Mixed Pathway at Umina Beach Surf Club	
Status: Funding Allocated	
Project Description: A wide pathway around the surf club car park to allow walkers, riders and runners to access the recreational precinct that connects Ocean Beach Road to the Recreational Precinct and Caravan Park Access Road.	
Funding Program: My Community Project	
Funding Source: NSW Government	Total Project Cost: \$200,000
Unit: Roads Business Development and Technical Services	Funding Allocated: \$200,000
Additional Notes: Project nominated by the Umina Community Group and sponsored by Council.	



Item No: 5.1
Title: Questions with Notice
Department: Governance

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13703521

Author: Kylie Hottes, Councillor and Meeting Support Officer

Manager: Sarah Georgiou, Section Manager, Councillor Support

Executive: Dr Liz Develin, Director Governance

5.1 Questions with Notice

The following question was submitted by Councillor MacGregor:

Further question in response to QON 204/18 consultancy fees September 2017-2018

Does council have data available to compare the spend on consultants as identified in QON 204/18 to an equivalent period for the former Gosford and Wyong councils in the year prior to amalgamation i.e May 2014-2015?

Response provided by the Director, Finance:

This question requires additional resources to provide an appropriate response. As a result, it is not possible to provide a response for this Ordinary Meeting and it is proposed to provide the response for inclusion in the Business Paper for the Ordinary Meeting being held on 9 December 2019.

The following question was submitted by Councillor Smith:

Biodiversity Offsets

Could staff please advise regarding the current status of biodiversity offsets for the Rail Maintenance Facility at Kangy Angy and the Pacific Highway upgrade works at Lisarow?

Response provided by the Director, Environment and Planning

Two major State Government infrastructure projects are seeking biodiversity credits from Council natural reserves:

- The New Intercity Fleet Maintenance Facility Project Kangy Angy (NIF) and
- The Pacific Highway upgrade at Lisarow.

5.1 Questions with Notice (contd)

The Biodiversity Stewardship Site Assessment Report includes a management plan that sets out proposed annual management actions and the cost of those actions over a 20 year period. The total costs are called the Total Fund Deposit.

The Biodiversity Conservation Trust will assess Council's applications against relevant legal and technical requirements and agree on the terms of the agreement.

The Biodiversity Stewardship Agreement will be prepared by BCT and will be brought to a Council meeting for endorsement to sign.

The steps in the process are provided in this table. The two proposed agreements are at different stages, with the application to the Biodiversity Conservation Trust having been submitted for the Pacific Highway Project and the Biodiversity Stewardship Site Assessment Report being currently reviewed by Council staff for the NIF.

	NIF Facility	Pacific Highway
Reserves shortlisted	Complete	Complete
Final reserve selection	Complete	Complete
Number of reserves	11	1
Field data collection	Complete	Complete
Management action plan and Total fund deposit	Complete	Complete
Biodiversity Stewardship Site Assessment Report	Drafted (being reviewed by Council staff)	Finalised
Formal offer for credits	Not received	Yes
Council accept offer	Not received	Yes (Purchase, Sale and Purchase Deed for Biodiversity Credits signed by CEO 24/9/19)
Application submitted to Biodiversity Conservation Trust	Expected end 2019	Yes
BCT accepts application	Not Commenced	Not Commenced
Biodiversity Stewardship Agreement prepared	Not Commenced	Not Commenced
Council endorse proceeding with BSA	Not Commenced	Not Commenced
BSA submitted and credits created	Not Commenced	Not Commenced
Credits transferred to TfNSW	Not Commenced	Not Commenced

5.1 Questions with Notice (contd)

The following question was submitted by Councillor Hogan:

Bins Emptied

Could staff please provide data from the waste contractors on the number of residents who have reported that their bin has not been emptied in the last financial year?

The response will be provided by the Director Roads, Transport, Drainage and Waste on or before the 11 November 2019 Ordinary Meeting.

The following question was submitted by Councillor Hogan:

Banners

Could staff please identify locations where banners can be placed legally in the Budgewoi Ward to advertise events and sporting registrations?

The response will be provided by the Director, Environment and Planning on or before the 11 November 2019 Ordinary Meeting.

The following question was submitted by Councillor MacGregor:

Paternity and Maternity Leave provisions for Staff

What are the current paternity and maternity leave provisions for council staff and how do these compare to the paternity and maternity leave provisions of the former councils prior to the forced amalgamation of Gosford and Wyong Councils?

The response will be provided by the Executive Manager, People and Culture on or before the 11 November 2019 Ordinary Meeting.

The following question was submitted by Councillor MacGregor:

Public gatherings in Kibble Park

Are there currently any council policies or regulations that restrict public gatherings or meetings in Kibble Park?

The response will be provided by the Director, Environment and Planning on or before the 11 November 2019 Ordinary Meeting.



Item No: 6.1
Title: Deferred Item - Notice of Motion - Water Security
Emergency
Department: Councillor

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-02 - D13687431

Author: Greg Best, Councillor

Summary

At its meeting held 25 September 2019, the Council resolved as follows;

911/19 *That Council defer consideration of moving to Level 2 restrictions at 50% capacity of Mangrove Creek Dam until after the briefing scheduled for 21 October 2019.*

- 1** *That with New South Wales now almost entirely in drought resulting in many sister Councils such as Armidale, Tamworth, Orange, Tenterfield, Cobar and Bathurst, facing 'zero day' (entirely running out of drinking water) in the next six months, Council move to an emergency footing around our remaining water supply.*
- 2** *That with the Central Coast facing scheduled Level 1 water restrictions and with less than four years water supply remaining (no rain), the Hunter going into restrictions on September 19th for the first time in 25 years and Sydney triggering water restrictions. This Council now takes a proactive stance and triggers our restrictions early commencing at Level 2 at 50% of Mangrove Creek Dam (MCD), thereby saving significant consumption.*
- 3** *That Council recognises (through the attached Restrictions Matrix) that simply moving to Level 2 restrictions still allows our Community to water gardens and wash vehicles whilst substantially extending our dam life, prior to run out.*
- 4** *That Council recognises the importance of civic leadership and the lessons learnt from the 2002-2007 drought when MCD reached 10.3%.*
- 5** *That with MCD now at 53.84% Council uses the remaining time to 50% MCD to ramp up the Community awareness and education prior to any water restrictions triggering.*
- 6** *That Council notes the dire situation in the Hunter and their ramping up of preparations to construct their own Desalination Plant.*

- 7 That Council notes as our water crisis is inextricably linked to Climate, and that Council's recently declared a 'Climate Emergency' the expansion of this emergency footing to include water is a fundamental progression.**
- 8 That Council notes the construction of our approved Desalination Plant on Lakes Beach will take in the order of three years to construct at a cost of more than \$100 million.**
- 9 That further Council notes in the event that our last option Desalination Plant is rejected, Council will need to identify (subject to no rain) a likely 'Zero Day' point for the Central Coast and what options will exist to then rail freight drinking water.**

Councillors Note

Councillors, I would like to thank you for supporting my Motion earlier this year to raise our restriction trigger levels up to 50%. Since this time, many events have conspired to apply even more pressure on our water supply. I have recently travelled from Brisbane to the Victorian border on leave and have taken time to witness first-hand the utter devastation that is occurring not only in our rural sector but along much of our Coast. This drought knows no bounds. It is beyond politics, it should not be second guessed or taken lightly.

I am advocating that we show genuine leadership in managing this critical asset that we are entrusted to by more than 300,000 Central Coast Residents.

The Motion is self-explanatory. It seeks to take a proactive and leading role in what is emerging to be possibly one of our most significant challenges. The lessons learnt from the 2002 drought will place us in a more sound position. To put it simply and with a sobering perspective, if inaction is the order of the day and we are not blessed with rain, we will run 340,000 people, Residents, Ratepayers and Businesses out of water. Currently our Region consumes approximately 70-80 mega litres of water per annum and if the worst came to the worst and we had to construct our last resort \$150 million, three year build Desalination Plant, it can only produce approximately 20 mega litres per annum. Even with this technology, our Region will severely struggle.

To sharpen focus around the task we are facing, Climate Experts indicate a 70% chance of an El Nino forming in the next few months that will cement even lower rainfall patterns. Since the last major drought, climate variability has become a key issue. Also as in the past we will not be able to rely on the Hunter through a reverse flow in our Northern pipeline as the Hunter recently went into water restrictions for the first time in 25 years. Also I am advised that their Authority is ramping up preparations for the construction of their own Desalination Plant. We have forecasts of a catastrophic bushfire season looming, thousands of more residents have arrived since our previous drought and the Christmas tourist influx will soon be upon us. It is incumbent upon us to act decisively and swiftly around this developing issue.

6.1 Deferred Item - Notice of Motion - Water Security Emergency (contd)

At the end of the day, to be prudent and to act will cost us little then the stark contrast that will occur around inaction. I believe our Community as they did in the previous serious drought will step up and will join us in working together to manage this emerging issue. I thank you on behalf of our Community in anticipation of your support.

To assist colleagues in your consideration of this critically important issue, I have taken the liberty of including the most recent Restriction Matrix and most recent Staff Report under water supply issues arising from my previous Motion earlier this year.

Attachments

- | | | |
|----------|---|-----------|
| 1 | Notice of Motion - Water Security Emergency | D13648584 |
| 2 | Water Security | D13429083 |
| 3 | Water Restrictions modified after in accordance with resolution and also level 1 refined to reflect level 2 modificationsV1 | D02968729 |

Item No: 6.5
Title: Notice of Motion - Water Security Emergency
Department: Councillor



9 September 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-02 - D13648584

Author: Greg Best, Councillor

Jilly Pilon, Councillor

Bruce McLachlan, Councillor

Councillors Best, Pilon and McLachlan have given notice that at the Ordinary Council Meeting to be held on 9 September they will move the following motion:

- 1 That with New South Wales now almost entirely in drought resulting in many sister Councils such as Armidale, Tamworth, Orange, Tenterfield, Cobar and Bathurst, facing 'zero day' (entirely running out of water) in the next six to twelve months, Council move to an emergency footing around our remaining water supply.**
- 2 That with the Central Coast facing scheduled Level 1 water restrictions by Christmas and less than four years supply remaining (no rain), the Hunter going into restrictions on September 19th for the first time in 25 years and Sydney triggering water restrictions, this Council now takes a proactive stance and triggers our restrictions early commencing at Level 2 at 50% of MCD, thereby potentially saving 16% of our total consumption.**
- 3 That Council recognises that simply moving to Level 2 restrictions immediately still allows our Community to water gardens and wash vehicles whilst substantially extending our dam life, prior to run out.**
- 4 That Council recognises the importance of civic leadership and the lessons learnt from the 2002-2007 drought when MCD reached 10.3%.**
- 5 That with MCD now at 51.9% Council uses the next seven weeks remaining before scheduled trigger to begin the Community awareness and education programs around our transition to greater water security.**

Councillors Note

Councillors, I would like to thank you for supporting my Motion earlier this year to raise our restriction trigger levels up to 50%. Since this time, many events have conspired to apply even more pressure on our water supply.

I have recently travelled from Brisbane to the Victorian border on leave and have taken time to witness first-hand the utter devastation that is occurring not only in our rural sector but along much of our Coast. This drought knows no bounds. It is beyond politics, it should not be second guessed or taken lightly.

I am advocating that we show genuine leadership in managing this critical asset that we are entrusted to by more than 300,000 Central Coast Residents.

The Motion is self-explanatory. It seeks to take a proactive and leading role in what is emerging to be possibly one of our most significant challenges. The lessons learnt from the 2002 drought will place us in a more sound position. To put it simply and with a sobering perspective, if inaction is the order of the day and we are not blessed with rain, we will run 340,000 people, Residents, Ratepayers and Businesses out of water. Currently our Region consumes approximately 70-80 mega litres of water per annum and if the worst came to the worst and we had to construct our \$150 million, three year build Desalination Plant, it can only produce approximately 20 mega litres per annum. Even with this technology, our Region will severely struggle.

To sharpen focus around the task we are facing Climate Experts indicate a 70% chance of an El Nino forming in the next few months that will cement even lower rainfall patterns. Since the last major drought, climate variability has become a key issue. Also as in the past we will not be able to rely on the Hunter through a reverse flow in our Northern pipeline. We have forecasts of catastrophic bushfire season looming, thousands of more residents have arrived since our previous drought and the Christmas tourist influx will soon be upon us. It is incumbent upon us to act decisively and swiftly around this developing issue.

At the end of the day, to be prudent and to act will cost us little then the stark contrast that will occur around inaction. I believe our Community as they did in the previous serious drought will step up and will join us in working together to manage this emerging issue. I thank you on behalf of our Community in anticipation of your support.

To assist colleagues in your consideration of this critically important issue, I have taken the liberty of including the most recent Restriction Matrix and most recent Staff Report under water supply issues arising from my previous Motion earlier this year.

Attachments

- | | | |
|---|---|-----------|
| 1 | Water Security - Ordinary Meeting 11 February 2019 | D13429083 |
| 2 | Water Restrictions modified after in accordance with resolution and also level 1 refined to reflect level 2 modificationsV1 | D02968729 |

Item No: 3.4
Title: Water Security
Department: Water and Sewer



11 February 2019 Ordinary Council Meeting

Trim Reference: F2018/01339 - D13429083

Author: Garry Casement, Section Manager Headworks

Manager: Luke Drury, Section Manager Water Services and Design

Executive: Bileen Nel, Director, Water and Sewer

Report Purpose

At its meeting of 10 September 2018, Council resolved:

- 947/18 *That Council notes New South Wales is now declared 100% drought affected and that extreme weather patterns appear to be prevailing resulting in less (than traditionally expected) annual rainfall.*
- 948/18 *That in response, Council now proactively and responsibly consider all water security options to optimise:*
- a *Water usage on the output side.*
 - b *Protect current and seek out alternate sources for water collection on the input side.*
- 949/18 *That Council review its water restrictions pathways with a view to adopting the most suitable and timely triggers for all levels of water restrictions.*
- 950/18 *That Council request the Chief Executive Officer report to Council on our general water security status and risk minimisation opportunities. Such a report should pay particular attention to the looming threats to our water security including:*
- a *The possible approval of the Wallarah 2 Coal Mine and its effects on our water supply.*
 - b *Climate Change*

Summary

Council has a number of plans, measures and activities in place to respond to the following variances and risks to water security:

- future water demand requirements and population growth;
- climate risks and changes;
- development that could impact water quantity and/or quality in the drinking water catchments;

- changes to regulatory requirements.

These plans are being reviewed and will be updated to enable Central Coast Council to respond to current and future needs.

Recommendation

- 1 That Council note the contents of this report in regards to current water resource planning activities and drought response.**
- 2 That Council endorse the Chief Executive Officer to amend the trigger points for the introduction and removal of the existing stages of Central Coast water restrictions to those outlined in Table 1.**

Context

Central Coast's Integrated Water Resources Plan, previously known as *WaterPlan 2050*, is the long term blueprint for managing the Central Coast's water resources that identified how to:

- further enhance the water supply system;
- continue to use water as efficiently as possible;
- develop additional future sources of water.

Council is undertaking a review of its Integrated Water Resources Plan as part of its ongoing planning, risk management activities and regulatory compliance. This is being undertaken in parallel and in close collaboration with the review of the Lower Hunter Water Plan being led by the NSW Department of Industry in conjunction with Hunter Water Corporation. The purpose of collaboration is to identify any mutual beneficial options available through greater cooperation between the two regions.

The Plan will also take into account NSW Department of Industry's *Greater Hunter Regional Water Strategy* which sets a foundation for better regional water management, covering the Central Coast, Hunter Valley and Mid-North Coast.

1. Water Demand

The long term water supply demand for the Central Coast is shown in Figure 1 below. Water restrictions were applied across the Central Coast from February 2002 to May 2012. Once water restrictions were removed, demand has not increased to pre-restriction levels even though there has been considerable population growth over that period. Total system demand has dropped from an average of 329 L/person/day in 2001 to 262L/person/day in 2018.

Central Coast Weekly Water Demand

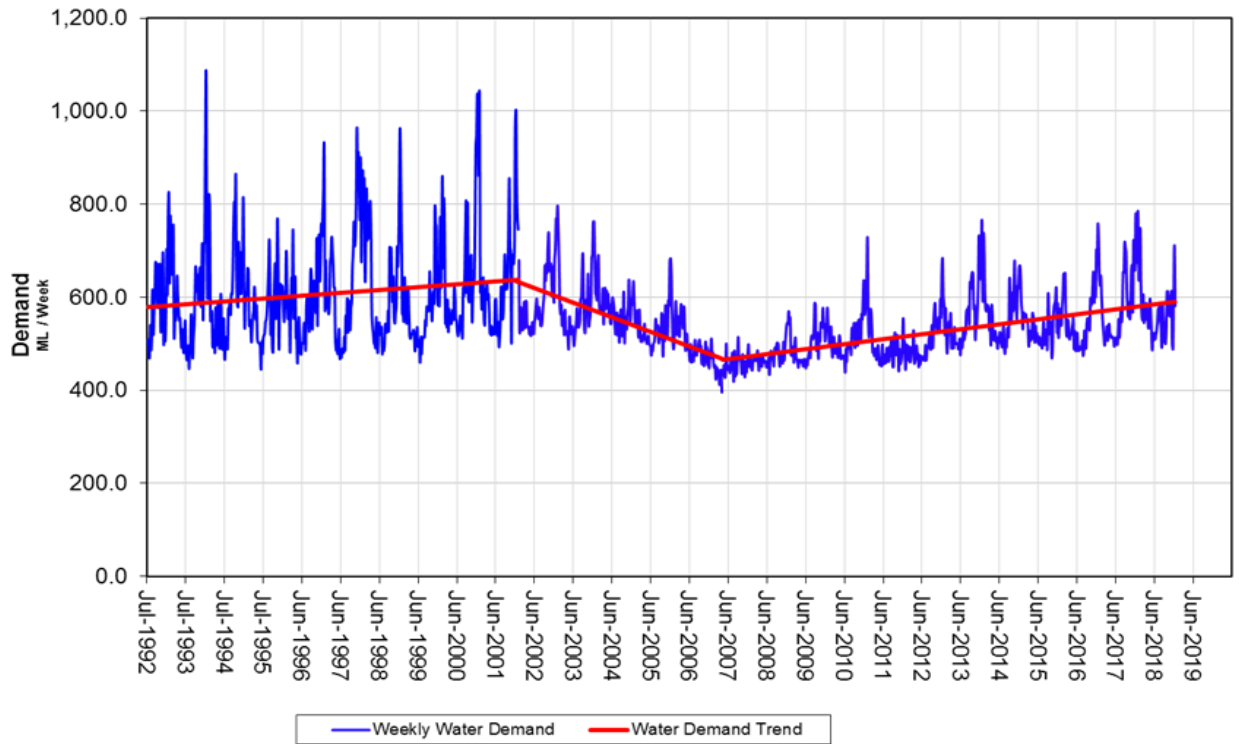


Figure 1 Central Coast water demand

2. Water Supply

Most of NSW is currently affected by drought including the Central Coast. Council has entered the current declared drought in a better position than when it entered the Millennium Drought .

This is reflected in the Water Storage Level in Figure 2 below which shows current storage levels are approximately 60% at the commencement of this potential drought phase as compared to levels approximately 45% prior to the Millennium Drought.

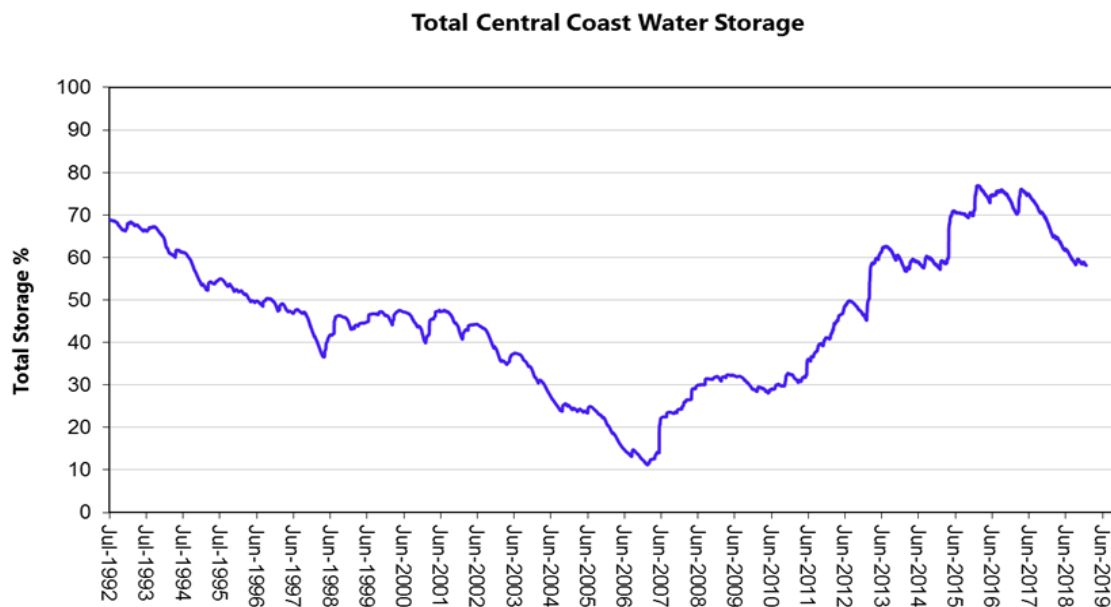


Figure 2: Central Coast water storage level

A number of improvements have also been made to the system that enables it to perform relatively better than during the Millennium Drought. Key improvements are shown in Figure 3, and include the following:

- A transfer main between Hunter Water and the Central Coast;
- A major link between the Mardi Dam and Mangrove Creek Dam including a new Wyong River pump station and fishway, Mardi to Mangrove Pump Station;
- Mardi Water Treatment Plant - Dual Power Supply;
- Mardi Dam to Mardi Treatment Plant Transfer system, including pump station and dam tower;
- The establishment of a number of small groundwater sources.

Since the Millennium Drought, increased environmental flow requirements for Wyong River have reduced Council's access to water during low to medium stream flows.

To address this, the Mardi Mangrove Link project included a larger pump station on Wyong River to extract more water during wet periods for storage in Mangrove Creek Dam. A new low flow fishway was also installed on the Wyong Weir to improve fish passage. This means that, on average, more water can be harvested for the water supply which it is done in a more environmentally sustainable manner.



Figure 3: New assets and improvements since start of millennium drought

3. Risk mitigation opportunities

Council is currently undertaking a number of activities to proactively ensure water security for the Central Coast water supply.

The Water and Sewer Directorate has established the Drought Management Working Group whose functions are to:

- Monitor water demand and the effects of drought conditions on the Central Coast water supply;
- Review and advise on actions to manage emerging drought conditions.

Council is also investing in capital works such as:

- The \$7.8M Mangrove Creek Dam Spillway Upgrade and Capacity Restoration project which will enable Mangrove Creek Dam to be filled to 100% (from its current maximum operating limit of 80%) Under current plans this work would be completed by 2022.
- The \$61M Mardi to Warnervale Trunk Water Pipeline programmed to commence construction in 2020.

Please note: These capital works are subject to the IPART determination expected in May 2019.

4. Other Risks

Whilst improvements to the water supply system have been made and are continuing, a number of other risks that have the potential to negatively impact the security of the supply, such as:

1. Wallarah 2 Coalmine.
2. Greater climate variability than previously recognised and changes to the hydrologic cycle and demand.
3. Future water demand requirements.
4. Changes to regulatory requirements.

4.1. Wallarah 2 Coalmine

The proposed Wallarah 2 Coalmine presents a risk to the streamflows that the Central Coast water supply sources from Wyong River. Council formally objected to the proposed coalmine proceeding on the basis of this and other risks and impacts.

Notwithstanding the risks the mine poses to the water supply, the conditions of consent contain compensatory water arrangements for the Central Coast water supply to offset the impacts on the amount of water available for the water supply. A no net loss of water condition was sought by Council and is considered essential.

As the compensatory water would be used as a raw water supply, the discharge water quality would need to meet broader parameters than just the usual environmental parameters.

4.2. Climate Variability

There is emerging research indicating that the climatic conditions in eastern Australia are more variable than the relatively short instrument records indicate (approximately 130 years). This has the potential to impact our understanding of the yield and security of the water supply as the duration, frequency and severity of dry periods may be more extreme than has been previously captured in the instrument records on which the system has been designed.

As part of the review of the Integrated Water Resource Plan, Council is reassessing the historical hydrology of the source catchments. To achieve this, a new rainfall runoff model is being developed for the source catchments using the eWater hydrology tools. These tools were established by the eWater Cooperative Research Centre (CRC) which established the National Hydrologic Modelling Platform. This is being applied in conjunction with more advanced rainfall data analysis that is now available.

The development of the new rainfall runoff model for the catchments will provide a better tool for modelling the impacts of changes to climatic parameters on the available stream flows and system behaviour. However, there is still significant uncertainty as to the level of change and rate of change of specific climatic parameters, particularly at the local scale.

To address the inherent uncertainties regarding future climate conditions, it is proposed that the analysis and options assessment incorporate system resilience criteria and identify possible future development pathways. This will allow for the ongoing development of a system that can accommodate and adapt to future conditions and opportunities as required.

4.3. Future Water Demands

Due to the long lead times involved with developing water supply infrastructure, a good understanding of the future water demands under various climatic conditions is required. There are a number of factors that influence demands including: population size/ demographics, socio economic factors, industrial/commercial activities, development patterns, housing types, water use behaviour, appliance efficiencies, customer service level expectations, development requirements, local climatic attributes and community response under drought conditions.

To better assess future demands, Council:

- has recently developed a water supply demand model to inform future water demand needs;
- is collaborating with other water supply organisations to improve understanding of water use behaviour and trends.

4.4. Regulatory Changes

Council's water business is highly regulated. Many standards and regulations have the potential to impact on the water security through changes in requirements affecting the ongoing development and operation of the water supply. Examples of issues that impact the water supply include:

- Changes to the assessment of extreme flood hydrology limiting the ability to fill Mangrove Creek Dam until it is upgraded;
- Regulations impacting Council's development and funding of the water supply.

Council manages these risks by keeping abreast of emerging regulatory changes, providing input to review process and amending plans as appropriate. A key consideration in developing longer term water supply strategies and options is to assess their resilience to a range of regulatory changes.

5. Water Restrictions

The Central Coast Council's water restriction rules and guidelines were last reviewed in 2011 following the completion of the Mardi to Mangrove Link project and partial storage recovery after the millennium drought. A copy of the current Water Restrictions Rules Matrix is shown in Appendix 1.

The level at which the water restrictions are triggered mainly involves balancing the duration/frequency at which restrictions are likely to be required against the risk of the storages declining to low levels.

Previous optimisation analysis (2010) for the water supply identified that in the longer term the initiation of level 1 water restrictions should occur when Mangrove Creek Dam storage level dropped to 50%. Similar increases were also identified for the other restriction levels, with the increases to occur as customer demand approached the water supply system's capacity (yield).

In light of emerging information on climate variability being more extreme than recognised in the previous analysis (likely lower yield), it is considered prudent to increase the restriction guideline triggers to the longer term levels identified in the 2010 optimisation analysis. In effect this would allocate the current excess yield capacity (while demands are lower) to reducing the risk of running out of water, rather than the current approach of allocating it to reducing the amount of time spent on restrictions. The consequences of increased time on restrictions are significantly less for a community than reaching critically low storage levels. The current water restriction guidelines along with proposed changes to these restriction level triggers is shown in Table 1 below.

Table 1: Current Water Restriction Guidelines (Endorsed 2011) and Proposed New Levels

Restriction Level	Initiate Restriction when Mangrove Creek Dam reduces to	Remove Restriction when Mangrove Creek Dam rises to	Target Reduction during restriction level	Proposed New Restriction Level. Mangrove Creek Dam reduces to	Remove Restriction Level when Mangrove Creek Dam rises to
	2012	2012		2019	2019
Level 1	42%	44%	8%	50%	52%
Level 2	34%	36%	16%	40%	42%
Level 3	30%	32%	24%	35%	37%
Level 4	26%	28%	27%	30%	32%
Level 5	22%	24%	30%	25%	27%

The restrictions are presented as guidelines that should be applied within the overall context of the relevant factors influencing the security of the supply such as:

- The seasonal outlook (for stream flows, rainfall and temperature);
- Achievement of the current restriction target;
- The timing and risk associated with any contingency water supplies, and
- Any other relevant information.

It should be noted that the trigger to remove restrictions is 2% higher than the trigger to introduce that restriction level. For example level 2 water restrictions would be introduced when Mangrove Creek Dam (MCD) dropped to 40 % but would change to level 1 water restrictions when MCD rose to 42%.

6. Drought Management Response

Council operates the water supply system to perform over a range of climatic conditions. This includes normal ongoing activities to reduce water demands on the system such as leak management and community engagement and education.

The operating rules incorporate triggers for utilising various sources to provide water security for the Central Coast. These include stream flows, water stored in dams, groundwater, inter regional water transfers and water restrictions.

However, in the event that the system was to undergo a prolonged and consistent decline associated with severe drought conditions, additional actions could be undertaken to extend the remaining supplies until storage levels were to recover. These include consideration of:

- The establishment of a drought management forum with the NSW Government to coordinate agency drought responses;
- Introducing rebate programs to invest in water saving appliances and practices;
- Increased community engagement and education to further reduce water consumption;
- Consider desalination as a last option.

7. Link to Community Strategic Plan

Theme 4: Responsible

We're a responsible Council and community, committed to building strong relationships and delivering a great customer experience in all our interactions.

It is recognised that a secure water supply is essential for economic development and a liveable community.

Goal H: Delivering essential infrastructure

R-H4: Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water.

Attachments

- | | | |
|----------|---|-----------|
| 1 | Water Restriction Rules | D02968729 |
| 2 | Wallarah Coal Project Compensatory Agreements | D13429551 |

Current Water Restriction Rules						
Target saving	Anticipated Water Wise Rules 4 %	Level 1 8%	Level 2 16%	Level 3 24%	Level 4 27%	Level 5 30%
Lawns & Garden	<ul style="list-style-type: none"> Watering including with sprinklers and irrigation systems is permitted any day before 10am and after 4 pm to avoid heat of the day All hand held hoses to have a trigger nozzle 	<ul style="list-style-type: none"> No fixed hoses or sprinklers (<i>including micro spray</i>) Hand-held hoses (with a trigger nozzle) and drip irrigation systems can be used any day before 10am and after 4 pm to avoid heat of the day Watering cans may be used to water at any time on any day. 	<ul style="list-style-type: none"> No fixed hoses or sprinklers (<i>including micro spray</i>) Hand-held hoses (with a trigger nozzle) and drip irrigation systems can be used for 1 hour a day on three days of the week, between the hours of 6.00 am - 9.00 am and 4.00 pm - 7.00 pm (Odd numbered homes Mon, Wed & Sat, Even numbered homes Tues, Thur & Sun) Watering cans may be used to water at any time on any day. 	<ul style="list-style-type: none"> No fixed hoses or sprinklers (<i>including micro spray</i>) Hand-held hoses (with a trigger nozzle) and drip irrigation systems can be used for 1 hour a day on two days of the week, between the hours of 6.00 am - 9.00 am and 4.00 pm - 7.00 pm (Odd numbered homes Wed & Sat, Even numbered homes Thur & Sun) Watering cans may be used to water at any time on any day. 	<ul style="list-style-type: none"> No hoses or sprinklers (<i>including micro spray</i>) Watering cans may be used to water at any time on any day. 	<ul style="list-style-type: none"> All external use of town water banned
Vehicle / Boat Washing**	<ul style="list-style-type: none"> All road vehicles (including cars, trucks, caravans and cars in car yards) and boats and their trailers may be washed with a bucket or a hose provided a trigger nozzle or pressure cleaner is used Hose to flush boat engines is permitted 	<ul style="list-style-type: none"> All road vehicles (including cars, trucks, caravans and cars in car yards) and boats and their trailers may be washed with a bucket or a hose provided a trigger nozzle or pressure cleaner is used Hose to flush boat engines is permitted 	<ul style="list-style-type: none"> All road vehicles (including cars, trucks, caravans and cars in car yards) and boats and their trailers may be washed with a bucket or a hose provided a trigger nozzle or pressure cleaner is used Hose to flush boat engines is permitted 	<ul style="list-style-type: none"> All road vehicles (including cars, trucks, caravans and cars in car yards) and boats and their trailers may be washed with a bucket or a hose provided a trigger nozzle or pressure cleaner is used Hose to flush boat engines is permitted 	<ul style="list-style-type: none"> All road vehicles (including cars, trucks, caravans and cars in car yards) and boats may be washed with a bucket Boats trailers may be washed with a bucket or a hose provided a trigger nozzle or pressure cleaner is used (max 5 mins). Hose to flush boat engines (max 5 mins) 	<ul style="list-style-type: none"> All external use of town water banned. Vehicles windows can be cleaned using a bucket.
Hard Surfaces	<ul style="list-style-type: none"> No hosing of paths and driveways. 	<ul style="list-style-type: none"> No hosing of paths and driveways. 	<ul style="list-style-type: none"> No hosing of paths and driveways. 	<ul style="list-style-type: none"> No washing or wetting of any external surface is permitted, including paths, driveways, building surface, outside furniture or structures. 	<ul style="list-style-type: none"> No washing or wetting of any external surface is permitted, including paths, driveways, building surface, outside furniture or structures. 	<ul style="list-style-type: none"> All external use of town water banned
Private Pools	<ul style="list-style-type: none"> Topping up of existing pools using a hose from the town water supply is permitted, 	<ul style="list-style-type: none"> Topping up of existing pools using a hose from the town water supply is permitted, 	<ul style="list-style-type: none"> Emptying and refilling of existing pools using a hose from the town water supply is not permitted, Topping up of existing pools using a hose from the town water supply is permitted, Filling of new pools from the town water supply is permitted. 	<ul style="list-style-type: none"> Topping or refilling of existing pools using a hose from the town water supply is not permitted. A bucket may be used or supply other than the drinking water supply system, Filling of new pools from the town water supply is permitted. 	<ul style="list-style-type: none"> Topping or refilling of existing pools using a hose from the town water supply is not permitted. A bucket may be used or supply other than the drinking water supply system, Filling of new pools from the town water supply is not permitted. 	<ul style="list-style-type: none"> All external use of town water banned
Bowling Greens, Golf greens & Cricket Pitches	<ul style="list-style-type: none"> Watering including with sprinklers and irrigation systems is permitted any day before 10am and after 4 pm to avoid heat of the day All hand held hoses to have a trigger nozzle 	<ul style="list-style-type: none"> Fixed watering system up to 2hr per day 6.00 -8.00 am 6.00 -10.00 pm 	<ul style="list-style-type: none"> Fixed watering system up to 2hr per day 6.00 -8.00 am 6.00 -10.00 pm 	<ul style="list-style-type: none"> Watering systems for a total of 1 hour per day on Monday, Wednesday and Friday between the hours of 6.00 am - 8.00 am and 6.00 pm - 8.00 pm are permitted. 	<ul style="list-style-type: none"> Watering systems for a total of 1 hour per day on Monday, Wednesday and Friday between the hours of 6.00 am - 8.00 am and 6.00 pm - 8.00 pm are permitted. 	<ul style="list-style-type: none"> All external use of town water banned
Nurseries & Commercial Gardens	<ul style="list-style-type: none"> Watering including with sprinklers and irrigation systems is permitted any day before 10am and after 4 pm to avoid heat of the day All hand held hoses to have a trigger nozzle 	<ul style="list-style-type: none"> Fixed watering system up to 4hr per day -6.00 -8.00 am 6.00 -8.00 pm 	<ul style="list-style-type: none"> Fixed watering system up to 2hr per day 6.00 -8.00 am 6.00 -8.00 pm 	<ul style="list-style-type: none"> Watering systems for a total of 1 hour per day between the hours of 6.00 am - 8.00 am and 6.00 pm - 8.00 pm are permitted. 	<ul style="list-style-type: none"> Watering systems for a total of 1 hour per day between the hours of 6.00 am - 8.00 am and 6.00 pm - 8.00 pm are permitted. 	<ul style="list-style-type: none"> All external use of town water banned
Sporting Fields, School Ovals and Grassed Areas	<ul style="list-style-type: none"> Watering including with sprinklers and irrigation systems is permitted any day before 10am and after 4 pm to avoid heat of the day All hand held hoses to have a trigger nozzle 	<ul style="list-style-type: none"> Fixed water systems three times a week between 6.00 -10.00 pm 	<ul style="list-style-type: none"> Fixed water systems two times a week between 6.00 -10.00 pm 	<ul style="list-style-type: none"> All external use of town water banned. 	<ul style="list-style-type: none"> All external use of town water banned. 	<ul style="list-style-type: none"> All external use of town water banned.
Water Cartage from Town Water Supply	<ul style="list-style-type: none"> Permitted 	<ul style="list-style-type: none"> Permitted for domestic internal Use Only 	<ul style="list-style-type: none"> Permitted for domestic internal Use Only 	<ul style="list-style-type: none"> Permitted for domestic internal Use Only 	<ul style="list-style-type: none"> Permitted for domestic internal Use Only 	<ul style="list-style-type: none"> Permitted for domestic internal Use Only
Auto Flush urinals	<ul style="list-style-type: none"> Timer controlled operation is not permitted. 	<ul style="list-style-type: none"> Timer controlled operation is not permitted. 	<ul style="list-style-type: none"> Timer controlled operation is not permitted. 	<ul style="list-style-type: none"> Timer controlled operation is not permitted. 	<ul style="list-style-type: none"> Timer controlled operation is not permitted. 	<ul style="list-style-type: none"> Timer controlled operation is not permitted.
Public Beach showers, fish tables and boat ramp taps.	<ul style="list-style-type: none"> Permitted. 	<ul style="list-style-type: none"> Permitted. 	<ul style="list-style-type: none"> Permitted. 	<ul style="list-style-type: none"> Permitted. 	<ul style="list-style-type: none"> Not permitted. 	<ul style="list-style-type: none"> Not permitted.
Customers with an annual demand greater than 3,500KL and hotels, motels, resorts, caravan parks and public pools	<ul style="list-style-type: none"> Preparation and implementation of a Water Management Plan 	<ul style="list-style-type: none"> Preparation and implementation of an approved Water Management Plan 	<ul style="list-style-type: none"> Preparation and implementation of an approved Water Management Plan 	<ul style="list-style-type: none"> Preparation and implementation of a Water Management Plan is required to achieve a minimum of 24 % reduction on pre restriction (2001) water usage. 	<ul style="list-style-type: none"> Preparation and implementation of a Water Management Plan is required to achieve a minimum of 24 % reduction on pre restriction (2001) water usage. 	<ul style="list-style-type: none"> Preparation and implementation of a Water Management Plan is required to achieve a minimum of 24 % reduction on pre restriction (2001) water usage.
Voluntary residential target	<ul style="list-style-type: none"> 150 Litres per person per day. 	<ul style="list-style-type: none"> 150 Litres per person per day. 	<ul style="list-style-type: none"> 150 Litres per person per day. 	<ul style="list-style-type: none"> 150 Litres per person per day. 	<ul style="list-style-type: none"> 150 Litres per person per day. 	<ul style="list-style-type: none"> 140 Litres per person per day.



Item No: 6.2
Title: Deferred Item - Notice of Motion - Green Power
Blackout
Department: Councillor

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13704501

Author: Greg Best, Councillor

Summary

At its meeting held 28 October 2019, the Council resolved as follows;

1063/19 That Council defer consideration of this matter to the Ordinary Meeting being held on 11 November 2019.

Recommendation

- 1 That Council notes the Community outrage at the 'growing' Solar Blackout now occurring across the Coast due to Council's Tree DCP that prohibits vegetation removal over residential Solar Panels.**
- 2 That further Council notes that many thousands of responsible Central Coast Residents have been encouraged by this Council to invest millions in supporting Solar Green Energy.**
- 3 That Council as a matter of urgency investigate and review our DCP / Policy Settings to reflect a more common sense approach around Vegetation Policy and Energy initiatives.**
- 4 That Council request the General Manager to furnish a report to this end for Council's consideration.**

Attachments

- 1** 8 October 2019 Ordinary Meeting - Additional Item - 8.4 -Notice of Motion - Green Power Blackout D13704512

ADDITIONAL ITEM

Item No: 8.4
Title: Notice of Motion - Green Power Blackout
Department: Councillor



28 October 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-02 - D13690417

Author: Greg Best, Councillor

Councillor Greg Best has given notice that at the Ordinary Council Meeting to be held on 28 October 2019 he will move the following motion:

- 1 That Council notes the Community outrage at the 'growing' Solar Blackout now occurring across the Coast due to Council's Tree DCP that prohibits vegetation removal over residential Solar Panels.**
- 2 That further Council notes that many thousands of responsible Central Coast Residents have been encouraged by this Council to invest millions in supporting Solar Green Energy.**
- 3 That Council as a matter of urgency investigate and review our DCP / Policy Settings to reflect a more common sense approach around Vegetation Policy and Energy initiatives.**
- 4 That Council request the General Manager to furnish a report to this end for Council's consideration.**

Councillors Note

Colleagues, this is an outrageous situation that Council has allowed to develop. Local Residents are investing tens of thousands of dollars, with millions being invested across the Region, only to find their new Solar System is useless/blacked out because of Council's Tree Policy/DCP. In no way does this pass the pub test, the reasonable man test or the common sense test. It is simply an outrage. For Ratepayers to be told they cannot prune or remove a tree that is blacking out their Solar System defies logic and the irony of this is, that this Council actively encourages the Public to install Solar. Enough is enough.

Attachments

Nil



Item No: 6.3
Title: Notice of Motion - Reclassification
Department: Councillor

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13705985

Author: Louise Greenaway, Councillor

Councillor Greenaway has given notice that at the Ordinary Council Meeting to be held on 11 November 2019 she will move the following motion:

That Council request staff to provide a progress report and recommendations for the 9 December 2019 Ordinary Council meeting, in relation to resolution 874/18 relating to a proposal to reclassify the properties listed in that resolution from operational to community land.

Attachments

Nil.



Item No: 6.4
Title: Notice of Motion - Advisory Committee Terms of Reference
Department: Councillor

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13706892

Author: Jane Smith, Councillor

Councillor Smith has given notice that at the Ordinary Council Meeting to be held on 11 November 2019 she will move the following motion:

- 1 That the Terms of Reference for Advisory Committees be amended to provide that a quorum for the conduct of a meeting is as follows:**
 - a. Half the non-Councillor representatives and two Councillors for those Groups with four or more Councillor representatives; and**
 - b. Half the non-Councillor representatives and one Councillor for those Groups with fewer than four Councillor representatives.**

- 2 That the Terms of Reference for Advisory Committees be amended to provide that the Committees provide advice to both Council and staff noting that this change will not have a practical impact upon the way in which the Committees currently operate.**

Attachments

Nil.



Item No: 6.5
Title: Notice of Motion - Cat Curfew for the Central Coast
Department: Councillor

11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13709222

Author: Kyle MacGregor, Councillor

Councillor MacGregor has given notice that at the Ordinary Council Meeting to be held on 11 November 2019 he will move the following motion:

- 1** *That Council note that various councils across NSW and Australia are either lobbying the Government to amend current legislation to bring in a mandatory cat curfew or are introducing their own cat curfew policies.*
- 2** *That Central Coast Council consider options for the introduction of a cut curfew within the Central Coast LGA or similar council policy mechanisms in order to reduce the impact of roaming cats within our LGA.*
- 3** *That Council receive a report back on the potential implementation of a cat curfew or similar policy mechanisms within a reasonable timeframe i.e. six months from the date of this council meeting.*

Attachments

Nil.

Item No: 6.6
Title: Notice of Motion - Redress Scheme
Department: Councillor



11 November 2019 Ordinary Council Meeting

Trim Reference: F2019/00041-003 - D13709280

Author: Jillian Hogan, Councillor

Councillor Hogan has given notice that at the Ordinary Council Meeting to be held on 11 November 2019 she will move the following motion:

- 1 That Council notes that every child has the right to grow up in an environment where they feel safe and secure, have access to services, clean air and water, can play, learn and grow, and where their voice is heard and matters (UNICEF).**
- 2 That Council notes that the Australian Government expects every institution in which the sexual abuse of children occurred, to be accountable for that abuse and join the National Redress Scheme (the Scheme) and provide redress.**
- 3 That Council notes that 'the Scheme', acknowledges that many children were sexually abused in Australian institutions, holds institutions accountable for this abuse, and helps people who have experienced institutional child sexual abuse gain access to counselling, a direct personal response, and a Redress payment.**
- 4 That Council notes that applications identifying institutions that have not yet joined the National Redress Scheme will not be assessed until the relevant institution/s has joined.**
- 5 That Council notes that we support many sporting codes that have not been named in the Royal Commission however this Notice of Motion will help to start a conversation, raise awareness and ultimately protect children.**
- 6 That Council notes that Football NSW, Swimming Australia and Tennis NSW have been identified by the Royal Commission into Institutional Responses to Child Sexual Abuse and have not yet joined the Scheme.**
- 7 That Council request the Chief Executive Officer write to Football NSW, Swimming Australia and Tennis NSW and encourage these organisations to lead by example and join the Redress Scheme.**

Background

The National Redress Scheme is in response to the Royal Commission into Institutional Responses to Child Sexual Abuse.

The Australian Government expects every institution in which the sexual abuse of children occurred to be accountable for that abuse and join the National Redress Scheme (the Scheme) and provide redress. Many institutions are in the process of working to join the Scheme however there are many that have not. Institutions not actively taking steps to join the Scheme are encouraged to do so quickly. Institutions have until 30 June 2020 to join the Scheme but are expected to make every effort to join as soon as possible.

It is important that people have access to information about which institutions have joined, or have not yet joined the Scheme. The list published provides information about institutions that were named in the Royal Commission into Institutional Responses to Child Sexual Abuse that have not yet joined the Scheme and those that have

<https://www.nationalredress.gov.au/institutions>. The publication of this list provides transparency for people who may be thinking about applying to the Scheme.

It is important to note that while this list covers institutions named by the Royal Commission, there are likely to be other institutions, which are not named, where abuse occurred. The Government also expects these institutions to be accountable for this abuse and join the Scheme.

Attachments

Nil.