



3 May 2024

David Rodwell  
Principal Council Officer  
Committee Office  
Legislative Council

Dear Mr Rodwell,

**Planning System and the Impacts of Climate Change on the Environment and Communities**

Council acknowledges receipt of your email dated 17 April 2024 in relation to the parliamentary inquiry into the planning system and the impacts of climate change on the environment and communities.

We have now reviewed the fact sheet, transcript and supplementary questions and provide responses to the questions in Attachments A and B. We also provide a marked up copy of the transcript with requested edits (Attachment C). The purpose of the edits are to rectify minor errors only.

It is noted that, due to the timeframe to submit the response and the timing of the Council meeting cycle, this response is provided as a staff response rather than as a Council endorsed response.

We trust that the responses provided are of assistance. If you require clarification on any of the matters please contact me by email or by telephone on

Yours sincerely,

Deanne Frankel  
**Section Manager Strategic Planning Projects**

Attachment A    Questions on Notice  
Attachment B    Supplementary Questions  
Attachment C    Edited Transcript

## Attachment A - **Questions on Notice**

### 1) Wamberal Sea Wall

- a) *Has Council received any lots along that Wamberal area from the State Government? Has anything been transferred to Council?*

No.

- b) *In terms of your understanding, are landowners paying for any of the construction and maintenance of their sections of the proposed coastal seawall?*

Council has resolved that, in principle, each landowner should fund coastal protection works on their own land. Council understands that private landowners intend to fund the portion of works on their land, should development consent be granted. Where sections of the structure have to be located seaward of the private property boundary, it is still proposed that the portion of that asset in front of the property that is the primary beneficiary of it, will be owned by the private landowner (with licensing arrangements established for them to locate the structure on Council land). Portions located seaward of the private property boundary only comprise a small section of the entire embayment.

- c) *Will works be built on in terms of the beach, or will they be built landward, if that is to be approved?*

Council's adopted [Wamberal Beach Terminal Protection Structure Engineering Design Requirements](#) require that coastal protection works be constructed as far landward as practicable.

### 2) Commuter Statistics

- a) *Do you have any statistics on the proportions of various occupations and the proportion that travel to Sydney? For example, is it majority white-collar workers or are we talking trades?*

Central Coast Council has access to an economic profile through .IDcommunity. Based on this data, of the 150,767 employed residents in the Central Coast, 36,358 or 24.1% travel outside of the area to work.

Further analysis of this data has been undertaken to provide a breakdown of commuters by occupation type (Figure 1) and by industry type (Figure 2). It is noted that this breakdown is for those Central Coast residents that commute to Sydney only. Despite this, it provides an indicative breakdown for the Central Coast.

Figure 1 – Percentage of Central Coast residents that commute to Sydney for work, by occupation type.

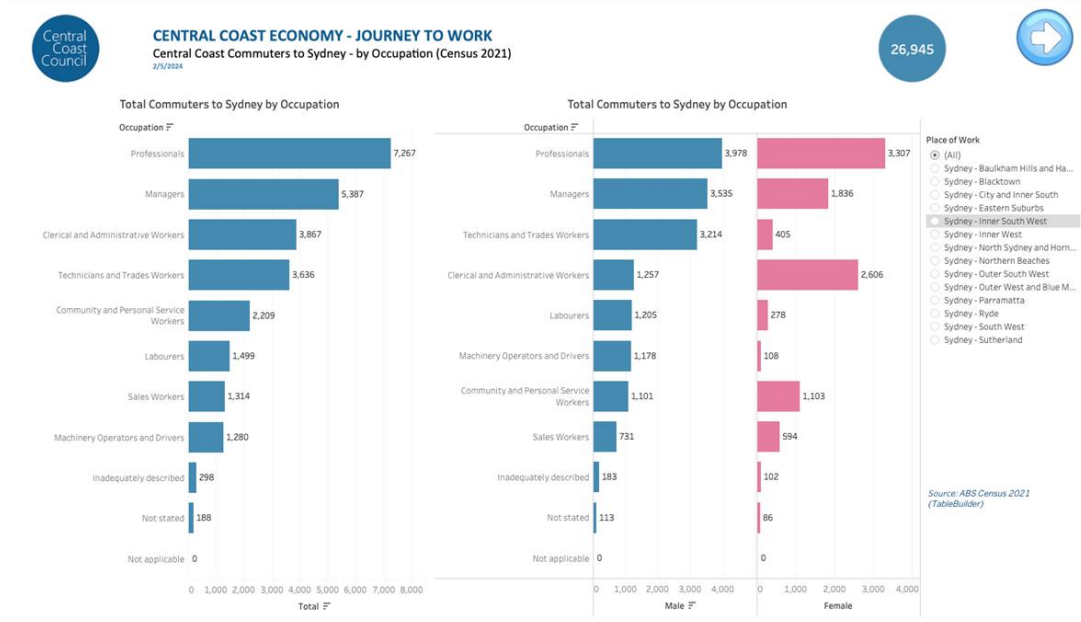
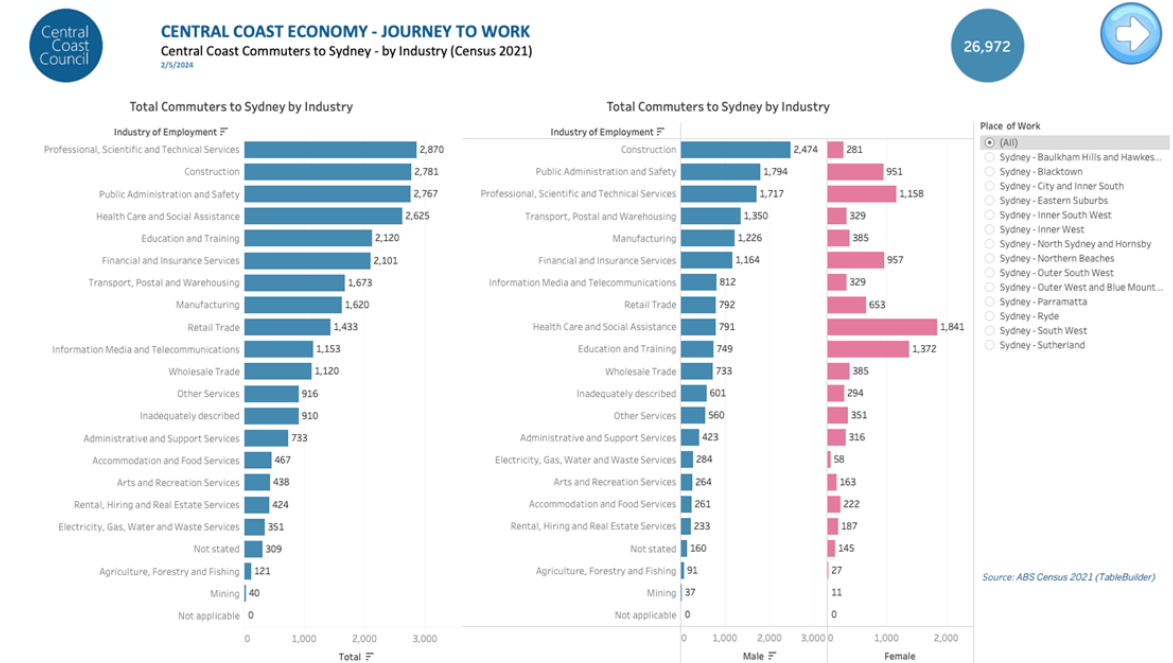


Figure 2 – Percentage of Central Coast residents that commute to Sydney for work, by industry type.



3) Land and Environment Court Matters

- a) *How many matters you've actually got before the Land and Environment Court on that provision effectively of the 40 days and the like?*

Provided below are the number of deemed refusal appeals that have commenced, as well as the number of actual refusal appeals that have commenced.

<b>Year</b>	<b>Number of deemed refusal appeals commenced</b>	<b>Number of actual refusal appeals commenced</b>
2021/22	10	1
2022/23	26	5
2023/24 (to date)	18	8

## Attachment B - **Supplementary Questions**

### 1) Wamberal Sea Wall

- a) *Will Council make public the documents and advice they are to receive from the private law firm they have hired regarding the perceived and actual conflicts of interest in relation to the Wamberal sea wall?*

Council has provided extensive information about how it is managing probity around its dual roles as a planning authority and manager of land subject to development applications for coastal protection works on its website: [Coastal Erosion - Wamberal Beach | Central Coast Council \(nsw.gov.au\)](#). This information includes a conflict of interest management strategy ([Microsoft Word - D16105397 Management Statement - Council Conflict of Interest Management Strategy - Wamberal Beach Terminal Protection Project\(2\) \(nsw.gov.au\)](#)) which was prepared with input from Council's probity advisor for the project. Council continues to update its website with information relating to the project, including a number of frequently asked questions about probity management.

- b) *Can you explain how Council will manage any conflicts of interest that are identified by the private law firm?*

Council has engaged an external probity advisor to assist in managing potential conflicts in relation to Council's role as a planning authority and as a manager of land subject to development applications for coastal protection works. Probity management measures, including the roles and responsibilities of Council officers, are detailed in Council's Probity Plan for the project and summarised in Council's Conflict of Interest Management Strategy.

- c) *In relation to Mr Ian Carruthers comment on sand nourishment "Council doesn't know what the answer is on sand nourishment at the moment. They haven't found a source, as far as I know" (page 26. Uncorrected transcript). What is Council's response to this and what work has Council done on sand nourishment for Wamberal Beach?*

As part of the technical studies for the Wamberal Beach Terminal Protection and Sand Nourishment project, Manly Hydraulics Laboratory (MHL) undertook a comprehensive sand nourishment investigation, which identifies a range of sand nourishment sources ([https://www.yourvoiceourcoast.com/sites/default/files/2022-06/mhl\\_stage\\_4\\_report\\_sand\\_nourishment\\_investigation\\_final.pdf](https://www.yourvoiceourcoast.com/sites/default/files/2022-06/mhl_stage_4_report_sand_nourishment_investigation_final.pdf)).

The series of technical study reports for the project, including this one, were provided to the community for feedback in 2021 and 2022. See Council's consultation hub page: <https://www.yourvoiceourcoast.com/wamberalerosion>. Council has also lobbied the NSW and Australian governments for assistance to access suitable sources of sand, and in particular marine sand, and continues to closely monitor the pilot sand nourishment program being implemented at Stockton Beach.

The MHL studies also assessed coastal erosion rates based on the current status quo scenario at Wamberal Beach, and a suite of various terminal protection options. The recommended option that Council has resolved to pursue has been assessed by MHL to require the same amount of sand nourishment as the embayment already would in the status quo scenario, i.e. the proposed terminal protection option contributes to zero additional sand erosion at Wamberal Beach to what already occurs there now.

2) Gosford Urban Design Framework

- a) *Regarding the need for "public domain improvements" (page 7. Uncorrected transcript) Can you outline Council's plan to achieve the whole of government approach required?*

Council remains committed to the revitalisation of Gosford through a whole of government approach, consistent with the Gosford Urban Design Framework. This includes the delivery of public domain improvements to achieve place making outcomes through the Gosford City Centre.

Council will continue to advocate for a collaborative whole of government approach and the securing of funding to ensure the revitalisation of the Gosford City Centre is realised.