



Central Coast Council
Business Paper
Ordinary Council Meeting
28 June 2022





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



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.

The infographic details the following structure:

- THEME: BELONGING**
 - Focus Area: Our Community (A1-A6)
 - Focus Area: Community Connection and Local Identity (C1-C4)
- THEME: SMART**
 - Focus Area: A Growing and Prosperous Region (C1-C4)
 - Focus Area: A Place of Opportunity for People (C1-C4)
- THEME: GREEN**
 - Focus Area: Environment for the Future (G1-G4)
 - Focus Area: Increased and Protected Natural Beauty (G1-G4)
- THEME: RESPONSIBLE**
 - Focus Area: Good Governance and Great Partnerships (G1-G4)
 - Focus Area: Belonging, Essential Infrastructure (G1-G4)
 - Focus Area: Balanced and Sustainable Development (G1-G4)
- THEME: LIVEABLE**
 - Focus Area: Reliable Public Transport and Connectivity (L1-L4)
 - Focus Area: Safe and Healthy Living (L1-L4)
 - Focus Area: Healthy and Resilient Communities (L1-L4)



Meeting Notice

**The Ordinary Council Meeting
of Central Coast Council
will be held in the Council Chamber,
2 Hely Street, Wyong
on Tuesday 28 June 2022 at 6.30pm,
for the transaction of the business listed below:**

**The Public Forum will commence at 5.45pm, subject to any
registered speaker/s to items listed on this agenda.**

Further information and details on registration process:

www.centralcoast.nsw.gov.au/council/meetings-and-minutes/council-meetings

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June 2022 101

David Farmer
Chief Executive Officer

Item No: 1.1
Title: Disclosure of Interest
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2022/00021 - D15149484



Recommendation

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

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*

Item No: 1.2
Title: Confirmation of Minutes of Previous Meeting
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2022/00021 - D15149488



Recommendation

That Council confirm the minutes of the Ordinary Meeting of Council held on 24 May 2022.

Summary

Confirmation of minutes of the Ordinary Meeting of Council held on 24 May 2022.

Attachments

1	MINUTES - Council Meeting - 24 May 2022	Provided Under Separate Cover	D15176920
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Item No: 1.3
Title: Notice of Intention to Deal with Matters in Confidential Session
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Trim Reference: F2022/00021 - D15149493

Recommendation

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

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.

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,*

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

- 2(f) matters affecting the security of the Council, Councillors, Council staff or Council property,*
- 2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- 2(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.*
- 2(i) alleged contraventions of any code of conduct requirements applicable under section 440*

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: Monthly Finance Report May 2022
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2020/03205 - D15149867
Author: Peter Correy, Group Financial Controller, Finance
Executive: David Farmer, Chief Executive Officer

Recommendation

- 1 That Council receive the report *Monthly Financial reports – May 2022*.**
- 2 That Council adopt amendments to the *2021-2022 Capital Works Program detailed in Attachment 9*.**
- 3 That Council adopt amendments to the *2021-2022 depreciation budget to realign budgets between departments***

Report purpose

To present to Council the monthly financial reports for May 2022.
To present to Council current amendments to the 2021–2022 Capital Works program and 2021-2022 depreciation budget realignment.

Executive Summary

This report presents the May 2022 monthly financial reports for Central Coast Council. The reports cover the period 1 July 2021 to 31 May 2022.

Background

The monthly financial reports have been prepared in accordance with the requirements of the *Local Government Act 1993* ("LG Act"), the *Local Government (General) Regulation 2005* ("LG Reg"), and the relevant accounting and reporting requirements of the Office of Local Government prescribed Code of Accounting Practice and Financial Reporting and Australian Accounting Standards. background should include relevant previous resolutions or legislation that is relevant.

Report

- 1 The reports disclose the year-to-date financial results in Operating Statement format, they reflect the organisational structure and are presented by Department and Unit. The reports include a traffic light indicator of current status – on track (green light), off track (red light) continue to monitor status (orange light).

2.1 Monthly Finance Report May 2022 (contd)

Relevant supporting comments are included, as well as a graphical representation of the financial results.

The Local Government Code of Accounting Practice and Financial Reporting (Guidelines) require Council to recognise rates income at the beginning of the financial year when levied. However, for internal reporting purposes Council recognises rates revenue on a continual basis throughout the financial year thereby aligning revenue with Council's expenditure for the delivery of services to the community.

- 2 Minor amendments to the 2021-2022 Capital works program have been identified and are detailed in Attachment 9. There is no change to the total program.
- 3 Depreciation budget changes have been identified to align budgets between departments with the projected total depreciation expense for 2021-2022. There is no change to the total depreciation budget.

Consultation

In the preparation and finalisation of the monthly reports for May 2022, all business areas of Council contributed to the information contained within the financial reports.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

- 1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

The following statement is provided in response to this resolution of Council.

Financial Results

The attached financial reports record actual revenue and expenditure tracking against the year-to-date Q3 adjusted budget of Council for the reporting period 1 July 2021 to 31 May 2022 and the forecast position at 30 June 2022.

In May, Council is reporting a deficit of \$15.1M (unfavourable to budget by \$9.2M) for its net operating result, excluding capital income and profit/loss on sale of assets.

In May, Council's net operating result including capital income and profit/loss on sale of assets is \$6.7M (unfavourable to budget by \$15.5M).

Year to date, Council is reporting a surplus of \$68.1M (favourable to budget by \$10.4M) for its net operating result, before capital grants and contributions.

2.1 Monthly Finance Report May 2022 (contd)

Council's YTD net operating result including capital income and profit/loss on sale of assets is \$119.8M (favourable to budget by \$17.2M).

Year to date capital expenditure was \$86.1M against budget of \$112.5M. There are currently 287 active projects in various stages of completion.

	CURRENT MONTH			YEAR TO DATE				FULL YEAR		
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Operating Income										
Rates and Annual Charges	31,853	32,207	(353)	338,412	338,604	(192)	308,336	331,384	361,871	365,986
User Charges and Fees	12,766	10,604	2,163	128,254	126,299	1,955	130,521	139,105	140,269	139,387
Other Revenue	1,539	1,301	238	10,976	9,364	1,612	9,761	12,666	9,196	10,261
Interest	(648)	362	(1,010)	4,337	3,980	357	5,359	5,598	4,442	4,442
Grants and Contributions	5,053	10,031	(4,979)	46,500	46,306	194	26,638	42,409	49,491	49,097
Gain on Disposal	237	24,812	(24,575)	25,179	24,812	367	1,816	2,609	-	24,812
Other Income	895	785	110	7,127	6,964	163	7,292	8,214	8,056	7,681
Internal Revenue	7,181	4,181	2,999	61,939	62,553	(614)	67,521	74,557	93,467	69,375
Total Income attributable to Operations	58,876	84,283	(25,407)	622,725	618,882	3,843	557,244	616,542	666,792	671,041
Operating Expenses										
Employee Costs	13,273	13,305	33	146,475	155,540	9,065	191,636	222,617	175,833	172,696
Borrowing Costs	2,331	2,273	(58)	11,945	11,926	(18)	14,086	16,414	17,471	12,748
Materials and Services	20,302	20,579	278	149,573	158,760	9,187	149,527	181,128	175,793	178,438
Depreciation and Amortisation	16,975	23,282	6,308	147,643	147,847	203	150,687	162,303	177,106	170,021
Other Expenses	14,386	2,385	(12,001)	44,052	32,312	(11,740)	32,214	36,059	39,192	36,417
Loss on Disposal	(11,289)	345	11,634	271	345	74	3,731	9,660	-	345
Internal Expenses	6,482	3,586	(2,895)	54,657	54,419	(238)	53,862	59,051	74,354	59,931
Total Expenses attributable to Operations	62,459	65,757	3,298	554,616	561,149	6,533	595,742	687,231	659,749	630,595
Operating Result after Overheads and before Capital Amounts	(3,582)	18,526	(22,109)	68,109	57,733	10,376	(38,498)	(70,689)	7,043	40,445
Capital Grants	7,044	(2,284)	9,328	29,136	24,683	4,453	31,126	36,893	8,445	36,431
Capital Contributions	3,258	6,018	(2,760)	22,603	20,188	2,415	35,774	46,810	34,445	19,871
Grants and Contributions Capital Received	10,302	3,734	6,568	51,739	44,872	6,867	66,900	83,703	42,890	56,302
Net Operating Result	6,720	22,261	(15,541)	119,848	102,605	17,243	28,402	13,014	49,933	96,748

Council held \$669.3M in cash and investments and had external borrowings of \$319.4M at 31 May. The recovery in Council's General Fund continues to improve with an unrestricted cash balance of \$131.5M compared to (\$37.6M) at 31 May 2021.

Capital Works Amendments

Proposed amendments to the 2021-2022 capital works program have been identified and are detailed in Attachment 9.

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 Financial Performance - Monthly Finance Report May 2022	Provided Under Separate Cover	D15207364
 2 Consolidated and By Fund May 2022 Monthly Financial Report	Provided Under Separate Cover	D15207348
 3 Office of the Chief Executive Officer May 2022 Monthly Financial Report	Provided Under Separate Cover	D15207349
 4 Community and Recreation Services May 2022 Monthly Financial Report	Provided Under Separate Cover	D15207351
 5 Infrastructure Services May 2022 Monthly Financial Report	Provided Under Separate Cover	D15207352
 6 Water and Sewer May 2022 Monthly Financial Report	Provided Under Separate Cover	D15207353
 7 Environment and Planning May 2022 Monthly Financial Report	Provided Under Separate Cover	D15207354
 8 Corporate Affairs May 2022 Monthly Financial Report	Provided Under Separate Cover	D15207355
 9 Amendments to the Capital Works Program	Provided Under Separate Cover	D15206552



Item No: 2.2
Title: Investment Report for May 2022
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2004/06604 - D15161823
Author: Devini Susindran, Team Leader
Manager: Mellissa McKee, Financial Controller
Executive: David Farmer, Chief Executive Officer

Recommendation

- 1 That Council note the Investment Report for May 2022.**
- 2 That Council note that internally restricted funds are unrestricted funds that have been internally allocated to a certain purpose.**
- 3 That Council allocate the required unrestricted funds available in the General Fund to meet its May 2022 unrestricted funds deficit of \$36.07M in Water and Drainage funds as set out in this report.**

Report purpose

To present monthly Investment Reports in accordance with cl. 212 of the *Local Government (General) Regulation 2005* which states as follows:

- 1 *The Responsible Accounting Officer of a Council*
 - a *must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented—*
 - i. *if only one ordinary meeting of the council is held in a month, at that meeting, or*
 - ii. *if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and*
 - b *must include in the report a certificate as to whether the investment has been made in accordance with the Act, the regulations and the council's investment policies.*
- 2 *The report must be made up to the last day of the month immediately preceding the meeting.*

Executive Summary

This report details Council's investments as at 31 May 2022.

Background

Council’s investments are made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005, the amended Investment Policy adopted at the Ordinary Council Meeting on 3 February 2021, Ministerial Investment Order issued February 2011 and Division of Local Government (as it was then known) Investment Policy Guidelines published in May 2010.

Current Status

Council’s current cash and investment portfolio totals \$669.33M at 31 May 2022.

Council’s Cash and Investment Portfolio by Source of Funds

Source of Funds	Value (\$'000)
Investment Portfolio	618,104
Transactional accounts Per Bank Statement and cash in hand	51,230
Total	669,334

Council’s Portfolio is held in separate funds by purpose and summarised as follows:

Fund	General Fund (\$'000)	Water Fund (\$'000)	Sewer Fund (\$'000)	Drainage Fund (\$'000)	Domestic Waste Fund (\$'000)
External Restricted Funds	190,469	10,124	22,786	37,677	91,852
Internal Restricted Funds	92,839	989	855	15	58
Total Restricted Funds	283,308	11,113	23,641	37,692	91,910
Unrestricted Funds	131,466	(2,588)	116,268	(33,486)	10,009
Total funds by Fund	414,774	8,525	139,909	4,206	101,919

During May, Council’s total cash and investments increased by \$30.21M from \$639.12M to \$669.33M. The increase during May was primarily due to quarterly rates instalments received at the end of May. These funds were invested in early June.

Detailed restrictions have been provided in Attachment 2. Council is managing the previously reported negative unrestricted funds balance, as part of Council’s Business Recovery Plan.

The negative unrestricted balance is currently \$36.07M, made up of unrestricted fund deficits in the Water and Drainage Funds, as per the table above.

2.2 Investment Report for May 2022 (contd)

The unrestricted funds balances above, across the five Funds will increase and decrease during each financial year as revenues are received and expenditures occur. In the interim, the unrestricted funds deficit of \$36.07M is proposed to be funded through the General Fund's available unrestricted cash balance of \$131.47M at 31 May 2022.

Portfolio management

Council's Investment Portfolio is managed through term deposits and floating rate note maturities and placements.

Total net return on the portfolio for Council in May, comprising entirely of interest earned, was \$551k. The total value of the Council's investment portfolio at 31 May 2022 is outlined in Table 1 below.

Table 1 – Portfolio movement Investment only

Description	2020-21	Jul-Sep Qtr	Oct-Dec Qtr	Jan-Mar Qtr	Apr-22	May-22	FYTD
	Financial Year \$'000	2021/22 \$'000	2021/22 \$'000	2021/22 \$'000	2021/22 \$'000	2021/22 \$'000	2021/22 \$'000
Opening Balance	348,210	447,221	510,478	557,727	591,889	599,207	447,221
Additions and disposals	97,374	63,466	50,212	40,389	8,794	20,009	182,870
Movement in Market value	1,637	-209	-2,963	-6,227	-1,476	-1,112	-11,987
Closing Balance	447,221	510,478	557,727	591,889	599,207	618,104	618,104
Interest earnings	4,508	1,129	1,223	1,396	517	551	4,816

The market value of Council's investment portfolio at 31 May 2022 is \$618.10M.

Council's investments are evaluated and monitored against a benchmark appropriate to the risk (APRA Standards BBB long term or above) and time horizon of the investment concerned. A summary of the term deposit and floating rate notes maturities are listed in Table 2 below.

Table 2 - Investment Maturities

Time Horizon	Percentage Holdings	Maturity on or before	Value \$'000
At Call	4.86%	Immediate	30,058
Investments			
0 - 3 months	12.10%	Aug-2022	74,808
4 - 6 months	6.47%	Nov-2022	40,000
7 - 12 months	5.83%	May-2023	36,009
1 - 2 years	9.96%	May-2024	61,536
2 - 3 years	20.24%	May-2025	125,133
3 - 4 years	20.59%	May-2026	127,294
4 - 5 years	19.94%	May-2027	123,266
Total Investments	95.14%		588,046
Total Portfolio	100.00%		618,104
Interest Accrued to 31 Mar 2022 (Excluding Interest on call accounts)			1,634
Market Value of Investment per Portfolio Valuation Report (Attachment 5)			619,738

The investment portfolio is concentrated in AA above (23.80%), A (26.82%), and BBB (49.37%).

Council monitors and manages the portfolio taking into consideration credit ratings of financial institutions, interest rates offered for the maturity dates required and counterparty exposure. All of Council’s investments were within policy guidelines at 31 May 2022.

The current spread of investments and counterparty exposure for May 2022 are shown in Graphs 1 and 2 respectively in Attachment 3.

Environmental, Social and Green (ESG) Investments

Council continues to look for ‘ESG’ investment opportunities subject to prevailing investment guidelines. A list of current ESG investments held is contained on the investment listing, highlight in green.

Council currently holds 5.10% or \$31.51M in ESG investments as at 31 May 2022.

Portfolio Return

Interest rates on investments in the month, ranged from 0.33% to 3.18%, all excepting one term deposit (maturing in June 2022) exceeded the monthly Bank Bill Swap Rate (BBSW) benchmark of 0.39%.

The weighted running yield for May of 1.27% for Central Coast Council is favourable compared to the rolling three-year benchmark bank bill swap (BBSW) Index of 0.30% as shown in Graph 3 - Portfolio Returns in Attachment 3.

2.2 Investment Report for May 2022 (contd)

Market values reflected in the Portfolio valuation report in Attachment 5 have been used to record the unrecognised gains/losses in tradeable fixed rate bonds and floating rate notes. Interest accrued has been recorded separately and is not reflected in portfolio valuations.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

Council's investment portfolio includes rolling maturity dates to ensure that Council has sufficient liquidity to meet its ongoing obligations.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G4: Serve the community by providing great customer experience, value for money and quality services.

Attachments

1	Summary of Investments as at 31 May 2022	Provided Under	D15205056
		Separate Cover	
2	Summary of Restrictions as at 31 May 2022	Provided Under	D15205062
		Separate Cover	
3	Investment Report for May 2022 - Graphs 1, 2 and 3	Provided Under	D15205225
		Separate Cover	
4	Trading Limits Report as at 31 May 2022	Provided Under	D15205240
		Separate Cover	
5	Portfolio Valuation Investment Report Pack as at 31 May 2022	Provided Under	D15205241
		Separate Cover	



Item No: 2.3
Title: Consideration of Submissions and Adoption of the Revised Community Strategic Plan, Delivery Program 2022-2025 and Resourcing Strategy
Department: Environment and Planning and Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2021/01492 - D15204059
Author: Sharon McLaren, Section Manager Corporate Planning and Reporting
Mellissa McKee, Financial Controller
Michelle Best, Financial Controller
Vivienne Louie, Senior Financial Project Coordinator
Manager: David Milliken, Unit Manager Strategic Planning
Executive: Alice Howe, Director Environment and Planning

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 Ordinary Meeting of 28 June 2022.



Item No: 2.4
Title: Making and Fixing of 2022-23 Rates and Charges
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2021/01492 - D15162037
Author: Peter Correy, Group Financial Controller, Finance
Executive: David Farmer, Chief Executive Officer

Recommendation

- 1 That Council note rates and charges rebates to pensioners are prescribed by s. 575 of the Local Government Act 1993.**
- 2 That Council is of the opinion that all rateable land that is used for business purposes and categorised as such in accordance with s. 518 of the Local Government Act 1993 will derive benefit from the provision of certain facilities, services and activities contributing to business and tourism development that are funded in part or whole by a Business/Tourism Development Special Rate (as set out in attachment 1).**
- 3 That Council is of the opinion that the following rateable land will derive benefit from the activities that are funded in part or whole by the Gosford Parking Special Rate and/or funded in whole or in part by the Gosford Central Business District Special Rate, which (respectively) fund the operation and maintenance of the Baker Street Parking Station and the provision of facilities, services and activities that contribute to business and tourism development in the area:**
 - a Rateable land within Registered Plan 97/6.**
 - b Rateable land within the area indicated in the Gosford Central Business District Improvement and Parking Area map (as set out in attachment 2):**
 - i Commencing west of Mann Street, at Lot 1 DP 156665, bounded by Etna, Hills, Watt and Faunce Streets; and**
 - ii From Henry Parry Drive to Allotment 1, Section 96, Town of Gosford to the intersection of Erina Street, north to Donnison Street, west of Henry Parry Drive to Georgiana Terrace to include unnamed lane in DP 13734; and**
 - iii Then from Allotment 4, Section 9, Town of Gosford to its intersection with the centre line of the Great Northern Railway bounded by Henry Parry, Mann Street, Georgiana Terrace, Dane Drive to the railway line and back to the point of commencement.**
- 4 That Council is of the opinion that the following rateable land will derive benefit from the activities that are funded in part or whole by The Entrance Area Special**

Rate, which promotes the economic development, marketing and development of The Entrance area and provides for the organisation and management of promotional events within and around The Entrance area for the purpose of improving the market penetration of The Entrance area and its traders (as set out in attachment 3):

- a All rateable land used for business purposes and categorised as such in accordance with s. 518 of the Local Government Act 1993 in the suburb known as The Entrance; and***
- b All rateable land in the suburbs of Magenta, The Entrance North, The Entrance, Blue Bay, Long Jetty, Toowoan Bay, Shelly Beach and Bateau Bay used predominately for any of the following purposes, as those terms are defined in the Wyong Local Environmental Plan 2013 or the former Wyong Council's "Retail Centres Strategy":***
 - i. amusement centres,***
 - ii. camping grounds,***
 - iii. caravan parks,***
 - iv. eco-tourist facilities,***
 - v. pubs,***
 - vi. registered clubs, or***
 - vii. service stations,***
 - viii. tourist and visitor accommodation***

5 That Council is of the opinion that all rateable land in the suburbs known as Toukley, Canton Beach, Noraville and Norah Head that is used for business purposes and categorised as such in accordance with s. 518 of the Local Government Act 1993 will derive benefit from the activities that are funded in part or whole by the Toukley Area Special Rate, which markets and promotes the economic development of the Toukley area (as set out in attachment 4).

6 That Council is of the opinion that the following rateable land will derive benefit from the activities that are funded in part or whole by the Wyong Area Special Rate, which is used to market and promote the economic development of the Wyong area within which this special rate applies (as set out in attachment 5):

- a All land used for business purposes and categorised as such in accordance with s. 518 of the Local Government Act 1993 in the suburb known as Watanobbi.***
- b All land used for business purposes and categorised as such in accordance with s. 518 of the Local Government Act 1993 in the suburb known as Wyong, bounded by the following:***

- i North of the Wyong River from Tacoma in the east to the M1 Freeway in the west;*
- ii East of the M1 Freeway from the Wyong River to the suburb boundary between Wyong and Warnervale but to exclude Lot 32 DP 814964;*
- iii South of the northern Wyong boundary to its intersection with the Pacific Highway and then south of the Pacific Highway to the intersection of Pollock Avenue, but to include the land known as Lot 400 DP 1114793 (being to the north of the Pacific Highway);*
- iv The eastern boundary of the suburb of Wyong from Johns Road to Wyong River.*

- 7 That Council resolve to make, the following ordinary rates for the 2022-23 rating and financial year consisting of an ad valorem amount and subject to a minimum amount, pursuant to sections 492-494, 497-498, 533-535 and 543 (inclusive) of the Local Government Act 1993 (refer to attachment 6):**

Ordinary Rate Category Section 493	Ordinary Rate Sub Category Section 529	Ad Valorem Amount (cents in the \$)	Minimum Rate Amount
Farmland	-	0.186963	\$569.00
Residential	-	0.345192	\$569.00
Business	-	0.668284	\$569.00
Business	Local Retail	0.726510	\$569.00
Business	Major Retail	1.093623	\$569.00
Mining	-	45.32020	\$569.00

- 8 That Council resolve to make, the following special rates for the 2022-23 rating and financial year consisting of an ad valorem amount, pursuant to ss. 492, 495, 497-500, 535-538 and 543 (inclusive) of the Local Government Act 1993 where those special rates are to apply only to and be levied on only the rateable land identified in the table below:**

Special Rate	Ad Valorem Amount (cents in the \$)	Special rate applies to the following rateable land
Business/Tourism Development	0.051100	All rateable land identified in resolution 2
Gosford Parking	0.139346	All rateable land identified in resolution 3
Gosford Central Business District Improvement	0.363529	All rateable land identified in resolution 3
The Entrance Area	0.413253	All rateable land identified in resolution 4

Special Rate	Ad Valorem Amount (cents in the \$)	Special rate applies to the following rateable land
Toukley Area	0.307130	All rateable land identified in resolution 5
Wyong Area	0.125435	All rateable land identified in resolution 6

- 9 ***That Council apply land valuations, with a base date 1 July 2019, for rating purposes in the 2022-23 rating and financial year.***
- 10 ***That Council resolve to make, the following annual domestic waste management service charges for the 2022-23 rating and financial year, pursuant to ss. 496 and 535 of the Local Government Act 1993 (refer attachment 7):***

Name	Charge Amount
Domestic Waste Management - Availability Charge	\$74.00
Domestic Waste Management Service – Eastern Area	\$520.00
Domestic Waste Management Service – Western Area	\$461.00
Domestic Waste Management Service – 140 litre to 240 litre Waste Upgrade	\$141.00
Domestic Waste Management Service – 140 litre to 360 litre Waste Upgrade	\$281.00
Domestic Waste Management Service – Additional 140 litre Waste Bin Service	\$279.00
Domestic Waste Management Service – Additional 240 litre Waste Bin Service	\$422.00
Domestic Waste Management Service – Additional 360 litre Waste Bin Service	\$562.00
Domestic Waste Management Service – 240 litre to 360 litre Recycling Bin Upgrade	\$37.00
Domestic Waste Management Service – Additional 240 litre Recycling Bin Service	\$106.00
Domestic Waste Management Service – Additional 360 litre Recycling Bin Service	\$141.00
Domestic Waste Management Service – Additional 240 litre Vegetation Bin Service	\$114.00
Domestic Waste Management Service – Additional Short Term Extra Service – 140 litre Waste Bin - price per service	\$19.50
Domestic Waste Management Service – Additional Short Term Extra Service – 240 litre Waste Bin - price per service	\$20.50
Domestic Waste Management Service – Additional Short Term Extra Service – 360 litre Waste Bin - price per service	\$22.00

Name	Charge Amount
Domestic Waste Management Service – Additional Short Term Extra Service – 660 litre Waste Bin - price per service	\$40.00
Domestic Waste Management Service – Additional Short Term Extra Service – 1.1 cubic meter Waste Bin - price per service	\$66.50
Domestic Waste Management Service – Additional Short Term Extra Service – 1.5 cubic meter Waste Bin - price per service	\$91.00
Domestic Waste Management Service – Additional Short Term Extra Service – 240 litre Recycling Bin - price per service	\$20.50
Domestic Waste Management Service – Additional Short Term Extra Service – 360 litre Recycling Bin - price per service	\$22.00
Domestic Waste Management Service – Additional Short Term Extra Service – 660 litre Recycling Bin - price per service	\$40.00
Domestic Waste Management Service – Additional Short Term Extra Service – 1.1 cubic meter Recycling Bin - price per service	\$66.50
Domestic Waste Management Service – Additional Short Term Extra Service – 1.5 cubic meter Recycling Bin - price per service	\$91.00
Domestic Waste Management Service – Additional Short Term Extra Service – 240 litre Vegetation Bin - price per service	\$20.50

- 11 **That Council provide domestic waste management services only to parcels of land which have current Council consent or approval for a residential building.**
- 12 **That Council resolve to make, the changes set out in the adopted Delivery Program and Operational Plan for the 2022-23 financial year including but not limited to the following waste management charges for the 2022-23 rating and financial year, pursuant to ss. 501 and 535 of the Local Government Act 1993:**

Name	Charge Amount
Waste Management Service – 140 litre Waste Bin Service	\$397.00
Waste Management Service – 240 litre Waste Bin Service	\$529.00
Waste Management Service - 360 litre Waste Bin Service	\$659.00
Waste Management Service - 660 litre Waste Bin Service	\$2,260.00
Waste Management Service - 1.1 cubic metre Waste Bin Service	\$3,156.00
Waste Management Service - 1.5 cubic metre Waste Bin Service	\$4,250.00
Waste Management Service – 240 litre Recycling Bin Service	\$106.00
Waste Management Service – 360 litre Recycling Bin Service	\$142.00
Waste Management Service – 660 litre Recycling Bin Service	\$293.00

2.4 Making and Fixing of 2022-23 Rates and Charges (contd)

Name	Charge Amount
Waste Management Service – 1.1 cubic meter Recycling Bin Service	\$486.00
Waste Management Service – 1.5 cubic meter Recycling Bin Service	\$664.00
Waste Management Service –240 litre Vegetation Bin Service	\$114.00

- 13 That Council apply, a proportional charge adjustment, calculated on a daily basis, where domestic waste management services or waste management services commence or cease during the 2022-23 rating year.**
- 14 That, for the period between 1 July 2022 and 30 June 2023 in respect to overdue rates and charges, Council charge the lesser of the following:**
- a the maximum rate of interest as determined by the Minister for Local Government under s. 566(3) of the Local Government Act 1993, being 6%; or**
 - b the maximum rate of interest payable on overdue rates and charges under s. 356 of the Water Management Act 2000, being the rate applicable on an unpaid judgment of the Supreme Court;**
 - c and this interest to be calculated on a daily basis using the simple interest method in accordance with s. 566 of the Local Government Act 1993.**

Report purpose

To set the making of Ordinary Rates, Special Rates and Waste Management Annual Charges for the 2022-23 rating and financial year.

Executive Summary

This report seeks the adoption of ordinary rates, special rates, and waste management annual charges for the 2022-2023 rating year.

Ordinary and Special rate ad valorem amounts are reflective of a 1% rate peg increase approved by IPART in December 2021.

Proposal - Making of rates and charges

Council must resolve to make rates and charges, before those rates and charges can be levied pursuant to s.535 of the *Local Government Act 1993* (the Act).

Those resolutions are subject to a number of specific requirements, one of which is the requirement under s.548 of the Act that the minimum rate that can be imposed, when the

2.4 Making and Fixing of 2022-23 Rates and Charges (contd)

rate includes an ad valorem amount, is \$569.00: cl. 126 of the *Local Government (General) Regulation 2005*, when amended on the commencement of the *Local Government (General) Amendment (Minimum Rates) Regulation (No 2) 2018* on 1 July 2019. The minimum rate set out in proposed resolution 7 in this paper complies with that requirement.

In accordance with the LG Act, IPART approved a rate peg increase of 1% for 2022-23.

Special Rates

Before making special rates pursuant to s. 495 of the Act, Council must form an opinion that the land being levied with a special rate will provide;

- benefits or will benefit from, or
- contributes or will contribute to the need for, or
- has or will have access to

the works, services, facilities or activities being funded by the special rate.

Council previously adopted the following special rates:

Special Rate	Maps
Business/Tourism Development	Attachment 1
Gosford Parking	Attachment 2
Gosford Central Business District Improvement	Attachment 2
The Entrance Area	Attachment 3
Toukley Area	Attachment 4
Wyong Area	Attachment 5

It is proposed that Council continue these Special Rates in 2022-23 in the same format and structure as applied in 2021-22 with increases in the base amounts (where applicable) aligned with the rate peg increase of 1% approved by IPART for 2022-23.

Consultation

Council's proposed ordinary rates, special rates and annual waste management charges for the 2022-2023 rating year was included in the draft 2022-2023 Operational Plan which was placed on public exhibition from 25 May 2022 to 21 June 2022.

The ad valorem amounts placed on public exhibition and the ad valorem rates in this report have been calculated based on unimproved land values and rating categories as at 1 July 2019.

The draft Operational Plan will be updated to reflect the updated ad valorem amounts for final adoption in June 2022.

2.4 Making and Fixing of 2022-23 Rates and Charges (contd)

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

The revenue to be raised from Ordinary Rates is estimated to be \$201,444,000 and the revenue to be raised from Special Rates is estimated to be \$2,897,000.

The revenue to be raised from Annual Waste charges is estimated to be \$81,751,000.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G4: Serve the community by providing great customer experience, value for money and quality services.

Critical Dates

Making of the rates on 28 June 2022 will enable the Council to levy rates and charges prior to 31 July 2022. If rates and charges are levied and notices issued by 31 July 2022 then the first quarterly instalments will be due 31 August 2022. Failure to make the rates by 31 July will mean that all rates due 31 August 2022 and 30 November 2022 instalments would be due and payable 30 November 2022.

Attachments

 1 Gosford Business Tourism Special Rate	Provided Under Separate Cover	D12737358
 2 Gosford Central Business District Improvement and Parking Special Rate Map	Provided Under Separate Cover	D12737353
 3 The Entrance Area Special Rate Map - Non Residential Properties	Provided Under Separate Cover	D12737355
 4 Toukley Area Special Rate Map - Non Residential Properties	Provided Under Separate Cover	D12737356

2.4**Making and Fixing of 2022-23 Rates and Charges (contd)**

5	Wyong Area Special Rate Map - Non Residential Properties	Provided Under Separate Cover	D12737357
			
6	Business Sub Category Charge Maps	Provided Under Separate Cover	D14693382
			
7	Domestic Waste Management Charge Map	Provided Under Separate Cover	D12737360
			



Item No: 2.5
Title: Review of Policy for Investment Management - June 2022
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2004/06604 - D15133976
Author: Devini Susindran, Team Leader
Mellissa McKee, Financial Controller
Manager: Peter Correy, Group Financial Controller, Finance
Executive: David Farmer, Chief Executive Officer

Recommendation

That Council adopt the Review of Policy for Investment Management - June 2022

Report purpose

The purpose of this report is for Council to review the '*Policy for Investment Management*'.

This report recommends adoption of the Amended '*Policy for Investment Management – June 2022*'.

Executive Summary

To seek endorsement of the review of Council's '*Policy for Investment Management*'. Council has undertaken a review of its Policy in accordance with legislative requirements.

Background

Legislation requires Council to maintain an Investment Policy that complies with the *Local Government Act 1993, Local Government (General) Regulation 2005, Ministerial Investment Order of 12 January 2011* as advised by way of *OLG Circular 11-01 17 February 2011* and *Investment Policy Guidelines*, issued by the Office of Local Government.

Central Coast Council's '*Policy for Investment Management*' articulates how we will manage Council's cash and investment portfolio. The policy is designed to safeguard Council's cash and investments, achieve appropriate earnings and manage cash resources to ensure sufficient liquidity to meet business objectives over the short, medium and long term.

Current Status

The most recent review of the *Policy for Investment Management – November 2020* was adopted by Council on 3 February 2021.

2.5 Review of Policy for Investment Management - June 2022 (contd)

The amendments to the *Policy for Investment Management – November 2020* are minor and limited to the following:

- 1 Update of the section *Global and Domestic Investment Environments* to reflect the current economic climate.
- 2 Update of the table *Composition of Council's investment portfolio* to reflect Council's current portfolio split and higher returns being achievable with Australian mid-tier banks. Mid-tier banks are mostly BBB rated and as interest rates fell the Big Four banks were not open for funds, which resulted in more investments being placed with Australian mid-tier banks whilst also achieving higher interest rate returns. The proposed policy recognizes this shift in Investment strategy.

Investment	Current Policy	Proposed Policy
Big Four banks	71.29%	11.55%
Australian mid-tier banks	22.82%	73.65%
Foreign controlled Australian based ADIs	5.89%	14.80%
Total APRA-regulated ADIs	100.00%	100.00%

- 3 Update of the table containing *Liquidity Targets* to ensure Council maintains available funds to meet operational and capital cash commitments. The current policy required 40% of total portfolio to be held for 2 to 12 months, which would see approximately \$244M on investment under 12 months. To maximise Council's investment returns, the current policy of 40% holdings is considered too high in a low return environment and therefore recommended to be reduced to 20% of total portfolio.

Investment period	Cumulative Minimum % of total portfolio	Maximum % of total portfolio	Cumulative Minimum % of total portfolio	Maximum % of total portfolio
	Current Policy		Proposed Policy	
1 month	10% or \$50M	100%	10% or \$50M	100%
2 to 12 months	40%	80%	20%	100%
1 to 3 Years	55%	40%	45%	70%
3 to 5 Years	90%	35%	95%	40%
> 5 Years	100%	10%	100%	5%

2.5 Review of Policy for Investment Management - June 2022 (contd)

- 4 Update of the section *Return / Income* to reflect 2022-2023 economic outlook.
- 5 Remove reference to global financial crisis (GFC) in the *Environmentally and Socially Responsible Investments* as reference to GFC is no longer relevant.

Consultation

Consultation occurred with external broker institution and benchmarking against other Councils.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

- 1036/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

The following statement is provided in response to this resolution of Council.

There are no additional costs associated with this Policy review.

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.

Risk Management

Staff will continue to review:

- Credit worthiness of the financial institutions it has placed investments with.
- Policy for Investment Management to ensure Council complies with all regulatory requirements.

Options

The proposal is to amend the *Policy for Investment Management* in accordance with the changes listed above. Council has the option to:

2.5 Review of Policy for Investment Management - June 2022 (contd)

- 1 Adopt the draft 'Policy for Investment Management – June 2022' which will provide a framework for the management of Council's cash and investment portfolio. **This is the recommended option.**
- 2 Resolve not to adopt draft 'Policy for Investment Management – June 2022'. This is not recommended. Council is required to undertake reviews of its 'Policy for Investment Management'.

Critical Dates or Timeframes

It would be prudent for Council to review and adopt an amended '*Policy for Investment Management*' prior to 30 June 2022.

Attachments

- | | | | |
|---|---|----------------------------------|-----------|
| 1 | Amended Policy for Investment Management
- June 2022 | Provided Under Separate
Cover | D15196646 |
|---|---|----------------------------------|-----------|



Item No: 2.6
Title: Administrator Expenses and Facilities Report to 30 April 2022
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2021/00035 - D15206119
Author: Edward Hock, Unit Manager Governance, Risk and Legal
Executive: Krystie Bryant, Director Corporate Affairs (Acting)

Recommendation

That Council note the report Administrator Expenses and Facilities Report to 30 April 2022.

Report purpose

The purpose of this information report is to table the provision of expenses and facilities to the Administrator for the period 1 November 2021 to 30 April 2022 as required under clause 122 of the *Councillor Expenses and Facilities Policy*.

Executive Summary

This information report provides a summary of Administrator Expenses and Facilities for the period 1 November 2021 to 30 April 2022. It is recommended that it be noted.

Background

At its Ordinary Meeting 10 August 2020 Council resolved as follows:

754/20 *That Council note that the Councillor Expenses and Facilities Policy requires at Clause 122 detailed reports on the provision of expenses and facilities to Councillors to be publicly tabled at a Council meeting every six months and published in full on Council's website.*

755/20 *That Council resolve that as part of that six monthly report there be the following information:*

- *Statistics regarding Councillor requests including the number of requests submitted by Councillor*
- *Details of Councillor attendance at Council Meetings*
- *Details of Councillor attendance at Briefings or Workshops*
- *Details of Councillor attendance at weekly CEO Updates*
- *Details of Councillor attendance at Advisory Group meetings of which they are members*

2.6 Administrator Expenses and Facilities Report to 30 April 2022 (contd)

- *Details of Councillor access to the HUB and review of relevant documents*

Current Status

Councillors were suspended on 30 October 2020. On 17 March 2022, Minister for Local Government, the Hon Wendy Tuckerman MP, tabled the report into the Public Inquiry of Central Coast Council. Commissioner Roslyn McCulloch made eight recommendations, including that all civic offices at Central Coast Council be declared vacant, effective immediately and an Administrator be appointed to serve until the Central Coast Council election. Mr Rik Hart remains in the role of Administrator.

The appointment of the Administrator by the Minister for Local Government provides that expenses for the Administrator are determined in accordance with Council's policy under section 252 of the *Local Government Act 1993*.

Central Coast Council adopted a *Councillors Expenses and Facilities Policy (the Policy)* on 23 November 2020 to enable the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors, to help them undertake their civic duties.

The Policy was drafted in accordance with the *Local Government Act 1993* and *Local Government (General) Regulation 2005* and complies with the Office of Local Government's *Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW*.

Expenses and Facilities

To ensure accountability and transparency, and to align the costs incurred with community expectations, the Policy provides at clause 120:

120 *Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors.*

Table 1 is provided to Council to satisfy the requirements of clause 120 of the Policy for the six-month period from 1 November 2021 to 30 April 2022.

Table 1 Administrator Expenses

1 November 2021 to 30 April 2022						
General Travel Expenses	Interstate, Overseas and Long Distance Travel Expenses	Accommodation and Meals	Professional Development	ICT Expenses and Services	Carer Expenses	Home Office Expenses
\$0	\$0	\$7,519.83	\$0	\$586.00	\$0	\$71.27

2.6 Administrator Expenses and Facilities Report to 30 April 2022 (contd)

In accordance with the Policy, the Administrator has been provided the following facilities to effectively discharge his civic duties:

- A motor vehicle with a fuel card
- A parking space at Council's offices
- A furnished office with computer, telephone and meeting space at Council's offices
- A small number of staff providing support

Councillor Attendance and Requests

Due to the ongoing suspension and subsequent declaration of vacancy of civic offices, this report on the period 1 November 2021 to 30 April 2022 does not provide detail on Councillor Attendance and Requests as per the resolution of 10 August 2020.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

Table 1 provides information on expenses already incurred and does not propose any future expenditure. This expenditure is within the budgeted parameters and in accordance with the adopted Policy.

The suspension of Councillors has continued the result of net savings to Council.

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.

Timeframes

Reports to Council will be provided every six months. The last report was provided to the Council Meeting of 14 December 2021 for a six-month period to 31 October 2021.

Attachments

Nil



Item No: 2.7
Title: Governance Lighthouse Report as at 31 March 2022
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2020/02182 - D15131375
Author: Edward Hock, Unit Manager Governance, Risk and Legal
Executive: Krystie Bryant, Director Corporate Affairs (Acting)

Recommendation

That Council note the Governance Lighthouse report as at 31 March 2022 as provided as Attachment 1 to this report.

Report purpose

To provide a Governance Lighthouse report as at 31 March 2021 for the information of Council.

Executive Summary

As resolved by Council, a quarterly Governance Lighthouse report is provided to Council for information.

The key points noted in the report are:

- During Q3, activities included the conclusion of the financial statements for the 2020-2021 financial year, ongoing review of the management actions tracker, and development of a strategic risk profile owned by the executive management of the organisation.

The report will continue to be provided quarterly, until such time as Council is able to provide governance reporting in a dashboard format.

Background

The report is updated at the end of each quarter in accordance with the Council resolution of 27 July 2020 and provided to the Audit, Risk and Improvement Committee and then to Council.

The report is based upon the NSW Audit Office Governance Lighthouse themes and areas. Data is provided where appropriate with commentary.

Consultation

The Audit, Risk and Improvement Committee reviewed and provided comment on the Governance Lighthouse Report at the 8 June 2022 meeting, with the Committee resolving, in part, as follows:

67/22(ARIC) *The Committee requested that Council explore options to have this report further align with ARIC Workplan with an update be provided at the September 2022 meeting.*

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 *That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

The following statement is provided in response to this resolution of Council.

There is no financial impact as a result of this report.

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	Governance Lighthouse Report Q3  2021/2022	Provided Under Separate Cover	D15179413
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Item No: 2.8
Title: Rental Concessions - Top Point Cafe Restaurant
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2020/00823 - D15105388
Author: Tiffany Spee, Property Officer
Manager: Jamie Barclay, Unit Manager Economic Development and Property
Executive: Krystie Bryant, Director Corporate Affairs (Acting)

Recommendation

- 1 That Council provides rent relief to its tenant Top Point Café Restaurant Pty Ltd in accordance with the Retail and Other Commercial Leases (COVID-19) Regulation 2021 and National Cabinet's Mandatory Code of Conduct.**
- 2 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachments 1 & 2 remain confidential in accordance with section 10A(2)(d)(i) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Council's ability to obtain value for money services for the Central Coast Community.**

Report purpose

To obtain a Council resolution to provide rent relief to Council tenant Top Point Café Restaurant (Operating from Gosford Regional Gallery) in accordance with the *Retail and Other Commercial Leases (COVID-19) Regulation 2021* and *National Cabinet's Mandatory Code of Conduct*.

Executive Summary

Some of Council's tenants were heavily affected by the impacts of the COVID-19 outbreak with many tenancies unable to continue their operation due to the Public Health Orders. Following the Council meeting on 23 November 2021, several tenants were granted rent relief in accordance with the *Retail and Other Commercial Leases (COVID-19) Regulation 2021* and *National Cabinet's Mandatory Code of Conduct*. Top Point Café Restaurant were not included in that report however have subsequently appealed for rent relief under the Code of Conduct, having provided the required evidence that they suffered a substantial reduction in trade over the relevant period being July 2021 – March 2022.

This is a unique situation that only occurred from the pandemic health restrictions and the Art Gallery being heavily impacted by a lack of content and patronage during the health restrictions.

Background

Top Point Café Restaurant operates from the Gosford Regional Gallery.

On Saturday 26 June 2021 the NSW Government declared that Greater Sydney, including Central Coast, would go into lockdown from 6pm that day. This lockdown together with other Covid enforced trading restrictions vastly reduced the trade of many commercial businesses, including Top Point Café Restaurant.

On 14 July 2021, the NSW Government enacted the *Retail and Other Commercial Leases (COVID-19) Regulation 2021*. The Regulation implemented temporary changes to retail and commercial leasing laws to support businesses impacted by the public health restrictions that were in place. *The National Cabinet Mandatory Code of Conduct* was also reinstated on the 13 August 2021 and sets out a set of good faith leasing principles to balance the interests of tenants and landlords, including the granting of rental concessions.

Top Point Café Restaurant has now provided evidence of its reduction in trade in the form of a letter from their Accountant.

Report

Top Point Café Restaurant operates from Gosford Regional Gallery and provides a dining opportunity for visitors to the Gallery as well as the Edogawa Commemorative Gardens.

The café also hosts weddings, functions and events as part of their operations.

The previous Public Health orders affected the ability for the Cafe to operate normally and as such they have not seen a return to pre-covid functions, however it is anticipated with the restrictions now eased and the Gallery returning to normal operations that the Cafe will be able to resume usual operations.

Consultation

Council staff are in ongoing consultation with Top Point Café Restaurant who have made initial representations to Council regarding the financial impact to their operations during the July 2021 – March 2022 period.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

2.8 Rental Concessions - Top Point Cafe Restaurant (contd)

1108/20 *That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

The following statement is provided in response to this resolution of Council.

Council staff are seeking to implement rental relief to Top Point Café Restaurant in line with the principles of *National Cabinet's Mandatory Code of Conduct*. In summary, this would mean rental waivers and deferrals based on the reduction in the tenant's trade during the COVID-19 pandemic period and a subsequent reasonable recovery period. Specifically, the Code of Conduct outlines that rental waivers must constitute no less than 50% of the total reduction in rent payable by the Tenant proportionate to their reduction in turnover with the remainder deferred over the balance of the Lease or a period of no less than 24 months, whichever is the greater.

If adopted, Council staff are seeking to waive rental for the tenant which can be found in *Confidential Attachment 2*. The reduction in rent from the Top Point Café Restaurant will reduce the revenue to Council's Commercial Property budget. As the Commercial Property portfolio is actively seeking other opportunities for increased rental return and new business, the potential reduction will be offset from new revenue in this period. As such this rent waiver should result in a nil overall impact to Council's Commercial Property's financial position.

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.

Risk Management

Council needs to ensure it meets its legislative requirements, as well as operating as a model organisation in supporting its commercial tenants impacted by Covid enforced trading restrictions.

Options

Implement rent relief to Top Point Café Restaurant in accordance with the *Retail and Other Commercial Leases (COVID-19) Regulation 2021* and *National Cabinet's Mandatory Code of Conduct* in line with the proposed rent relief outlined in Confidential Attachment 1.

Critical Dates or Timeframes

As the relevant period has already been invoiced, the rental concessions will be applied to the Tenant's account and appear on future monthly rent invoices. However, the Tenant is eager to resolve their rental concessions as a matter of urgency.

Attachments

- | | | | |
|----------|--|-------------------------------|-----------|
| 1 | Confidential - Supporting Information for Rental Concessions Top Point Cafe Restaurant - | Provided Under Separate Cover | D15172606 |
| 2 | Confidential - Top Point Cafe Restaurant Rental Concession - Financial Considerations - | Provided Under Separate Cover | D15211676 |

Item No: 2.9
Title: Metro Cinemas - Rental Concession COVID-19
Department: Corporate Affairs



28 June 2022 Ordinary Council Meeting

Reference: F2014/01791-002 - D15070474
Author: Tiffany Spee, Property Officer
Manager: Jamie Barclay, Unit Manager Economic Development and Property
Executive: Krystie Bryant, Director Corporate Affairs (Acting)

Recommendation

- 1** *That Council adopts 15% turnover rent for Metro Cinemas Lakehaven Pty Ltd from January 2022 to June 2022.*
- 2** *That Council adopts 20% turnover rent for Metro Cinemas Lakehaven Pty Ltd from July 2022 – January 2023.*
- 3** *That Metro Cinemas Lakehaven Pty Ltd return to full rent as per the lease agreement from February 2023.*
- 4** *That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachments 1 and 2 remain confidential in accordance with section 10A(2)(d)(i) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Council's ability to obtain value for money services for the Central Coast Community.*

Report purpose

To seek Council endorsement of a turnover based rent to Metro Cinemas Lake Haven in accordance with the Retail and Other Commercial Leases (COVID-19) Regulation 2021 and National Cabinet's Mandatory Code of Conduct.

Executive Summary

Metro Cinemas Lake Haven remain financially unsustainable as a result of the ongoing impacts of COVID-19 and have requested to continue turnover rent arrangements as they are unable to pay the agreed lease amount. Turnover rent would mean that a percentage of rent is collected related to the total revenue turnover of the business. Potentially a quicker return of patrons to the Cinema would mean a higher turnover rent received, or otherwise a lower turnover rent if patronage remains low. It should be noted that if support

for turnover based rent is not provided their operations would be at risk of going into liquidation.

This is a unique situation that only occurred from the pandemic health restrictions and the Cinema industry being heavily impacted by a lack of content and patronage during the health restrictions.

Background

At its meeting held 27 April 2021, Council resolved to adopt a 20% turnover rent from April 2021 – December 2021.

Council actioned this resolution and invoiced the tenant accordingly.

With the Omicron variant and mandatory shutdowns that occurred in 2021, this impacted the ability for Metro Cinemas to continue to meet these repayments, with Metro Cinemas indicating that the 20% turnover rent resulted in further loss of income.

Council has reviewed the Mandatory code of conduct in relation to retail and Commercial Leasing. Council as the landlord must offer tenants proportionate reductions in rent payable in the form of waivers and deferrals (as outlined under "definitions," below) of up to 100% of the amount ordinarily payable, on a case-by-case basis, based on the reduction in the tenant's trade during the COVID-19 pandemic period and a subsequent reasonable recovery period. The provisions of the code of conduct have been extended to March 2022.

In this regard Council has discussed options with the Metro Cinemas and has determined that continuation of rent on a turnover basis is reasonable and meets the obligations under the legislation. Should the cinemas see an improved level of trade the rent payable to council may be above the usual rent. For instance, the rent paid to Council for December 2022 was 3% higher than the agreed lease amount (refer to Confidential Attachment 2).

Current Status

Metro Cinemas Lake Haven admissions and revenue remained low following the surge in cases as a result of the Omicron strain of COVID-19. The concessions received by Council ceased in December 2021.

For the year to date (1 July 2021-23 February 2022) compared to the same period ending February 2020 pre-pandemic:

Admissions are down 69% which has led to a reduction of revenue by 66%

Council ceased the rental concessions received for the Cinema in December 2021 in line with the Council resolution of 27 April 2021.

The financial performance of Metro Cinemas is in line with other cinemas in Australia as the industry continues to slowly rebound from the pandemic.

Report

Metro Cinemas is a unique tenant of Council as other tenants have generally been able to return some level of normality whilst the cinema industry remains heavily burdened by COVID-19 and remain one of the worst affected businesses. Many cinemas, both independent and within major movie chains have closed because of these ongoing impacts.

The main reasons why cinemas have been hardest hit are as follows:

- 1 During the mandated lockdowns cinemas had no source of income.
- 2 Customers are reluctant to go the cinemas when COVID-19 is circulating in the community. This is exasperated when people are required to wear masks in a cinema.
- 3 Until late 2021 the major film studios withheld blockbuster movies while cinemas were closed in many jurisdictions, and customers were reluctant to attend cinema. Cinema box office receipts are shared with the film studios, so from their prospective they are better off deferring the release of a blockbuster movie until customers return to cinemas globally.
- 4 The major film studios were initially hit hard by the pandemic. Most had their own streaming services, for example Disney Plus and they deployed blockbuster movies to streaming, rather than cinemas, to encourage more people to sign up to their streaming service. This supported their share price and enabled them to access capital markets with reasonable pricing.
- 5 During the height of the pandemic few films were made due to lockdowns and travel restrictions. As a result, there are fewer strong movie available coming out of the pandemic.

Funding Streams

Metro Cinemas continue to seek opportunities through various schemes to help meet financial obligations.

The Federal government has announced grants for independent cinemas, managed through Screen Australia. Metro Cinemas has lodged an application to seek grant support to meet their rent obligations and they have been successful with their application.

The extension of the Governments Discover Voucher program has helped to support trading; however, these vouchers will expire in June 2022.

There are little other funding streams available to the cinemas apart from rental support or further grant applications should they become available.

Future Outlook

It remains difficult to determine an outlook for the cinema industry with three main issues impacting future admissions:

- 1 Living with COVID-19 and customers being comfortable returning to cinemas.
- 2 People returning to cinemas, rather than watching streaming services at home, which they have been accustomed to over the past 2 years of the pandemic.
- 3 Film studios supporting cinemas by releasing strong movies first at cinemas, rather than straight to their streaming services.

Consultation

Council's Commercial Property team has had ongoing Consultation with Metro Cinemas regarding their inability to meet their rental payments. Council's Commercial Property staff remains committed to securing an outcome that safeguards the ongoing operation of the Cinema as well as those of the community.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

- 1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.*

The following statement is provided in response to this resolution of Council.

It is proposed that a staged approach be taken regarding the rent payable by Metro Cinemas Lake Haven Pty Ltd as follows:

- Metro Cinemas Lakehaven Pty Ltd pay rent at 15% of cinema turnover for the period January 2022 to June 2022. All other rent is waived for this period; however, outgoings will remain payable.
- Metro Cinemas Lakehaven Pty Ltd pay rent at 20% of cinema turnover for the period July 2022 to January 2023. All other rent is waived for this period; however, outgoings will remain payable.
- Metro Cinemas Lakehaven Pty Ltd pay rent at agreed lease amount from February 2023.

The reduction in rent from the Metro Cinema will reduce the revenue to Council's Commercial Property budget. As the Commercial Property portfolio is actively seeking other

opportunities for increased rental return and new business, the potential reduction will be offset from new revenue in this period. As such this rent waiver should result in a nil overall impact to Council's Commercial Property's financial position.

In discussions with the Metro Cinema's CEO, he has confirmed that the proposed rent waiver would ensure the ongoing viability of the Cinema, and further that the Cinema would be able to meet the rental obligations proposed under this arrangement.

Link to Community Strategic Plan

Theme 4: Responsible

Goal C: A growing and competitive region

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

Risk Management

Metro Cinemas Lake Haven have indicated they are unable to pay the current rent and could be at risk of going into liquidation. This would leave Council with a "specific use" facility and questionable future leasing possibilities should the current tenant stop trading.

One of the key drivers for the Metro Cinema development was to provide more opportunities for local jobs and also provide young people with social options in the Lake Haven town centre. It is a risk for the community if Council does not help support the cinemas to recover at this time.

Options

Given the obligations under the mandatory Code of conduct, as landlord Council must allow for a reasonable recovery period. Due to the unique nature of Metro Cinemas and its reliance on the global market, the option for Metro Cinema to pay turnover rent for the period January 2022 –January 2023 will provide the tenant with a level of support to ensure its financial viability.

Attachments

1	CONFIDENTIAL - Metro Cinema Accountant's Letter -	Provided Under Separate Cover	D15072414
2	CONFIDENTIAL - Metro Cinema Rental Figures -	Provided Under Separate Cover	D15084572



Item No: 2.10
Title: Lease to Howodd Pty Ltd – Woy Woy Oval Café
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2020/00590 - D14981844
Author: James Landis, Property Officer
Manager: Jamie Barclay, Unit Manager Economic Development and Property
Executive: Krystie Bryant, Director Corporate Affairs (Acting)

Recommendation

- 1 That Council terminate the Lease to Howodd Pty Ltd on expiry, being 28 May 2022.**
- 2 That Council write off all debts accrued under the Commercial Lease.**
- 3 That Council enter into a short-term Licence with Howodd Pty Ltd, from 29 May 2022, that reflects the Tenant's use of the premises and the benefit provided to the community.**
- 4 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 1 remains confidential in accordance with section 10A(2)(d)(i) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Council's ability to obtain value for money services for the Central Coast Community.**

Report purpose

To seek Council endorsement to terminate Howodd Pty Ltd's commercial lease for the Woy Woy Oval Café premises, write off all debt accrued under the Lease.

Executive Summary

The Woy Woy Oval Café (51 Chambers Place, Woy Woy) is leased to *Howodd Pty Ltd* for a 2-year term which commenced 29 May 2020. In spite of commendable efforts by the tenant, the business is commercially unviable. This is largely a result of Covid which restricted the revenue potential of the café while the business itself was ineligible for any Covid related government funding due to the Lease commencing after March 2020.

This is a unique situation that only occurred from the pandemic health restrictions and the timing of the business making it ineligible for any business assistance.

Notwithstanding the above financial hurdles, the tenant has continued to actively operate the business and initiated several activities to engage with the community and increase foot traffic. It is also recommended that this asset be retired as a commercial asset and transferred to the community leasing team for community use as it is unviable as a commercial asset.

Background

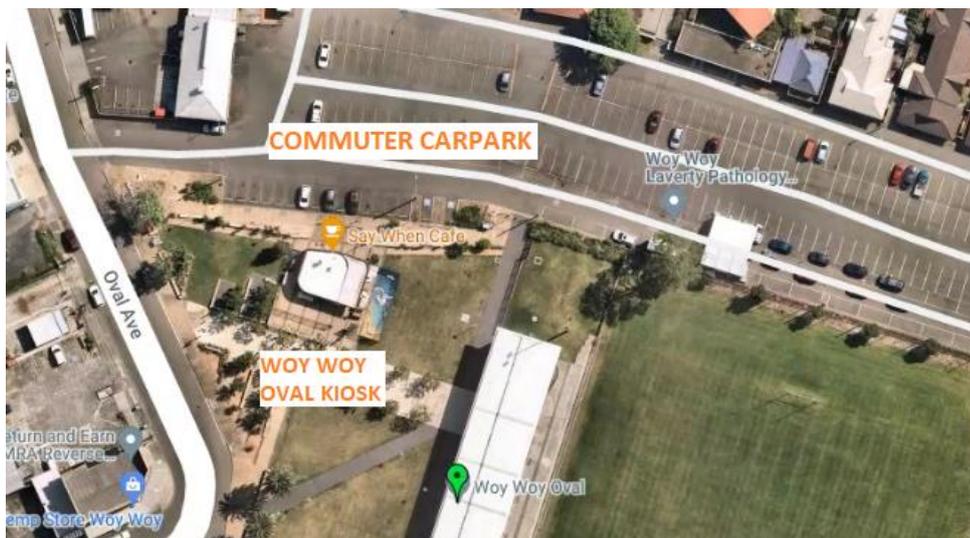
The Woy Woy Oval Café was constructed as part of Council's Woy Woy Oval Stadium Redevelopment in 2016. The café sits on community classified land and is zoned RE1. A tenant for the premises was sought via tender in accordance with the Local Government Act however negotiations with the only applicant were unsuccessful, concluding in early 2018.

In 2019 Council received an offer to Lease from Howodd Pty Ltd and negotiations of commercial terms were conducted and finalised between November 2019 and March 2020. Public notification of the lease concluded 28 April 2020 and the tenant took possession on 29 May 2020. It should be noted that there were considerable delays in the preparation and commencement of the lease that were in no way attributable to the tenant.

Current Status

The key income generators Council envisaged for the business were morning commuters using the adjoining carpark, 'parents & bubs' groups attending during the day and overflow from weekend events at the adjacent Woy Woy Stadium. Covid enforced Public Health Orders restricted if not outright prevented all these potential income streams, crippling the business as it sought to establish itself and continued throughout the term of the lease

As a result of the business commencing operation after 1 March 2020, the tenant was not eligible for any of the financial assistance available under the Government's Covid Regulations including Job Keeper, Job Saver and Covid Cleaning Payments.



Picture 1 – Woy Woy Oval Kiosk Location

Despite these challenges the tenant created multiple alternate income streams whilst activating the otherwise low foot traffic area outside the stadium via a range of initiatives. The tenant's activities have received support from the local Member of Parliament and media and include hosting live music and supporting local bands, art & music classes run by local professionals, pop up markets and cinema nights and partnerships with various local community groups.

In addition to these activities the tenant has fulfilled its repair obligations under the lease and maintained the premises to an acceptable standard.

Consultation

Council Staff have been in regular contact with the lessee to discuss the situation and to understand the challenges the business is facing. Internal consultation has also occurred between the Commercial Property Team and relevant internal stakeholders.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

Council staff are seeking to write off the debt accrued under the current commercial Lease. The financial impact to Council, if the recommended option is adopted, is contained in, *Confidential attachment 1* and will be recovered from the Commercial Property 2021-2022 FY operating budget.

It should be noted that the market appraisal which was used to inform the commercial terms of this lease were untested and under the current terms remain unviable.

This is a one off situation that relates to a new premises that was created as part of the Woy Woy oval project and was never properly market tested for commercial activities.

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.

Risk Management

If we do not enter into an alternate arrangement with the current tenant, Council will face reputational risk for not supporting a local business which is providing a valuable activation service. Further, not activating the space could lead to an increase in anti-social issues in the area and damage to Council's property.

Options

- 1 Terminate the existing Lease with Howodd Pty Ltd and write off all outstanding debt accrued under this Lease. Then enter into a short-term Licence with Howodd Pty Ltd (or other entity as determined by the current Tenant) and transfer Asset Ownership of the premises to Community and Culture Unit. **This is the recommended option.**
- 2 Terminate the Lease and pursue the Tenant for the outstanding debt. Then Transfer Asset Ownership to the Community and Culture Unit. Premises not to be offered for commercial lease. Not recommended.

Critical Dates or Timeframes

A resolution is required prior to the expiry of the current Lease on 28 May 2022.

Attachments

- | | | | |
|----------|---|-------------------------------|-----------|
| 1 | Confidential - Lease to Howodd Pty Ltd - Woy Woy Oval Cafe' Report - Financial Considerations - | Provided Under Separate Cover | D15211655 |
|----------|---|-------------------------------|-----------|



Item No: 2.11
Title: Wamberal Beach Terminal Protection and Sand Nourishment Studies and Outcomes
Department: Environment and Planning

28 June 2022 Ordinary Council Meeting

Reference: F2021/01774 - D15182829
Author: Ben Fullagar, Section Manager, Catchments to Coast
Manager: James Lawson, Unit Manager Environmental Management
Executive: Alice Howe, Director Environment and Planning

Recommendation

That Council:

- 1 Confirms its position, as described in the certified Gosford Beaches Coastal Zone Management Plan (CZMP), for a coastal protection seawall with sand nourishment as the adopted solution to coastal erosion at Wamberal Beach.***
- 2 Supports a solution, based on the feedback from the community consultation, to maximise both the amenity of the public beach and the net present value (NPV) of the solution for a coastal protection seawall at Wamberal Beach.***
- 3 Publicly exhibits for not less than 28 days Draft Design Requirements (Attachment 1) for the lodgement and assessment of development applications for parts of a coastal protection seawall at Wamberal Beach, which address key criteria such as engineering, landscaping, environmental and maintenance requirements.***
- 4 Notes that responsibility for the design, construction and maintenance of the three sections of seawall identified in Attachment 1 rests with the landowners that benefit from the seawall.***
- 5 Notes that any development application for a section of seawall at Wamberal Beach will be subject to public exhibition, providing the public with opportunity to comment on the detailed design drawings, environmental impact assessments, construction programs and maintenance plans.***
- 6 Continues to work closely with the NSW Government, through the Wamberal Seawall Advisory Taskforce, to implement a sustainable long-term solution to the coastal erosion issues on Wamberal Beach.***

2.11 Wamberal Beach Terminal Protection and Sand Nourishment Studies and Outcomes (contd)

Report purpose

To provide a summary of the outcomes of the technical studies and community consultation undertaken for terminal protection and sand nourishment at Wamberal Beach and outline the requirements for the lodgement and assessment of development applications for coastal protection works at this location.

Executive Summary

The Gosford Beaches Coastal Zone Management Plan (CZMP) outlines terminal protection structure (seawall) and sand nourishment as the preferred option along with several key management action items for managing coastal erosion at Wamberal Beach.

Council engaged Manly Hydraulics Laboratory (MHL) to prepare a series of technical reports to address these management actions and allow Council and the community to make an informed decision on the best combination of protection and sand nourishment options for Wamberal Beach.

Three phases of community consultation were held throughout the studies which have now concluded.

Review of community consultation, technical studies and Council's role in relation to coastal management highlighted specific criteria for progression of a solution, leading to the development of the Draft Design Requirements (DDR) (Attachment 1).

The DDR will provide guidance for lodgement and assessment of development applications for coastal protection works at Wamberal Beach by addressing key criteria such as engineering specifications, landscaping, environmental and maintenance attributes.

Background

The Gosford Beaches CZMP was prepared in line the NSW Government legislation, and in consultation with the Central Coast community. The plan was certified by the Minister for the Environment in May 2017 and identifies several key management actions for Wamberal Beach, including:

- TW11: Terminal protection - Council to action review, design, and funding of terminal protection structure for Wamberal
- TW14: Investigation of sources of sand and determination of the feasibility of beach nourishment for Wamberal Beach
- TW15: Beach nourishment coupled with a terminal revetment to increase the buffer against storm erosion.

2.11 Wamberal Beach Terminal Protection and Sand Nourishment Studies and Outcomes (contd)

The CZMP outlines a preferred protection solution (terminal protection structure with sand nourishment) and the technical studies needed to inform further decision making, but it does not provide for the delivery of a seawall or sand nourishment by Council.

In May 2020 Council engaged Manly Hydraulics Laboratory (MHL) to undertake the following investigations and studies for terminal protection and sand nourishment at Wamberal Beach:

- **Stage 1: Literature review**, to take stock of what is known and identify any information gaps,
- **Stage 2: Coastal protection assessment**, to determine sand movement, beach behavior and impacts/opportunities around public access and amenity,
- **Stage 3: Concept design options** for a terminal protection structure (seawall) and sand nourishment, and potential seawall alignment,
- **Stage 4: Sand nourishment investigation** to help maintain public beach amenity,
- **Stage 5: Coastal monitoring studies** to add coastal monitoring data to the existing available coastal data set,
- **Stage 6: Cost benefit analysis** to guide development of possible funding models.

The technical studies were 50/50 funded by Council and the NSW Government through the NSW Coastal and Estuaries Grants Program.

In December 2021 MHL completed these studies, resulting in five technical reports and a coastal monitoring webpage. The technical reports are publicly available on the dedicated yourvoiceourcoast.com/wamberalerosion project page online.

Summary of Technical Reports:

Stage 1: Literature review

Stage 1 took stock of what is known and identified any information gaps. The report contains a compiled review and summary of over thirty studies relevant to the context of the Wamberal Terminal Coastal Protection Assessment, review of previous studies related to coastal hazards and coastal management and previous design of terminal protection for Wamberal Beach.

Stage 2: Coastal protection assessment

Stage 2 determined sand movement, beach behaviour and impacts/opportunities around public access and amenity. The study included:

- existing profile data assembly
- geotechnical data review
- preliminary crest alignment
- beach width analysis
- impact assessment to beach users and beach amenity

2.11 Wamberal Beach Terminal Protection and Sand Nourishment Studies and Outcomes (contd)

The Stage 2 report includes a summary of beach amenity impacts for each of the proposed seawall options for Wamberal Beach such as: surf amenity, foreshore access, safety, encroachment, and available beach width. The Stage 2 report identified seawall structures comprising larger footprints (Options 1 and 2 revetment designs) to impact the available beach width for a greater percentage of time than the narrow seawall designs (Options 3, 4 and 5). Options 3, 4 and 5 were all found to have a 'low to beneficial impact' on overall beach amenity.

Stage 3: Concept design

The Stage 3 Concept Design Report includes evaluation of five seawall design options:

- Option 1: Rock revetment (Basalt),
- Option 2: Rock Revetment (Sandstone),
- Option 3: Vertical seawall (without rock toe),
- Option 4: Vertical seawall (with rock toe) and
- Option 5: Tiered Vertical Seawall with promenade walkway.

The preliminary capital cost estimates in the report to construct the 1,300-metre-long seawall ranges from \$25M or \$18,400 per lineal metre (for Sandstone Rock Revetment) to \$40.1M or \$29,500 per lineal metre (for Tiered Vertical Seawall with promenade). The Stage 3 report also includes consideration of the various advantages and disadvantages, other than cost, for each of the five concept design options.

Stage 4: Sand nourishment investigation

Stage 4 outlines sand nourishment requirements for each of the proposed seawall options and investigation of potential sand sources including indicative unit cost estimates. The key objective of Stage 4 was to provide an acceptable level of public beach amenity for the Wamberal/Terrigal embayment over the life of a terminal protection structure.

The report identifies seawall structures with larger footprints (i.e., rock revetments) requiring the greatest sand nourishment offset and maintenance volumes and higher adverse impacts in the absence of nourishment. The report also highlights a lack of viable sand sources and volumes with many options requiring further investigation.

Stage 5: Coastal monitoring studies

Stage 5 consists of additional coastal monitoring studies to observe past and present-day beach conditions to better understand the natural fluctuation of the beach. Monitoring includes:

- Installation of a Coastsnap monitoring site on Terrigal Drive
- Installation of Trailcam, Lidar wave runup monitoring station
- Live Coastal Monitoring Public Webpage to display monitoring data.

Stage 6: Cost benefit analysis (CBA) and distributional analysis

Cost Benefit Analysis and Net Present Value

All options were compared relative to a base case scenario of continuing the 'Status Quo'. This involves repeated storm events triggering reactive emergency works that poorly mitigate the present and long-term risk of coastal erosion to private property and public lands at Wamberal Beach.

All five options achieved positive Net Positive Values (NPVs) between +\$33.1M to +\$53.7M over 30-years using a 7% discount rate. Of these alternatives, Option 3 (vertical seawall) is indicated to achieve the highest NPV (+\$53.7M) as shown below in Table 3.8 of MHL's report reproduced below.

Table 3.8: Summary results of CBA under 7% discount rate and 30-year analysis period

Option	Total Costs (PV \$M)	Total Benefits (PV \$M)	Net Present Value (NPV \$M)	Benefit-Cost Ratio (BCR) ¹
Option 1 – Basalt rock revetment + periodic nourishment	\$35.17	\$68.26	\$33.09	1.94
Option 2 – Sandstone rock revetment + periodic nourishment	\$34.99	\$68.18	\$33.20	1.95
Option 3 – Vertical seawall + periodic nourishment	\$37.64	\$91.32	\$53.67	2.43
Option 4 – Vertical seawall with rock toe + periodic nourishment	\$38.29	\$91.34	\$53.05	2.39
Option 5 – Tiered vertical seawall with promenade + periodic nourishment	\$53.33	\$104.50	\$51.17	1.96

Distributional Analysis in the CBA report

For all options, the majority of benefit flows to the Beachfront Homeowners with the protection of private property at risk to coastal hazards (See Table B reproduced below). Some additional benefit for Options 3-5 flows to Non-Beachfront Homeowners with improved beach width. Option 5 delivers a larger share of benefits to the general community in the LGA, via provision of a public promenade improving access along the beach (maintained immediately after storms when the beach is eroded) and attracting some potential additional beach visitation. Benefits which flow to Council under each seawall option include avoided administrative and staff costs and avoided costs of repeat emergency works.

2.11 Wamberal Beach Terminal Protection and Sand Nourishment Studies and Outcomes (contd)

Table B: Distribution of net benefits across stakeholder groups. Values for 7% discount rate and 30-year horizon.

Stakeholder group		Option 1	Option 2	Option 3	Option 4	Option 5
Council	LGA	4.7%	4.6%	6.4%	6.4%	5.5%
General community & non-beachfront homeowners	LGA	-	-	22.3%	22.3%	32.2%
Homeowners	Beachfront	95.3%	95.4%	71.3%	71.2%	62.3%
Total		100%	100%	100%	100%	100%

How sand nourishment was addressed in the CBA report

The Stage 4: Sand Nourishment Investigation report found that substantial sand nourishment would be required to offset the encroachment impacts of the rock revetment concept designs (Options 1 and 2) due to their much larger footprint extending onto the beach. Given the uncertainty of larger sand source availability, the Cost Benefit Analysis (CBA) excluded nourishment to offset the encroachment impacts of Options 1 and 2. Instead, the CBA examined the marginal benefits and costs between seawall options based on differing degrees of encroachment and available dry beach width amenity. Importantly Options 3, 4, and to a lesser extent, Option 5 do not encroach onto the beach more than the current ad hoc works, therefore they do not require additional nourishment to offset the impact of the seawall.

However, all alternatives to the Base Case in the CBA did include periodic sand nourishment (approx. every 10 years) to counter natural beach recession due to underlying losses and sea-level rise (see Stage 4 Sand Nourishment Investigation for further detail). For all options, beach width is maintained at the post seawall construction level into the future via periodic sand nourishment. The 10-year periodic nourishment cost was annualised and included in the NPV calculations for each of the options. For Options 1 and 2 an amount of \$333,300 per annum was used and for Options 3, 4 and 5 an amount of \$316,650 per annum was used. Natural beach recession is not unique to Wamberal Beach or the Central Coast and further analysis of coastal recession and the feasibility of a regional sand nourishment program including funding sources will be more thoroughly assessed with development of the new Coastal Management Programs.

Community Consultation

Community consultation was held throughout the project and included: a dedicated project webpage on Council's Your Voice Our Coast and the following phases:

Phase 1: 9 November 2020 and 7 December 2020

- Council undertook the values and uses survey to better understand the value of Wamberal Beach to the community, how it was being used prior to the

2.11 Wamberal Beach Terminal Protection and Sand Nourishment Studies and Outcomes (contd)

emergency works and how it is being used now (post emergency works). A total of 15 people submitted questions and 514 surveys were completed.

- Drop-in formation sessions at Erina Fair and Wamberal Surf Life Saving Club as well as virtual drop-in sessions. Face to face attended by 94 people, Virtual attendance by 7 people.

A summary of the Phase 1 community engagement is included as Attachment 2 and is publicly available on the dedicated yourvoiceourcoast.com/wamberalerosion project page.

Phase 2: 29 July and 10 September 2021

- Included the release of technical reports (1-4) and interactive concept design renders.
- Eight virtual information sessions held (due to COVID-19 public health orders) attended by CCC's Coastal Management Team, Manly Hydraulics Laboratory, UNSW Water Research Laboratory and DPIE to provide an expert response to questions and input into discussion. The sessions were attended by 22 participants.

A summary of the Phase 2 community engagement is included as Attachment 3 and is publicly available on the dedicated yourvoiceourcoast.com/wamberalerosion project page.

Phase 3: 17 February and 20 March 2022

- Phase 3 consultation allowed the community to review technical reports (1-4 & 6) along with the coastal monitoring webpage and provide comments online.
- During this phase 1095 visits to the Your Voice Our Coast website and 113 feedback forms completed.

A summary of Phase 3 is currently being reviewed by Council staff and will be placed on Council's Your Voice Our Coast project page once completed. However, the community feedback throughout Phases 1-3 outlined the following key concerns:

Issue	Response
Increased erosion resulting from coastal protection works	The Stage 2 Report: Coastal protection assessment report indicated Options 3, 4 and 5 would have a low to beneficial impact on overall amenity including beach width.
Lack of sand sources and regulatory role in ensuring maintenance is undertaken	The Stage 4 report highlighted uncertainty and high costs with obtaining large volumes of sand for nourishment. Further work with the NSW Government is required to investigate sand

2.11 Wamberal Beach Terminal Protection and Sand Nourishment Studies and Outcomes (contd)

Issue	Response
	nourishment as part of developing the Coastal Management Program. Maintenance requirements for seawalls can be addressed through the development application process.
Impacts to beach amenity (footprint of proposed structure)	Options 3, 4 and 5 have the narrowest footprints and therefore the least impact on beach amenity.
Environmental impacts	The Stage 2 Coastal Protection Assessment Report outlines the beach amenity impact of the concept options. In addition, an environmental impact assessment would be required to be lodged with development applications.
Community funding for private benefit infrastructure	It is proposed that private coastal protection works be fully funded by private property owners.
Apprehension that alternative options were not explored	Other options were previously assessed as part of the development of the Coastal Zone Management Plan and the preceding studies to that Plan. Further assessment of sand nourishment was included in Stage 4 report highlighting uncertainty with obtaining large volumes of sand. The option of planned retreat and the reasons why it is not feasible from a financial or policy aspect was discussed in the Stage 6 CBA report.

Conclusion

Review of the MHL technical studies, results from the community consultation and consideration of Councils role in relation to coastal protection works highlighted specific requirements for seawall designs and implementation, which include that:

- The seawall to be located as far landward as possible, to reduce interaction with coastal processes and maximise beach width;
- The seawalls to be located wholly on private property where possible;
- The seawalls to be constructed, owned, and maintained by property owners;
- The seawall to have the narrowest footprint, to reduce erosion/beach encroachment; and

2.11 Wamberal Beach Terminal Protection and Sand Nourishment Studies and Outcomes (contd)

- It is to have the least sand nourishment requirements, both upfront and during the maintenance phase.
- Time limited consent will be required to meet section 27 of the *Coastal Management Act 2016* (impacts to amenity over the life of the works).

These requirements and the outcomes of the community consultation highlight that the preferred design is a combination of the alignment of Options 3 (vertical seawall) with the cross section of Option 5 (tiered seawall design). This design would reduce the impact on beach amenity and also allow for landscaping of the seawall to blend it into the environment as much as possible.

Council has worked with MHL to develop Draft Design Requirements (DDR) (Attachment 1) to identify specific criteria for coastal protection development applications at Wamberal Beach. Criteria includes engineering specifications as well as landscaping, environmental and maintenance attributes. The report will be provided once finalised by the Consultants.

Council is the consent authority for assessing coastal protection development applications at Wamberal Beach. These requirements will be used by Council in conjunction with the *Coastal Management Act 2016*, other relevant environmental and planning requirements and consultation feedback when assessing development applications.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

The report is provided as an update of information for Council in response to their previous resolutions. There are no financial implications arising from the recommendations of this report.

Link to Community Strategic Plan

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.

2.11 Wamberal Beach Terminal Protection and Sand Nourishment Studies and Outcomes (contd)

Attachment 1 will be provided once the finalised report is received from the Consultants.

Attachments

1	Exhibition Draft Design Requirements	Provided Under Separate Cover	
			
2	Wamberal Beach Erosion - phase 1 engagement summary	Provided Under Separate Cover	D14441633
			
3	Phase 2 Community Engagement Report	Provided Under Separate Cover	D15014651
			



Item No: 2.12
Title: Request to prepare a Planning Proposal for 60 Wyong Road, Tuggerah (Tuggerah Gateway Site)
Department: Environment and Planning

28 June 2022 Ordinary Council Meeting

Reference: RZ/2/2021 - D15181521
Author: Lynda Hirst, Principal Strategic Planner
Manager: Scott Duncan, Section Manager Land Use and Policy
Executive: Alice Howe, Director Environment and Planning

Recommendation

- 1 That Council prepare a Planning Proposal in relation to Lot 2 DP1056960 and Lot 3 DP1084221, 60 Wyong Road, Tuggerah, to amend the Wyong or Central Coast Local Environmental Plan, whichever is in effect, to:
 - (a) rezone part of the site to R1 General Residential.**
 - (b) realign the existing zone boundary of the B4 Mixed Use zone.**
 - (c) retain the existing C2 Environmental Conservation zone.****
- 2 That Council submit the Planning Proposal to the Minister for 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.**
- 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 prepare a site-specific Development Control Plan to support the Planning Proposal to ensure appropriate built form guidelines are applied in the development design for the site.**
- 5 That Council undertake community and public authority consultation in accordance with the Gateway Determination requirements, including the concurrent exhibition of the draft Development Control Plan and draft Planning Agreement.**
- 6 That Council authorise the Chief Executive Officer (or delegate) to enter into a Planning Agreement, informed by community and public authority feedback, and to negotiate and execute all documentation in relation to the finalisation of the Planning Agreement (if required). The Planning Agreement is to be based on the terms as outlined in the Scentre Group Letter of Offer dated 16 March 2022 for monetary contributions and works in kind.**

2.12 Request to prepare a Planning Proposal for 60 Wyong Road, Tuggerah (Tuggerah Gateway Site) (contd)

Report purpose

To consider a request to prepare a planning proposal to rezone part of Lot 2 DP1056960 and Lot 3 DP1084221, 60 Wyong Road, Tuggerah from RU6 Transition to R1 General Residential under the *Central Coast Local Environmental Plan (CCLEP)*, when it comes into effect, or *Wyong Local Environmental Plan 2013 (WLEP 2013)*. The proposal will retain the existing B4 Mixed Use zone with a minor realignment of the zone boundary, resulting in no net loss to the B4 zoned land. The proposal will also retain the existing C2 Environmental Conservation zoned land.

Executive Summary

The planning proposal will seek to create a new community to support the existing Tuggerah Centre with a range of low, medium, and higher-density housing options to meet future housing demand. The residential development will be supported by the retention of the B4 Mixed Use zoned land to provide for additional large format retail in the short term, transforming to a mixed-use development with a range of employment, retail and entertainment land uses in the longer term.

The planning proposal will be supported by a site-specific Development Control Plan (DCP) to ensure appropriate built form guidelines are applied in the development design, and a Planning Agreement to provide monetary contributions and works in kind to support the development of the site.

The site has been identified in numerous strategic plans as a key gateway to the northern Central Coast, strategically located adjacent to transport corridors and in close proximity to existing infrastructure and services. The development of the site will assist Tuggerah to evolve as a more integrated centre, contributing to its desired future character as a sustainable and vibrant centre, and bringing increased activity, vibrancy and viability to the centre.

The Planning Proposal was considered by the Local Planning Panel on 23 June 2022 where independent advice on the planning proposal was received (Attachment 3).

Background

The site was purchased by Westfield (now Scentre Group) in 1990 with the acquisition facilitating the development of the adjoining Westfield Tuggerah which opened in 1995.

The subject site forms part of the Tuggerah Town Centre and has been identified as a strategic gateway and development opportunity site in numerous strategic planning documents including the Central Coast Regional Plan 2036 by the Department of Planning &

2.12 Request to prepare a Planning Proposal for 60 Wyong Road, Tuggerah (Tuggerah Gateway Site) (contd)

Environment (DPE) and Council's Wyong Tuggerah Planning Strategy (2007) and Tuggerah to Wyong Economic Corridor Strategy (2020).

In April 2008 a proposed concept plan for the site was submitted to the [then] Department of Planning for consideration as a Major Project under the former provisions of Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The concept plan was subsequently revised to include all Scentre Group landholdings, including the adjoining Westfield Tuggerah and triangle site to the east, with Director General requirements outlining that any proposal for the site was to be consistent with the Tuggerah State Significant Site (SSS) study. A draft structure plan for the Tuggerah SSS was released in 2013 identifying the site as having potential for residential and bulky goods development. However, the SSS proposal did not proceed.

The site and adjoining Westfield Tuggerah were initially deferred from inclusion in the Wyong Local Environmental Plan (WLEP, 2013) due to unresolved strategic planning matters including the rezoning mechanism, flooding and traffic impacts. The WLEP 2013 was later amended on 18 November 2015 zoning the Gateway site a combination of RU6 Transition, B4 Mixed Use and C2 Environmental Conservation.

A development application (DA/1179/2014) was approved on 19 November 2015 for large format retail to be constructed over 2 stages on the B4 part of the site. Stage 1 included a Masters Homemaker Centre of approximately 14,000m². and Stage 2 for complimentary retail/bulky goods development of approximately 9,000m². A Planning Agreement was executed on 26 October 2015 between Scentre Group and the Minister for Planning which triggers road upgrades and signalisation of the Tonkiss St and Wyong Rd intersection when any building works of 14,000m² or greater is constructed on the B4 land. These requirements under this Planning Agreement will be delivered as part of the planning proposal and subsequent development applications. Pre gateway consultation with Transport for NSW (TfNSW) has indicated no objections to the proposal.

Current Status

The site is strategically located adjacent to the M1 Motorway and Pacific Highway transport corridors, and in walking distance to the Tuggerah train station.

The proposed development will enhance the amenity and attractiveness of this key gateway site that forms the entrance to the northern part of the Central Coast. The development incorporates new open space and recreational opportunities whilst improving walkable connections to essential services and public transport.

The proposed development aligns with surrounding land uses and strengthens the existing Tuggerah Town Centre, contributing to its desired future character as a sustainable and vibrant centre. The development of the site will attract investment to the area to stimulate the economy and grow the region as key location for economic development and residential growth.

2.12 Request to prepare a Planning Proposal for 60 Wyong Road, Tuggerah (Tuggerah Gateway Site) (contd)

The Proposal

The planning proposal will seek to amend the relevant Local Environmental Plan as follows:

- 1 Rezone the RU6 Transition land to R1 General Residential.
- 2 Retain the B4 Mixed Use land with a minor realignment of the zone boundary resulting in no net loss of the B4 land.
- 3 Retain the C2 Environmental Conservation land.
- 4 Remove the 40-hectare minimum lot size that applies to the RU6 land.
- 5 Apply maximum height limits to the B4 land ranging from 16m to 42m (note: no maximum height limit currently applies to the site).
- 6 Apply maximum floor space (FSR) ratio limits to the B4 land ranging from 1.25:1 to 2.0:1 (note: no maximum FSR limit currently applies to the site).
- 7 Amend Part 6 of the LEP to include the site as an Urban Release Area.

The flood impact assessment shows the proposal will have no impact in the 1% annual exceedance probability (AEP) flood event aside from a small section within Mardi Creek, which is considered to have negligible impact on neighbouring properties. Minor impacts in the Probable Maximum Flood (PMF) event are not considered to increase the flood hazard in those areas and there is flood free egress from the site during a PMF event.

A Biodiversity Certification Assessment Report (BCAR) has been prepared to support the proposal. The BCAR identifies a number of ecosystem and species credits to be secured and retired to offset the impacts of the proposal. The proposal incorporates retention and a slight expansion of the 4ha conservation zone to protect the existing high value environmental area with ongoing management to be undertaken by the proponent.

Council's Affordable and Alternate Housing Strategy (AAHS) identifies a need for diversity of housing options on the Central Coast. Housing demographics demonstrate increased demand for medium and high-density housing and the proposal provides for a yield of up to 2,177 dwellings, including 661 high density and 959 medium density dwellings. The proposal will enable increased opportunities for well-located affordable and lower cost housing that will satisfy some of the low-income housing needs of the community. The proposed housing is in close proximity to Westfield Tuggerah which provides a range of employment, retail, dining, entertainment, and health services, and a bus service that connects Westfield Tuggerah with the train station and the wider region.

The planning proposal is considered to have strategic planning merit for the following reasons:

- The proposed rezoning to R1 General Residential is consistent with surrounding residential development and will provide additional housing in close proximity to existing infrastructure and services, bringing increased vitality and viability to the Tuggerah Town Centre.

- The retention of the B4 zoned land will provide for short term bulky goods retail development, transitioning to mixed use development along Wyong Road in the longer term. This will ensure ongoing job opportunities with the potential for a range of employment generating land uses including retail, office, short stay accommodation, childcare, education and medical facilities.
- The retention of the C2 Environmental Conservation zoned land will facilitate the protection, conservation and enhancement of environmentally sensitive areas with ongoing management of the land to be funded by the proponent.
- The proposed maximum height and floor space ratio (FSR) limits for the B4 portion of the site are considered appropriate and consistent with surrounding development including the proposed Woodberry Park residential development opposite the site (with a maximum height of 37.5m) and the Wyong Town Centre (with a range of FSR limits from 1.1:1 to 3.0:1).
- A site-specific Development Control Plan (DCP) will be prepared to support the planning proposal to ensure appropriate built form guidelines are applied in the development design for the site. The proposal incorporates a number of parks and accessible open space areas that enable active and passive recreation opportunities and will provide a high-quality amenity for the future residential population.
- A planning agreement will be prepared to support the planning proposal to provide monetary contributions and works in kind to support the development. A letter of offer has been submitted with the proposal which outlines approximately \$11.6 million of improvements including:
 - \$1 million in management of conservation land;
 - \$6.5 million in provision of open space facilities;
 - \$1.5 million for delivery of a new youth centre; and
 - \$2.5 million in new pedestrian and vehicular connections including a range of new and upgraded shared pedestrian paths and cycleways both throughout the development and connecting to Tuggerah train station and bus interchange.

An assessment of the proposal has been undertaken to inform this recommendation, as detailed in Attachment 1 – Assessment Report. The proposal has also been assessed having regard for all State Environmental Planning Policies (SEPPs), Ministerial Directions and relevant guidelines of the *Central Coast Regional Plan 2036* (CCRP) as detailed in Attachment 2 - Strategic Assessment. As the proposal has strategic merit it is recommended that a planning proposal be prepared and forwarded to the Minister for Planning requesting a Gateway Determination.

2.12 Request to prepare a Planning Proposal for 60 Wyong Road, Tuggerah (Tuggerah Gateway Site) (contd)

Consultation

Government agency and public consultation requirements will be detailed in the Gateway Determination and conducted accordingly. Pre Gateway consultation on the proposal has occurred with DPE, Biodiversity Conservation Division (BCD) of DPE, TfNSW and NSW Rural Fire Service. The proponent has also consulted with Ausgrid and Darkinjung Local Aboriginal Land Council in development of the indicative structure plan for the site. No objections have been raised to the proposal.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

Adoption of the staff recommendation has no bottom-line implications for Council's budget. The direct cost to Council is the preparation of the planning proposal and the associated Planning Agreement and DCP. These costs will be charged as per Council's fees and charges on a cost recovery basis.

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.

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.

2.12 Request to prepare a Planning Proposal for 60 Wyong Road, Tuggerah (Tuggerah Gateway Site) (contd)

Theme 4: Responsible

Goal I: Balanced and sustainable development

R-I2: Ensure all new developments are well planned with good access to public transport, green space and community facilities and support active transport.

R-I4: Provide a range of housing options to meet the diverse and changing needs of the community and there is adequate affordable housing.

Theme 5: Liveable

Goal K: Out and about in fresh air

L-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.

Risk Management

There have been no risks identified to the natural and built environment associated with the proposed amendment to the relevant LEP.

Options

- 1 Support the recommendation as the planning proposal has strategic merit.
The basis for this recommendation is:
 - The proposal rezones the land to an appropriate zone under either the CCLEP or WLEP 2013.
 - The proposal will provide additional housing to meet the growing housing demand adjacent to existing infrastructure and services.
 - The proposal will provide for additional employment generating land uses to expand and complement the existing services within the Tuggerah Town Centre.
 - The proposal respects the scenic values and character of the site, ensuring the environmentally sensitive areas of the site will be retained, enhanced, and protected.

This is the recommended option.

- 2 Refuse to support the Request for a planning proposal (not recommended).
Should the planning proposal not be supported, an opportunity will be missed to enhance the amenity and attractiveness of this key gateway site whilst providing additional housing and employment to support growth and investment in the Tuggerah Town Centre.

2.12 Request to prepare a Planning Proposal for 60 Wyong Road, Tuggerah (Tuggerah Gateway Site) (contd)

Critical Dates or Timeframes

DPE is implementing strict timeframes for planning proposal exhibition and finalisation which will be outlined in the Gateway Determination.

Attachments

1	Planning Proposal Assessment Report - Tuggerah Gateway Site	Provided Under Separate Cover	D15181925
2	Planning Proposal Strategic Assessment - Tuggerah Gateway Site	Provided Under Separate Cover	D15181926
3 	Independent Advice - Local Planning Panel - to be provided following the Panel's meeting on 23 June 2022	Provided Under Separate Cover	



Item No: 2.13
Title: Draft Dogs in Open Space Action Plan for Community Consultation
Department: Environment and Planning

28 June 2022 Ordinary Council Meeting

Reference: F2021/01691 - D15083062
Author: Luke Sulkowski, Unit Manager Environmental Compliance Services
Executive: Alice Howe, Director Environment and Planning

Recommendation

That Council:

- 1 *Endorse the draft Dogs in Open Space Action Plan (Attachment 1) for the purpose of community consultation.***
- 2 *Place the draft Dogs in Open Space Action Plan on public exhibition for a period of not less than 56 days.***
- 3 *Request the Chief Executive Officer to provide a further report to Council on the outcomes of the public exhibition, with a view to finalisation and adoption the Dogs in Open Space Action Plan.***
- 4 *Note that the Dogs in Open Space Areas Policy (2002) and the Dogs in Open Space Strategy (2012) are intended to be repealed upon the final adoption of the Dogs in Open Space Action Plan.***

Report purpose

The purpose of this report is for Council to consider the draft Central Coast *Dogs in Open Space Action Plan* (DIOSAP) for community consultation.

This report recommends that Council endorse this draft DIOSAP for the purposes of public exhibition for a period of not less than 56 days.

Pending the outcomes of community consultation, it is proposed that the existing *Dogs in Open Space Policy* (2002) and *Dogs in Open Space Strategy* (2012), both of former Gosford City Council, would be repealed and replaced with the new Central Coast DIOSAP.

Executive Summary

The DIOSAP has been prepared in order to provide Council with a 10-year planning framework that will allow for considered implementation of identified actions.

2.13 Draft Dogs in Open Space Action Plan for Community Consultation (contd)

The DIOSAP has been developed in recognition of the high rates of dog ownership within the Central Coast local government area and in consideration of the varied requirements for use of Council's open space network.

Background

It is proposed that the DIOSAP will supersede the *Dogs in Open Space Areas Policy* (2002) and the *Dogs in Open Space Strategy* (2012) and provide an integrated approach to management of dogs in public spaces managed by Council across the Central Coast.

Dog ownership rates on the Central Coast are high. The DIOSAP suggests there are around 65,000 dogs residing in Central Coast households. If estimations are applied to future household numbers, dog numbers on the Central Coast could be in excess of 80,000 by 2032. It is recognised that dog ownership for much of our community is a vital component of mental and physical wellbeing.

The draft DIOSAP follows the adoption of the *Responsible Dog Ownership Policy* by Council on 5 April 2022. This policy was developed to provide guidance to the Central Coast community on the responsibilities of dog ownership. It provides a fresh, strategic approach to supporting opportunities for the Central Coast community to recreate in public spaces with their dogs in a manner that compliments use of these spaces by other general members of the public. The DIOSAP will also ultimately support and compliment the yet to be completed *Central Coast Active Lifestyles Strategy*.

Current Status

The DIOSAP is currently in draft form ready for public exhibition.

Report

Council recognises the significant social and health benefits of dog ownership. These benefits, however, need to be balanced with compliance obligations under the *Companion Animal Act 1998*, as well as mitigating impacts such as unintended harm to threatened species or wildlife habitat.

Consultation

Consultation data has been reviewed and incorporated into the DIOSAP from the following sources:

- Central Coast Council Active Lifestyle Strategy Consultation
- Responsible Dog Ownership Policy Consultation
- Our Coast Our Waterways Consultation, and
- Ongoing community enquiries regarding current and future off leash areas.

2.13 Draft Dogs in Open Space Action Plan for Community Consultation (contd)

Broader community consultation will be achieved as part of the public exhibition period. It is recommended that the exhibition period be for not less than 56 days. Feedback will be reported to Council at the conclusion of the exhibition period.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

There are no material financial implications arising from the recommendation to exhibit the draft DIOSAP for community consultation and report back to Council.

Actions identified in the draft DIOSAP may have cost implications in relation to delivery, and funding for delivery of all actions has not yet been identified. If the plan is adopted, actions would be implemented based on priority, pending availability of funding in future annual budgets or as a result of successful grant applications.

Although the actions are not fully funded at the time of this report, it is important that they are identified in the DIOSAP in order to appropriately plan and best manage dogs in open space. Outlining required actions in the DIOSAP will also provide considered support for any grant applications that may arise.

Link to Community Strategic Plan

Theme 5: Liveable

Goal L: Healthy lifestyle for a growing community

L-K3: provide signage, public facilities, amenities and playgrounds to encourage usage and enjoyment of public areas.

Risk Management

Ineffective management of dogs in open space areas can negatively affect the community and pose a safety risk to dog owners, non-dog owners, the environment and open space facilities. The DIOSAP aims to reduce these impacts risks with appropriate use and definition of off leash, on leash and dog exclusion areas.

**2.13 Draft Dogs in Open Space Action Plan for Community Consultation
(contd)**

Attachments

1	Draft Dogs in Open Space Action Plan 2022	Provided Under Separate	D15200635
	- 2032	Cover	



Item No: 2.14
Title: Disaster Resilience Grant Funding Utilisation Program
Department: Environment and Planning

28 June 2022 Ordinary Council Meeting

Reference: F2020/00039 - D15198334
Author: Luke Sulkowski, Unit Manager Environmental Compliance Services
Executive: Alice Howe, Director Environment and Planning

Recommendation

That Council endorse the 2022/2024 Disaster Resilience Grant Funding Utilisation Program, inclusive of an increase of 2.0 grant-funded temporary full time equivalent (FTE) positions for a period of two years for the purpose of supporting natural disaster resilience and recovery.

Report purpose

Council has received funding through the Local Government Recovery Grant Program (LGRGP) to build capacity within the organisation and community to prepare for, respond to and recover from disaster events. Council has also received funding through the Bushfire Disaster Recovery Fund for asset protection works, and is in the process of making claims under the Disaster Recovery Funding Arrangements for eligible disaster recovery costs. Further grant applications are in development to support additional disaster resilience activities.

The purpose of this report is to:

1. Seek endorsement of proposed expenditure under the grant programs identified in Attachment 1 to deliver the Central Coast Disaster Resilience Grant Funding Utilisation Program (the Program), and
2. Request approval to utilise a portion of the LGRGP to fund 2.0 temporary FTE for the purpose of engaging two project officers for a two-year period to support implementation of the Program.

Executive Summary

Due to the constant cycle of response and recovery to numerous recent disaster events, the NSW Government (in partnership with the Australian Government) has released a significant number of disaster-related grant funds directed toward building disaster resilience across NSW. Council's Emergency Management staff have consulted across the organisation to develop a Disaster-Related Grant Funding Utilisation Program to build capacity and capability across the local government area (LGA).

The Program is targeted towards several outcomes, inclusive of immediate restoration works, community preparedness initiatives, asset and flood investigations as well as a program to supporting economic recovery. An overview of the program is attached and includes the addition of two temporary Project Officers, funded through the LGRGP, for a two-year period to assist in supporting Council's disaster management capability. This additional resourcing will enable Council to maximise additional grant revenue through the Disaster Recovery Funding Arrangement (DRFA), meet legal obligations, and update its disaster management framework to support the organisation to effectively prepare for, respond to and recover from disaster events.

Background

The Central Coast LGA has been subject to ongoing disaster events, with increased frequency since 2019. Each event has significantly affected portions of the LGA and has left the community under-resourced to recover, repair and proactively prevent similar instances reoccurring. This has resulted in the release of a large amount of disaster-related funding via various grants and claims, which Council is actively pursuing to ensure sufficient resourcing to build disaster resilience into the future.

This release of disaster-related funding has also resulted in a significant resource demand for grant program establishment and management. This has subsequently placed a significantly increased level of demand on Council staff to apply for, manage and acquit DRFA and other disaster grant funding.

Council currently has 1.5 FTE staff dedicated to emergency prevention, preparedness, response and recovery tasks. While there is significant internal additional capacity to stand up disaster response and recovery teams, this effort diverts those staff from their core duties. Key functions and responsibilities of the dedicated emergency management team include:

- Internal administration and support of emergency response and recovery
- External administration and support within the broader inter-agency for emergency response and recovery
- Administration and support of the Central Coast Local Emergency Management Committee (LEMC) and Emergency Operations Centre (EOC)
- Coordination of disaster-related grant funding inclusive of disaster claims
- Implementation of the corporate Emergency Management Framework (EMF).

Due to the high likelihood of ongoing severe weather events, additional disaster-related funding is expected to be released as a result of the compounding disasters.

2.14 Disaster Resilience Grant Funding Utilisation Program (contd)

By engaging additional temporary staff there are expected to be potential benefits in maximising recovery of grant funds, improvement of processes and procedures to enhance future emergency management functions of Council and support the delivery of other projects related to disaster resilience and recovery. These positions can be 100% funded through the LGRGP.

Report

The Program for which endorsement is sought is provided in Attachment 1. The broad objective of the Program is to utilise disaster-related funding to build resilience across the LGA through various projects. It is anticipated that the following outcomes will be achieved:

- Improved disaster program and funding management.
- Increased capacity to meet Council's legal obligation to provide support to the LEMC, EOC, State Emergency Service and Rural Fire Service.
- Increased capacity to deliver the EMF, as committed within the 2022/23 Operational Plan and in accordance with Council's key deliverables, scheduled for completion December 2022, with a number of ongoing actions required into the 23/24FY.
- Enable contingency and succession planning (particularly during events when resourcing requirements exceed capacity to support the Emergency Operations such as the operation of the Emergency Operations Centre).

Consultation

Consultation has been undertaken across the organisation and various relevant industry bodies to identify appropriate resilience projects.

Internal consultation has occurred with Senior Business Partner (People & Culture) who supports the proposal, along with Council's Senior Financial Project Coordinator to address any potential financial considerations and impacts.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

The Program, including full costs for the proposed two temporary officers, is proposed to be entirely funded by the \$1million Council has received through the LGRGP. The LGRG conditions allow funds to be utilised for this purpose.

Link to Community Strategic Plan

Theme 4: Responsible

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.

Risk Management

No material risks have been identified as a result of the proposal to implement the Program. However, continuation of an under-resourced emergency management function exposes Council to the following risks:

1. Inability to meet legislated responsibility to support emergency response across the LGA.
2. Inability to administer the grants and claims associated with the recent disaster events.
3. Inability to deliver on the Operational Plan commitment to deliver the EMF by December 2022, as well as implementation of ongoing associated actions to support organisational emergency response and recovery.

Options

Option 1 (Recommended): Endorse the Disaster Resilience Grant Funding Utilisation Program (Attachment 1) inclusive of an increase of 2.0 temporary FTE within the Environmental Compliance Services Unit.

Option 2: Reduce the scope of the Program to utilise \$1M of funding associated with the Local Government Recovery Grant to offset expenditure associated with the 2022 Flood Response. While this option will improve Council’s operating position for 2021/22, the ongoing benefits of improving resilience, and maximising grant recovery from recent events is expected to be of greater overall benefit to the organisation and the community.

Option 3: Do nothing – deliver current grant funded projects utilising existing resourcing.

Council’s emergency management team is currently resourced to reactively manage disaster response and do not have the capacity to proactively implement programs to work proactively to build capacity for disaster resilience. Existing resources are not available within the business to support this function. Doing nothing also fails to take advantage of external grant funding on offer that does not require Council to match any funds.

Attachments

1	Disaster Resilience Grant Funding Utilisation Program 2022 to 2024	Provided Under Separate Cover	D15208178
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Item No: 2.15
Title: Proposed Foreshore Crown Reserve Adjustment
San Remo
Department: Environment and Planning

28 June 2022 Ordinary Council Meeting

Reference: F2020/02634 - D15184150
Author: Sam Budden, Stormwater Management Engineer
Manager: James Lawson, Unit Manager Environmental Management
Executive: Alice Howe, Director Environment and Planning

Recommendation

That Council apply to Crown Lands for a reserve adjustment to Lot 184 DP823157.

Report purpose

For Council to formally request from Crown Lands a reserve adjustment to Lot 184 DP823157.

Executive Summary

A reserve adjustment is required to commence construction of capital works project 25507 - Saltmarsh Swale – San Remo power station outlet. The water quality within the existing embayment of the lake has been identified as poor and is the source of offensive odours. Several options were considered to improve water quality for the site and a new saltmarsh swale has been determined to be the preferred option. The saltmarsh swale requires reclamation of the lake, an activity requiring Crown Lands approval. An adjustment to the reserve boundary to include the new saltmarsh swale is the preferred method for gaining Crown Lands approval for the work. Council is required to formally write to Crown Lands requesting an adjustment to the boundary of the reserve to include the new saltmarsh swale.

Background

An embayment exists on the San Remo foreshore between the rock groyne and foreshore reserve. The overall water quality within the embayment has been identified as poor, decreasing potential habitat for marine life and wading birds and is the source of offensive odours. It is expected that without remediation work, the water quality and offensive odours will worsen.

A water quality consultant has provided options and a detailed design to improve water quality for the site. Additionally, an ecological consultant has provided an environmental constraints assessment for the site and an environmental consultant has mapped black ooze within Tuggerah Lake. Several options were considered to improve water quality for the site.

2.15 Proposed Foreshore Crown Reserve Adjustment San Remo (contd)

The preferred option has been determined to be reclaiming the embayment and planting a new saltmarsh swale. The foreshore reserve (Lot 184 DP823157) is a Crown reserve under the care and control of Central Coast Council and is adjacent to the site (Figure 1). A reserve adjustment would give Council authorisation to reclaim the embayment and incorporate the new saltmarsh swale into the reserve.

Current Status

The lakebed is under the care and control of Crown Lands. A licence from Crown Lands is required for reclamation work of the lake and an ongoing licence would be required.

Report

The new saltmarsh swale will cap the black ooze, replace the area of poor water circulation with saltmarsh, allow wrack to decompose on the dry bank as the water level in the lake fluctuates, filter pollutants from the upstream developed catchment, and provide habitat for migratory wading birds, juvenile fish, and invertebrates.

After discussions with Crown Lands officers, the preferred way to progress with the work is to request a reserve adjustment from Crown Lands to incorporate the new saltmarsh into the existing reserve (Lot 184 DP823157).



Figure 1: Proposed reserve adjustment to Lot 184 DP823157

Consultation

Council has undertaken community consultation regarding saltmarsh swale rehabilitation work on the San Remo foreshore. The project is on Council's Your Voice Our Coast website under the Tuggerah Lakes Foreshore Restoration page and saltmarsh rehabilitation work at San Remo foreshore was discussed in the community online forum on 26 April 2022.

2.15 Proposed Foreshore Crown Reserve Adjustment San Remo (contd)

Council has also discussed the matter with Crown Lands Natural Resource Management Project Officer - Hunter Area.

Meetings with internal Council stakeholders regarding the ongoing maintenance of the saltmarsh were also held. Direct consultation with the nearby residents will commence prior to construction.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

The only cost associated with the reserve adjustment will be administration fees. The costs will be funded by the Australian Government funded Environmental Restoration Fund Grant that Council has received.

Link to Community Strategic Plan

Theme 3: Green

Goal F: Cherished and protected natural beauty

G-E2: Improve water quality for beaches, lakes and waterways by minimising pollutants and preventing litter entering our waterways.

Risk Management

Adjusting the reserve boundary is a low-risk activity. The risks associated with construction of the saltmarsh swale are being assessed and mitigations will be proposed in the Review of Environmental Factors and Safe Work Method Statements prior to any construction work. The mitigations will be monitored during construction.

Options

Recommended

- 1 For Council to formally request from Crown Lands a reserve adjustment to Lot 184 DP823157 to incorporate the new saltmarsh swale. **This is the recommended option.**

2.15 Proposed Foreshore Crown Reserve Adjustment San Remo (contd)

- 2 Apply for a long-term licence for the reclamation of the foreshore and saltmarsh. This would require Council to pay the ongoing licence fee in perpetuity.
- 3 Do nothing. No improvement to water quality, no reduction in accumulation of black ooze, no reduction in likelihood of environmental harm caused by disturbance of black ooze, no reduction in the breakdown of wrack in the lake, no improvement to habitat or biodiversity.

Critical Dates or Timeframes

Grant funding is to be acquitted by 31 March 2023.

Attachments

Nil



Item No: 2.16
Title: Consideration of Submissions and Adoption of the Draft Tennis Facility Action Plan
Department: Community and Recreation Services

28 June 2022 Ordinary Council Meeting

Reference: F2010/01158 - D15064405
Author: Brett Sherar, Unit Manager Open Space and Recreation
Executive: Melanie Smith, Director Community and Recreation Services

Recommendation

- 1** *That Council note that the Draft Central Coast Tennis Facility Action Plan was publicly exhibited from 2 October 2020 to 30 October 2020.*
- 2** *That Council consider the submissions received (Attachment 2) during the exhibition period.*
- 3** *That Council note and endorse the amendments recommended in this report and Attachment.*
- 4** *That Council adopt the Central Coast Tennis Facility Action Plan (Attachment 1) and make it available on Council's website.*

Report purpose

To adopt the draft Central Coast Tennis Facility Action Plan as amended following the outcome of the public exhibition.

Executive Summary

The Central Coast Tennis Facility Action Plan (the Action Plan) provides strategic direction for the development and sustainable management of tennis facilities across the Central Coast. The Action Plan was endorsed by Council for the purpose of community consultation at its Ordinary Meeting on 28 September 2021.

Background

Council provides a range of sport and recreation facilities that seek to enhance the community's access to healthy lifestyle options. Part of that suite of sports assets is 30 Council tennis centres categorised into a facility hierarchy ranging from small two court community sites to regional operations with 16 plus courts. There is also a small number of privately owned and publicly accessible tennis centres within the LGA.

2.16 Consideration of Submissions and Adoption of the Draft Tennis Facility Action Plan (contd)

Whilst participation figures are not available for all locations, it is known that there are 16 clubs affiliated with Tennis NSW operating on the Council owned facilities with more than 3,000 members. Tennis NSW engaged with these clubs to ascertain participation numbers, asset condition and financial health.

Aligned with the engagement noted above, a comprehensive independent tennis court inspection audit was prepared for all Council owned facilities that will inform future asset management decision making. The Action Plan will ensure that Council's tennis facility hierarchy is fit for purpose, promoted, accessible and managed sustainably to meet future community needs.

Current Status

Council's tennis facilities are located in a range of open space settings across the region. Half of these facilities are operated by Council and the balance are leased by for profit and not for profit service providers. Condition audits are undertaken every three years, ensuring existing facilities are maintained to meet current Australian standards.

Report

The draft Central Coast Tennis Facilities Action Plan 2021 (Attachment 1) is the result of a review of the former Gosford City Council and former Wyong Shire Council strategies and sets the direction for planning new and upgrading existing tennis facilities across the Central Coast Region. It also has an action to develop renewal program based on life expectancy of infrastructure and meeting current Australian Standards.

The draft Action Plan sets the vision for the Region, which is to have a network of high-quality, inclusive tennis facilities that contribute to active lifestyles, support social engagement, are creative, enjoyable, appropriately sited, equitably distributed and sustainably managed.

The objectives of the draft Action Plan are to:

- 1 Increase community awareness and participation in tennis
- 2 Respond to major drivers, challenges, and opportunities for tennis on the Central Coast
- 3 Improve facility governance and business modelling
- 4 Engage partners and agencies in delivery of facility improvements
- 5 Manage tennis assets sustainably

Tennis facility planning and development on the Central Coast is guided by existing planning strategies, user trends as well as engagement with Council's major delivery partner, Tennis NSW. These factors, as well as the existing settlement patterns and urban form of the Central Coast, have influenced the development of a hierarchy of tennis facilities ranging from small

2.16 Consideration of Submissions and Adoption of the Draft Tennis Facility Action Plan (contd)

two court, unlit, free entry locations to the large-scale multi-court complexes in Gosford and Wyong where professional competitions can be staged.

The draft Action Plan outlines the principles for the provision of quality tennis facilities as well as the identifying of management models relevant to the asset portfolio. In 2019 Tennis NSW visited all sites on the Central Coast to develop a State of Play Report that examined user number trends, financial health and asset condition. The NSW Tennis State of Play report was considered when preparing this action plan.

Consultation

In developing the draft Action Plan, Council and Tennis NSW staff have met with tennis facility managers over the last three years to seek input into decision making around management models, community awareness campaigns and the identity of tennis as a whole of life sport. Whilst the engagement has revealed that tennis participation is stable on the Central Coast, there is room for a range of facility improvements such as lighting and online booking that value add to the service levels currently on offer.

Community engagement will continue to inform the planning, design and sustainable management of tennis facilities throughout the region. Site specific community engagement will be undertaken on individual designs particularly for district and regional locations.

A communication and engagement plan informed the community about the draft Action Plan during exhibition that has been prepared to gain stakeholder endorsement. Due to the COVID-19 response, consultation was delivered via Council's Your Voice Our Coast online engagement platform.

Council received seven responses during the 28 day consultation period. (See Attachment 1). Two of the responses were generally positive and extremely detailed whilst the remaining five were either supportive, requested minor clarifications or included information that was not relevant to the Action Plan.

As a result of the feedback received, minor changes have been made to the Action Plan, primarily wording changes or updating changes to naming conventions (See Attachment 3).

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

2.16 Consideration of Submissions and Adoption of the Draft Tennis Facility Action Plan (contd)

The four-year renewal program to sustainably manage the lifecycle of tennis facilities provides a long-term strategy for repair, replacement and facility upgrade and will form part of Councils annual Capital Works program. This is informed by operational inspections, independent condition and compliance audits.

The draft Action Plan will support requests for funding in Council's capital works program.

The draft Action Plan will also assist with securing additional funding through Tennis Australia and State and Federal Government grant programs for renewals, upgrades and new tennis facilities.

The following table outlines the proposed funding for operational maintenance and capital budgets for tennis facilities over the next four years:

Table 1: Proposed funding

Budget Year	Operational Maintenance Budget *	Capital Renewal Budget #	Total Tennis Facility Budget
2020/21	\$153,851	\$144,835	\$298,686
2021/22	\$153,934	\$0	\$153,934
2022/23	\$154,016	\$0	\$154,016
2023/24	\$154,099	\$0	\$154,099
2024/25	\$154,183	\$110,000	\$264,183

* The operational maintenance budget is based on the 2020-2021 full year approved budget and includes depreciation and overheads with future years based on this budget plus 2.5% per annum increases for employee costs and 0.5% increase for materials and contracts. The Capital budgets are based on 2020-2021 approved budget and the draft four-year Capital budget

The draft Action Plan will inform both the short and long term projects in Council's capital works program with budgeted projects. The draft Action Plan will also assist with securing additional funding through Tennis Australia and State and Federal Government grant programs for renewals, upgrades and new tennis facilities.

Link to Community Strategic Plan

Theme 5: Liveable

Goal L: Healthy lifestyle for a growing community

B-B2: Promote and provide more sporting, community and cultural events and festivals, day and night, throughout the year.

2.16 Consideration of Submissions and Adoption of the Draft Tennis Facility Action Plan (contd)

Risk Management

There is no increase in risks to Council by adopting this Action Plan.

Options

- 1 To adopt the draft Central Coast Tennis Facilities Action Plan.
This is the recommended option.
- 2 To not adopt the draft Central Coast Tennis Facilities Action Plan. Not recommended.

Critical Dates or Timeframes

There are no critical dates for this Action Plan to be approved.

Attachments

1	Draft Tennis Facility Action Plan	Provided Under	D15199850
		Separate Cover	
2	Responses to Public Exhibition of Draft Tennis	Provided Under	D15136779
	Facility Action Plan	Separate Cover	
3	Amendments to Tennis Facilities Action Plan	Provided Under	D15137164
		Separate Cover	



Item No: 2.17
Title: Central Coast Academy of Sport Sponsorship - 2022
Department: Community and Recreation Services

28 June 2022 Ordinary Council Meeting

Reference: F2017/00816 - D15144834
Author: Belinda McRobie, Section Manager Community Development
Manager: Glenn Cannard, Unit Manager Community and Culture
Executive: Melanie Smith, Director Community and Recreation Services

Recommendation

That Council provide \$45,000 financial partnership support to Central Coast Academy of Sport (CCAS) in 2021-2022.

Report purpose

To provide 2021-2022 financial partnership support to Central Coast Academy of Sport.

Executive Summary

The Central Coast Academy of Sport (CCAS) is a non-profit sporting organisation that exists to provide locally based sports development opportunities for athletes, coaches, officials, and administrators within the NSW Central Coast Local Government Area (LGA).

CCAS was established in 2004 and is dependent on financial support from the NSW State Government, Council, and corporate partners to ensure they have the necessary financial strength to operate on a day-to-day basis.

CCAS has previously been supported annually by both the former Gosford City and Wyong Shire Councils and has received annual financial support from Central Coast Council (CCC) since the 2017/18 financial year.

It is recommended that Council provide \$45,000 to CCAS in direct financial support for the 2021-2022 financial year.

Background

CCAS was founded in 2004 to provide locally based sports development opportunities for athletes, coaches, officials, and administrators within the NSW Central Coast LGA and has historically received financial support from the former Gosford City and Wyong Shire Councils. Central Coast Council has provided support since amalgamation in 2017.

Details on the historic funding arrangements are included in Table 1 below:

Table 1: Historic funding arrangements

Financial Year	Investment
2013/2014	\$15,000 x both Councils = \$30,000
2014/2015	\$15,000 x both Councils = \$30,000
2015/2016	\$15,000 x both Councils = \$30,000
2016/2017	\$15,000 x both Councils = \$30,000
2017/2018	\$20,000 x Central Coast Council
2018/2019	\$40,000 x Central Coast Council
2019/2020	\$44,150 x Central Coast Council
2020/2021	\$45,000 x Central Coast Council

The recommended allocation of \$45,000 is commensurate with the figure provided to CCAS over the last few years and reflects the expanded nature of their role, function, and importance within the local sporting community.

Within the 2021 calendar year, despite significant impacts related to COVID-19, the CCAS has:

- Directly supported 242 athletes – 54% female and 46% male – with 80% of athletes aged between 13-18.
- Directly supported 46 coaches.
- Delivered 14 talent programs across 13 different sports.
- Contributed over \$8M to the local economy.
- Had 65 active volunteers that contributed over 6,200 volunteer hours.
- Partnered with 119 community and/or sporting organisations.

Since inception in 2004 the CCAS has:

- Supported the development of 4,175 local athletes.
- Developed talent that has represented the region at five Olympic Games.
- Produced 39 Australian Representative athletes.

Current Status

In 2020, Central Coast Council suspended the Awarding Sponsorship Program due to financial difficulties. The Sponsorship Program remains suspended and is not planned to be re-introduced in the immediate future.

Despite the halt in Council's official program, CCAS remain reliant on receiving financial support from Council to ensure their operations can continue. Therefore provision of financial support for the 2021/22 financial year will give security while Council reviews its ongoing approach to Sponsorship.

Consultation

Council's Unit Manager Community and Culture has worked closely with the Managing Director of CCAS to ensure the ongoing support provides the most benefit for the region's athletes and coaches and is aligned to relevant CCC strategies and programs.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

The financial partnership support of \$45,000 can be funded through the existing, approved 2021-2022 budget within the Community and Culture Unit. No additional budget is needed

Link to Community Strategic Plan

Theme 1: Belonging

Goal L: Healthy lifestyle for a growing community

B-A1: Work within our communities to connect people, build capacity and create local solutions and initiatives.

Risk Management

There is a reputational risk to Council and a significant risk of reductions in the number of sporting development programs provided by CCAS if the financial partnership support is not provided for the 2021/22 financial year.

There have been major sporting infrastructure upgrades recently and we now have some premier sporting facilities within the region that will only realise their full potential if organisations such as CCAS are stable, sustainable, and able to deliver quality sports development programs. CCAS is the only overarching program for elite sports development across all sports on the Central Coast.

Options

- 1 To provide the recommended 2021-2022 financial partnership support to Central Coast Academy of Sport for \$45,000. **This is the recommended option.**

- 2 Council could decide to provide less or no financial support to Central Coast Academy of Sport however this presents a significant risk of reduced sporting development programs across the region. This is not recommended.

Attachments

Nil



Item No: 2.18
Title: Community Support Grants Program - April 2022
Department: Community and Recreation Services

28 June 2022 Ordinary Council Meeting

Reference: F2017/02117 - D15144699
Author: Belinda McRobie, Section Manager Community Development
Manager: Glenn Cannard, Unit Manager Community and Culture
Executive: Melanie Smith, Director Community and Recreation Services

Recommendation

- 1** *That Council allocate \$13,430.00 (inclusive of GST where applicable) from the 2021/22 grants budget to the Community Support Grant program, as outlined in the following report and Attachment 1.*
- 2** *That Council decline applications for the reasons indicated in Attachment 1, and the applicants be advised and where relevant, directed to alternate funding sources.*

Report purpose

To seek endorsement of the recommendations for the Community Support Grant Program.

Executive Summary

This report considers the applications and recommendations for the Community Support Grant Program.

The Community Support Grant Program remains open throughout the year to provide assistance for community activities that require In-kind support through the provision of subsidised access to Council services and financial assistance for community activities that require a smaller amount of support.

This program enables applicants to apply for funding support in a quicker response time.

Background

Council's grant programs are provided to support the community to deliver quality programs, projects or events that build connections, celebrate our local community, that align with the One-Central Coast Community Strategic Plan and build capacity across the entire Central Coast community.

2.18 Community Support Grants Program - April 2022 (contd)

The Community Support Grant Program is designed to support the community to deliver activities that require a small amount of funding and/or in-kind support. The Program provides 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 original budget of \$300,000 annually as detailed in table one below.

Table 1: Community Support Grant Program

Program	Original Budget	Opening Period	2021/2022 allocation to date (inclusive of GST where applicable)	Recommendation allocation within this report (inclusive of GST where applicable)	Allocation to date + Recommendation within report (inclusive of GST where applicable)
Community Support Grant Program	\$300,000	Ongoing	\$153,502.62	\$13,430.00	\$166,932.62
TOTAL			\$153,502.62	\$13,430.00	\$166,932.62

Current Status

The Community Support Grant Program applications are assessed throughout the year with the closing date for each assessment period being 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

Six applications were received and assessed by 18 May 2022 with three applications recommended for funding in this Council report.

The Community Support Grant applications were assessed by Council's Unit Manager Community and Culture and the Community Grants Team, against the Community Support Grant Program guidelines.

Consultation

Information on Council's Community Grants program is provided on Council's website and promoted through Council's social media platforms.

Regular emails with relevant information were provided to the community grants database.

Council staff conducted two grant writing workshops with 51 attendees and four grant information sessions with 94 attendees

Additionally, Council staff also undertook two drop-in support sessions with 10 attendees to assist applicants with their submissions where required.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

Council's 2021/2022 Council Operational Expenditure original budget allocates \$300,000 to the Community Support Grant Program.

Expenditure is approved until the end of the 2021-2022 financial year. Unspent funds will lapse on 30 June 2022.

No additional budget is required nor sought through this report. All actions within have been funded through existing and approved operational plan budgets.

Link to Community Strategic Plan

Theme 1: Belonging

Goal A: Our community spirit is our strength

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.

Applications recommended for funding are conditional on all relevant event/activity approvals (including COVID-19 related) being provided prior to the release of funds. Successful applicants are required to return any unspent funds for projects not able to be delivered as planned within the agreed timeframe.

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.

Options

- 1 Approval of all recommended applications as submitted will provide a community benefit to residents of the Central Coast Local Government Area.
This is the recommended option
- 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. Not recommended.

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 Program –
 Recommended and Not Recommended - April 2022 | Provided Under
Separate Cover | D15185967 |
|----------|--|----------------------------------|-----------|



Item No: 2.19
Title: Minutes of the Mangrove Mountain and Spencer Advisory Committee meeting held 11 April 2022
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2017/02125 - D15131517
Author: Edward Hock, Unit Manager Governance, Risk and Legal)
Executive: Krystie Bryant, Director Corporate Affairs (Acting)

Recommendation

- 1 That Council note the Meeting Record of the Mangrove Mountain and Spencer Advisory Committee meeting held 11 April 2022.**
- 2 That Council note recommendation of the Mangrove Mountain and Spencer Advisory Committee with regard to Council and the NSW Land Environment Court matters involving Verde Terra and the EPA.**

Report purpose

To note the minutes of the Mangrove Mountain and Spencer Advisory Committee meeting held 11 April 2022 and consider the recommendations made by the Advisory Group and staff comments on these recommendations.

Executive Summary

The [Mangrove Mountain and Spencer Advisory Committee met on 11 April 2022](#).

The minutes from that meeting are on Council's website and are hyperlinked above for the information of Council. It is noted the minutes will be confirmed by the group at their next meeting.

Background

At the meeting the group discussed the outcomes of the NSW Land and Environment Court matters involved Verde Terra and the Environmental Protection Authority (EPA).

The following recommendation was consequently made to Council:

That Council note the Mangrove Mountain and Spencer Advisory Committee's appreciation for Council's effort in the NSW Land Environment Court matters involving Verde Terra and the EPA.

The following statement is provided in response to the recommendation.

2.19 Minutes of the Mangrove Mountain and Spencer Advisory Committee meeting held 11 April 2022 (contd)

Council staff acknowledged and appreciated the support and recognition from the Committee.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

There are no financial implications associated with any recommendation within this report.

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

Nil



Item No: 2.20
Title: Organisational Structure
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2022/00021 - D15208624
Author: Krystie Bryant, Director Corporate Affairs (Acting)
Executive: David Farmer, Chief Executive Officer

Recommendation

- 1 That Council note the report on organisational structure.**
- 2 That Council approve the title change from Director, Corporate Affairs and CFO to Director, Corporate Services effective as at 1 July 2022**
- 3 That Council determine, pursuant to s. 332(1) of the Local Government Act 1993, the ongoing organisation structure of Council is as set out in this report. The effective date for the movement of the units of Procurement and Project Management and Communications, Marketing and Customer Engagement be 1 July. The effective date of the movement of the unit of Economic Development and Property be 1 August to allow for pre arranged leave.**
- 4 That Council note the interim arrangements during the recruiting period.**

Report purpose

To determine, pursuant to s. 332(1) of the Local Government Act 1993, that the ongoing organisation structure of Council is as set out in this report, specifically the changes relating to the Corporate Affairs and CFO Directorate.

Executive Summary

It is recommended that Council determines that the ongoing organisation structure of Council is as set out in this report.

The revised Organisational Structure is as outlined below:

- The title of Director, Corporate Affairs and CFO to be amended to Director, Corporate Services

2.20 Organisational Structure (contd)

The following Units contained within the existing Corporate Affairs and CFO Directorate to be realigned as follows;

Unit	Directorate
Manager, Information and Technology	Remain with Corporate Services
Manager, Governance, Risk and Legal	Remain with Corporate Services
Manager, Plant and Fleet	Remain with Corporate Services
Group Financial Controller	Remain with Corporate Services
Manager, People and Culture	Remain with Corporate Services
<i>Manager, Procurement and Project Management</i>	<i>Re-align to Infrastructure Services</i>
<i>Manager, Economic Development and Property</i>	<i>Re-align to Environment and Planning</i>
<i>Manager, Communications, Marketing and Customer Engagement</i>	<i>Re-align to Community and Recreation Services</i>

The role of Senior Financial Project Coordinator also currently reports to the Director, Corporate Affairs and CFO as a stand-alone position.

Background

The recent departure of Ms Cowley as the Director of Corporate Affairs and CFO presented a natural opportunity to review and refine the structure.

Report

The Corporate Affairs and CFO Directorate is currently comprised of 8 (eight) business units. It is considered that there is greater strategic alignment to be achieved by amending the reporting lines for 3 (three) of those units.

Manager, Procurement and Project Management

In amending the reporting line for this Unit to be located within the Infrastructure Services Directorate, the relationship between assets, projects and delivery can be strengthened.

Manager, Economic Development and Property

By including this Unit in the Environment and Planning Directorate and in strengthening the partnership between Economic Development and Property and Strategic Planning, increased collaboration and coordination as well as improved regional economic outcomes can be achieved. Appropriate probity arrangements and 'firewalls' will be instituted when Council's Property team are progressing Development Applications or Planning proposals. This will involve oversight of the applicant role by another Executive member of staff rather than the

2.20 Organisational Structure (contd)

Director Environment and Planning who will oversee the assessment process.

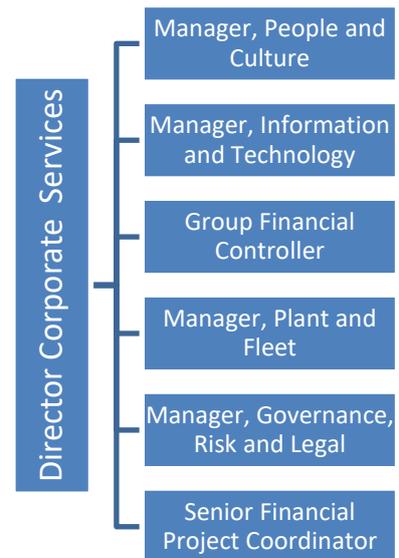
Manager, Communication, Marketing and Customer Engagement

Including Communications, Marketing and Customer Engagement within the Community and Recreation Services places this Unit with a range of front facing community services and allows the organisation to place greater focus on the customer experience within those services.

Existing Corporate Affairs and CFO Structure



Proposed Corporate Services Structure



Finally, whilst the report outlines the ongoing structure, a number of interim arrangements have been put in place during the recruitment period.

Krystie Bryant, Manager People and Culture has been appointed as the Acting Director Corporate Affairs and will be transferred to the role of Acting Director Corporate Services upon adoption of this paper.

2.20 Organisational Structure (contd)

In addition, as a short-term arrangement, the positions of Group Financial Controller and Senior Financial Project Coordinator will report directly to the Chief Executive Officer.

Consultation

The position holders of those roles proposed to change reporting lines have been consulted by the Chief Executive Officer.

Financial Considerations

At its meeting held 19 October 2020, Council resolved the following:

1108/20 That any motions put before Council for the remainder of this term of Council that have financial implications require the Chief Executive Officer to provide a report on how those additional costs will be met.

The following statement is provided in response to this resolution of Council.

This change does not financially impact Council, as the role is within budget, and does not impact overall staff numbers.

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	Proposed organisational chart June 2022	Provided Under Separate Cover	D15210692
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Item No: 2.21
Title: Minutes of Advisory Group and Committee meetings held in April, May and June 2022
Department: Corporate Affairs

28 June 2022 Ordinary Council Meeting

Reference: F2021/00030 - D15134986
Author: Rachel Callachor, Meeting Support Officer. Civic Support
Manager: Edward Hock, Unit Manager Governance, Risk and Legal
Executive: Krystie Bryant, Director Corporate Affairs (Acting)

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 Ordinary Meeting of 28 June 2022.