



Central Coast Council
Business Paper
Ordinary Council Meeting
27 June 2023





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.

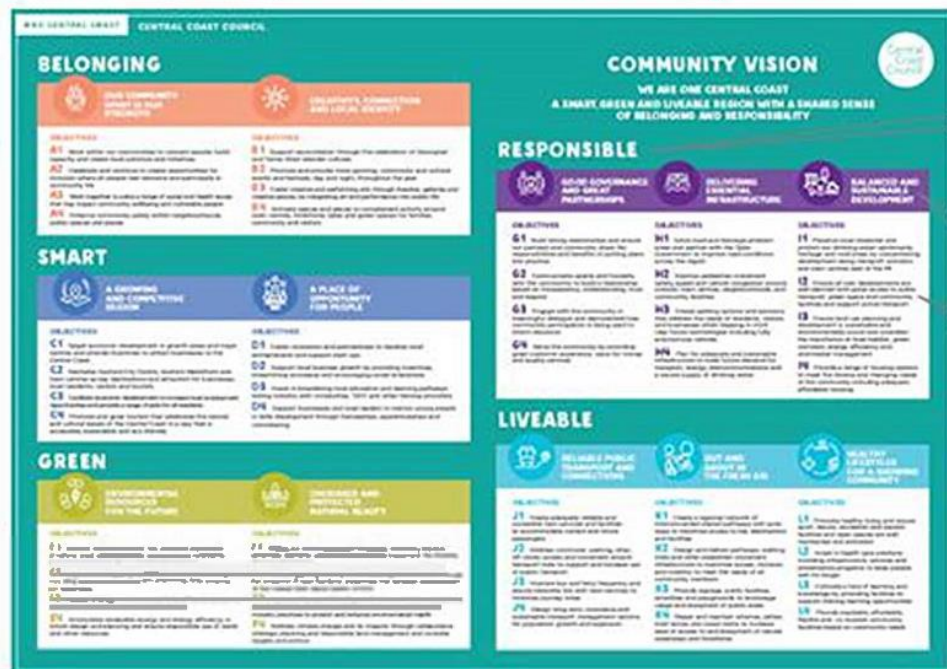
 **Good governance and great partnerships**

G2 Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making

There are 5 themes, 12 focus areas and 48 objectives

COMMUNITY STRATEGIC PLAN 2018-2028 FRAMEWORK

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



Meeting Notice

**The Ordinary Council Meeting
of Central Coast Council
will be held in the Central Coast Council Chambers,
2 Hely Street, Wyong
on Tuesday 27 June 2023 at 6.30pm,
for the transaction of the business listed below:**

*Three month trial change to the Public Forum commenced
May 2023 Council meeting.*

**The Public Forum will be held on Monday 26 June at 5.00pm, in a
hybrid online and face to face format, 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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David Farmer

Chief Executive Officer

Item No: 1.1
Title: Disclosures of Interest
Department: Corporate Services



27 June 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15555850
Author: Rachel Gibson, Team Leader, Civic Support
Manager: Edward Hock, Unit Manager Governance, Risk and Legal
Executive: Marissa Racomelara, Director Corporate Services

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

Section 451 of the LG Act states:

- "(1) A councillor or a member of a council committee who has a pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.*
- (2) The councillor or member must not be present at, or in sight of, the meeting of the council or committee:*
- (a) at any time during which the matter is being considered or discussed by the council or committee, or*
 - (b) at any time during which the council or committee is voting on any question in relation to the matter.*
- (3) For the removal of doubt, a councillor or a member of a council committee is not prevented by this section from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or member has an interest in the matter of a kind referred to in section 448.*
- (4) Subsections (1) and (2) do not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting, if:*
- (a) the matter is a proposal relating to:*
 - (i) the making of a principal environmental planning instrument applying to the whole or a significant part of the council's area, or*

- (ii) *the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant part of the council's area, and*
- (a1) *the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under section 443) in that person's principal place of residence, and*
 - (b) *the councillor made a special disclosure under this section in relation to the interest before the commencement of the meeting.*
- (5) *The special disclosure of the pecuniary interest must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and must:*
 - (a) *be in the form prescribed by the regulations, and*
 - (b) *contain the information required by the regulations."*

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

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



27 June 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15555853

Recommendation

That Council confirm the minutes of the Ordinary Meeting of Council held on 23 May 2023.

Summary

Confirmation of minutes of the Ordinary Meeting of Council held on 23 May 2023.

Attachments

1	MINUTES - Council Meeting - 23 May 2023	Provided Under Separate Cover	D15685420
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Item No: 1.3
Title: Notice of Intention to Deal with Matters in Confidential Session
Department: Corporate Services

27 June 2023 Ordinary Council Meeting

Trim Reference: F2023/00021 - D15555856

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 formalize 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 categorized 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 categorized 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,*
- 2(f) *matters affecting the security of the Council, Councillors, Council staff or Council property,*

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

- 2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- 2(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.*
- 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: Administrator's Minute - 12-month forward plan for community engagement
Department: Administrator

27 June 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15729111
Author: Administrator Rik Hart

Background

In accordance with its adopted Engagement Framework (Attachment 1) and Community Participation Plan (Attachment 2), Central Coast Council undertakes community engagement on key projects, initiatives, policies, strategies and plans to ensure a balanced and collaborative decision-making process between the community and Council is achieved.

Engagement Framework

This overarching framework defines Council's approach to all engagement it undertakes, while ensuring accountability and consistent application. The framework provides direction to effectively engage and communicate with the community and Council's customers, provides guidance on when and how to undertake engagement activities, and the steps and processes which should be considered.

Community Participation Plan

This planning-specific document is designed to make participation in planning clearer for the Central Coast community. It does this by setting out in one place how and when you can participate in the planning system, our functions and different types of proposals.

Your Voice Our Coast

Council's *Your Voice Our Coast* (www.yourvoiceourcoast.com) website is an online community engagement hub where the community can provide input and direction into the projects and initiatives they wish to have a say on. This site is supplemented by other forms of engagement, including face-to-face.

Forecasting community engagement with a public 12-month forward plan

Central Coast Council is about to begin its last complete financial year under the current period of Administration before Councillors return in September 2024. During my appointment as Administrator, I have met with many individuals, community groups, resident associations, and committees to connect and engage with the community.

2.1 Administrator's Minute - 12-month forward plan for community engagement (contd)

During these conversations, some residents have expressed interest in being more involved in Council matters that impact them, or that they have a particular interest in. At times, some community members have indicated they had not been aware Council was undertaking community consultation on a certain project or weren't sure how to stay abreast of community consultation that may be coming up during the months ahead.

To increase transparency and foresight for the community on Council's community engagement activities, I am requesting a report back to Council that provides a 12-month forward plan of upcoming engagement projects that is publicly available and details how the community can get involved.

It should be acknowledged there may be instances when engagement projects arise during this period which were not determined at the time of this forward plan, for example, State or Federal Government developments that Council has not received 12 months' notice on. However, I am seeking for the 12-month forward plan to present the most accurate picture of engagement for the year ahead, thereby increasing transparency with the community and allowing the community to think about and plan for the engagement activities they would like to get involved in.

Frequency

Given Central Coast Council prepares and exhibits its Operational Plan on an annual basis, I am requesting that Council staff consider reviewing and including a 12-month forward plan for community engagement on the same annual timeframe.

I formally move:

- 1 That Council staff prepare a report which provides a 12-month forward plan outlining the key projects, initiatives, policies, strategies and plans that Central Coast Council intends to conduct community engagement on.**
- 2 That Council staff provide this report back to Council no later than the August 2023 Council meeting.**

Attachments

1	Central Coast Council Engagement Framework	Provided Under Separate Cover	D15729107
2	Central Coast Council Community Participation plan	Provided Under Separate Cover	D15729104



Item No: 3.1
Title: Monthly Finance Report May 2023
Department: Corporate Services

27 June 2023 Ordinary Council Meeting

Reference: F2020/03205 - D15720226
Author: Leslie Chan, Regulatory Reporting Senior Accountant
Michelle Best, Financial Controller
Manager: Emma Galea, Chief Financial Officer
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

That Council receive the Monthly Financial Reports – May 2023.

Report purpose

To present to Council the monthly financial reports for May 2023.

Executive Summary

This report presents the May 2023 monthly financial reports for Central Coast Council.

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.

The May 2023 financial report follows the same format as in previous months. The June 2023 financial report will be a high-level summary report aimed at providing an estimated financial position for 2022/2023 FY, subject to end of financial year adjustments and any adjustments arising from the audit of Council's Financial Statements.

A review of monthly financial reports has also been undertaken to ensure reports are concise and easy to read and understand. Monthly financial reports for the 2023/2024 FY will be focused on key results and mandatory financial performance indicators and will include a high level analysis of any material variances to the 2022/2023 budgeted financial performance.

Report

The reports disclose the year-to-date financial results in Operating Statement format, by Fund.

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.

Consultation

In the preparation and finalisation of the monthly reports for May 2023, 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 Strategy Ratios

This Report is prepared in conjunction with Council's Financial Strategy, adopted by Council on 23 August 2022 and reports the following financial performance ratios:

- **Operating Performance Ratio** - measures Council's achievement of containing operating expenditure within operating revenue and is set between 1% and 8%.
- **Unrestricted Current Ratio** - identifies whether there are sufficient funds available to meet short term obligations and is set at the industry benchmark of 1.5.
- **Unrestricted Cash Position** - funds available to cover operational needs and unexpected or emergency costs within each fund. Council will aim to maintain unrestricted cash in each fund and set a target band of between 3% and 10% for each fund. This will monitor the targeted use of unrestricted funds on community services and infrastructure.
- **Loan Principal Payments** - the operating result (excluding capital grants and contributions) for each fund for the year plus if necessary, pre-existing

3.1 Monthly Finance Report May 2023 (contd)

unrestricted cash reserves in each fund needs to at least cover the net loan principal repayments of that fund for that same year. (see Note below the Table)

- **Capital Program Funding** - Council's intent is to provide at least sufficient funds from operations for the capital budget to replace assets as they fall due. The depreciation target is currently used as a proxy for the long-term annual funding requirement to replace Council's assets at their gross replacement value. Council will aim to achieve the industry benchmark of 100% in each fund.

A summary of performance against the financial strategy ratios is below. For further information on each ratio including the formula, refer to the May 2023 monthly financial report attachment.

Financial Performance Ratio	Fund	Benchmark Ratio	Actual Ratio as at May 2023	Commentary (if applicable)
Operating Performance Ratio	Consolidated	1% - 8%	7.2%	
Unrestricted Current Ratio	Consolidated	1.5x	1.5x	
Unrestricted Cash Position	Consolidated	3 – 10%	32.1%	
	General & Drainage		15.8%	
	Water		7.5%	
	Sewer		140.9%	
	Domestic Waste		13.0%	
Capital Program Funding	Consolidated	100%	97.6%	Due to the water fund asset base, as explained below.
	General & Drainage		107.8%	
	Water		44.4%	Due to recent revaluation and indexation of the water fund asset base, the depreciation budget has exceeded the Capex budget, which was initially set by IPART.
	Sewer		125.2%	

Note: The Principal Loan Repayment ratio has been removed from the Table above pending review. It is proposed to align ratios within the Financial Strategy to the mandatory ratios reported in the Annual Financial Statements.

Operating Statement

The attached financial reports record actual revenue and expenditure, tracking against the Q3 adjusted budget and for the year-to-date reporting period to 31 May 2023.

3.1 Monthly Finance Report May 2023 (contd)

For the month of May 2023, Council is reporting an operating result surplus of \$9.8M, before capital income, which was favourable to budget by \$19.5M and a net operating surplus including capital income of \$29.2M which was favourable to budget by \$30.7M.

May 2023 year-to-date, Council is reporting an operating result surplus of \$43.1M, before capital income, which was favourable to budget by \$25.5M and a net operating surplus including capital income of \$109.7M which was favourable to budget by \$29.9M.

Consolidated Operating Statement											
May 2023											
	CURRENT MONTH			YEAR TO DATE				FULL YEAR			
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Adopted Changes	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Operating Income											
Rates and Annual Charges	37,015	37,196	(181)	363,884	364,526	(642)	338,412	365,740	390,335	150	390,485
User Charges and Fees	12,686	16,229	(3,542)	147,338	146,603	735	128,254	140,237	145,542	14,220	159,769
Other Revenue	1,974	2,947	(973)	18,435	12,208	6,227	10,976	12,856	9,666	3,607	13,273
Interest	2,640	6,954	(4,314)	20,669	16,953	3,716	4,337	5,470	4,890	13,548	18,438
Grants and Contributions	2,622	4,549	(1,928)	23,269	27,535	(4,266)	46,500	47,717	34,046	14,214	48,260
Gain on Disposal	4,643	738	3,905	7,360	2,557	4,803	25,179	26,056	5,294	(2,737)	2,557
Other Income	788	1,089	(301)	8,796	8,352	444	7,127	7,909	7,917	1,103	9,020
Internal Revenue	6,238	4,930	1,308	55,752	54,719	1,033	61,939	68,851	58,441	941	59,381
Total Income attributable to Operations	68,608	74,631	(6,024)	645,503	633,532	11,971	622,725	674,838	656,131	45,053	701,184
Operating Expenses											
Employee Costs	13,756	11,803	(1,953)	156,133	159,219	3,086	146,475	162,831	180,750	(1,967)	178,783
Borrowing Costs	991	1,060	69	9,517	9,560	43	11,945	12,940	11,421	1,515	12,536
Materials and Services	20,254	18,652	(1,602)	189,525	199,304	9,779	149,573	174,256	205,479	16,236	221,715
Depreciation and Amortisation	15,186	38,359	23,173	159,282	158,897	(385)	147,643	169,041	158,781	18,827	177,608
Other Expenses	3,124	2,352	(773)	38,567	36,983	(1,584)	32,065	50,717	38,252	3,034	41,287
Loss on Disposal	705	8,384	7,680	4,354	8,384	4,030	271	4,469	-	10,200	10,200
Internal Expenses	4,807	3,737	(1,071)	44,991	43,589	(1,401)	54,657	60,136	51,691	(174)	51,516
Overheads	0	0	0	(0)	0	0	0	(0)	-	0	0
Total Expenses attributable to Operations	58,822	84,346	25,523	602,369	615,937	13,567	542,629	634,390	646,373	47,672	694,045
Operating Result after Overheads and before Capital Amounts	9,786	(9,714)	19,499	43,134	17,596	25,538	80,096	40,447	9,758	(2,618)	7,140
Capital Grants	3,996	10,327	(6,331)	31,700	44,557	(12,857)	29,136	35,785	55,740	(2,738)	53,002
Capital Contributions	15,405	(2,147)	17,552	34,882	17,675	17,207	22,603	29,841	20,143	(1,038)	19,105
Grants and Contributions Capital Received	19,401	8,180	11,222	66,582	62,232	4,351	51,739	65,626	75,883	(3,776)	72,106
Net Operating Result	29,186	(1,535)	30,721	109,716	79,828	29,889	131,835	106,073	85,640	(6,395)	79,246

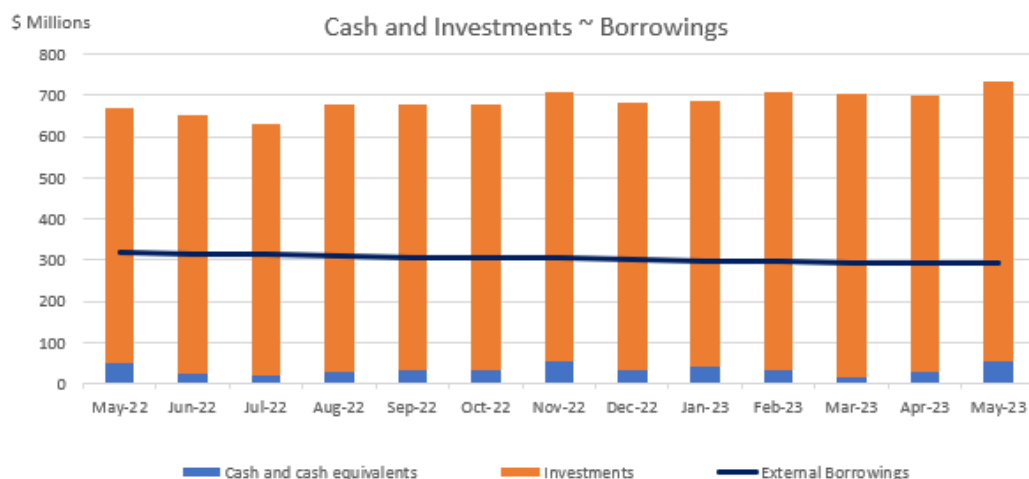
The year-end forecast of an operating surplus (before capital income) of \$7.1M and a net operating surplus of \$79.2M, (including capital income) reflects the budget adjustments included in the March 2023 Quarterly Budget Review.

Cash and Investments / External Borrowings / Cash Flows

During May 2023, total cash and investments increased by \$33M from \$700.4M to \$733.4M. External borrowings as of 31 May 2023 were \$292.1M.

During May 2023, principal loan repayments of \$1.6M fell due and were repaid bringing total year-to-date principal loan repayments to \$21.2M which is in line with the lending institutions loan repayments schedules.

3.1 Monthly Finance Report May 2023 (contd)



CONSOLIDATED CASH FLOW MOVEMENTS	Actual YTD @ 31 May 2023 \$'000	Rolling Forecast @31 May 2023 \$'000	Variance \$'000	Revised Forecast @ 30 June 2023 \$'000	Original Forecast @ 30 June 2023 \$'000
Opening cash & investments @ 1 July 2022	652,137	652,137	-	652,137	652,137
Income receipts (incl Capital grants & contributions)	673,295	592,999	80,296	732,612	726,530
Operational payments	(441,827)	(408,383)	(33,445)	(499,391)	(483,681)
Net operating cash inflow / (outflow)	231,467	184,616	46,851	233,221	242,849
Capital projects payments	(138,774)	(115,925)	(22,850)	(162,256)	(176,509)
Asset sales	9,720	5,011	4,709	9,720	24,940
Financing receipts	0	(0)	0	0	80,000
Financing repayments	(21,204)	(19,922)	(1,282)	(25,417)	(157,485)
Total cash inflow / (outflow)	81,209	53,780	27,429	55,268	13,795
Closing cash & investments @ 31 May 2023	733,346	705,917	27,429	707,405	665,932

ACTUAL v FORECAST MONTHLY CASH FLOW GENERAL FUND (incl DRAINAGE FUND)	Actual YTD @ 31 May 2023 \$'000	Rolling Forecast @ 31 May 2023 \$'000	Variance \$'000	Revised Forecast @ 30 June 2023 \$'000	Original Forecast @ 30 June 2023 \$'000
Opening cash & investments @ 1 July 2022	407,088	407,088	0	407,088	407,088
Income receipts (incl Capital grants & contributions)	412,289	351,460	60,828	456,114	447,897
Operational payments	(288,046)	(257,603)	(30,443)	(326,930)	(303,844)
Net operating cash inflow / (outflow)	124,243	93,857	30,386	129,184	144,053
Capital projects payments	(90,894)	(80,225)	(10,669)	(103,927)	(113,579)
Asset sales	9,720	5,011	4,709	9,720	24,940
Financing receipts	1,105	999	106	1,105	50,000
Financing repayments	(10,502)	(10,224)	(278)	(11,220)	(113,314)
Total cash inflow / (outflow)	33,671	9,418	24,253	24,862	(7,900)
Closing cash & investments @ 31 May 2023	440,759	416,506	24,253	431,950	399,188

3.1 Monthly Finance Report May 2023 (contd)

Restricted Funds

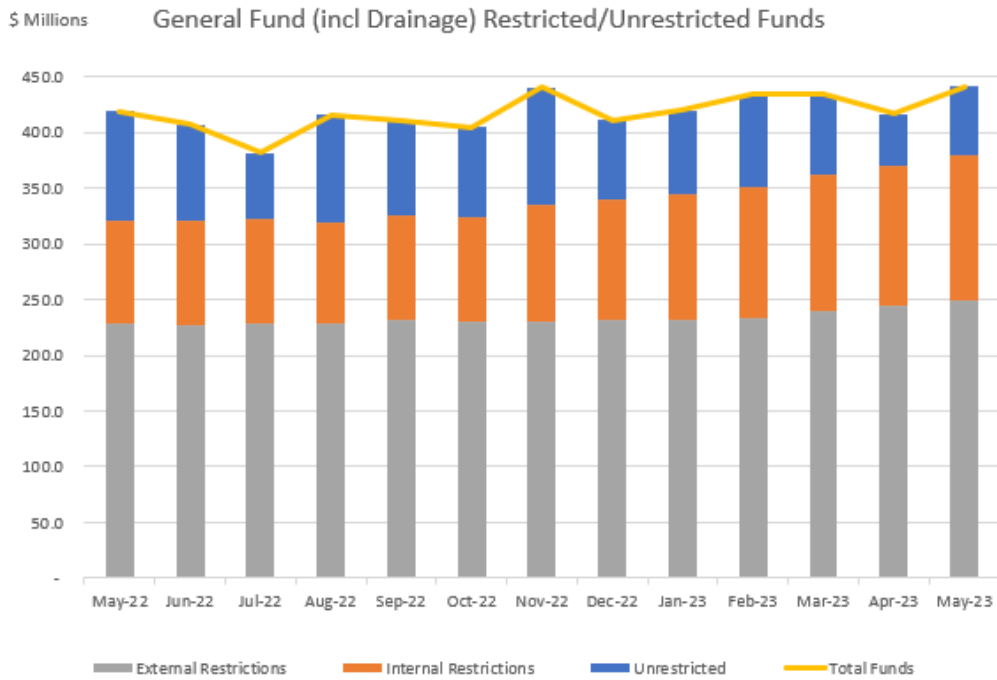
Total Funds by Fund						
Fund	General Fund	Drainage Fund	Consolidated General Fund	Water Fund	Sewer Fund	Domestic Waste Fund
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
External Restricted Funds	208,328	40,175	248,503	14,203	32,292	99,771
Internal Restricted Funds	130,842	20	130,862	908	877	47
Total Restricted Funds	339,171	40,195	379,365	15,111	33,169	99,818
Unrestricted Funds	99,398	- 38,004	61,394	6,406	128,112	9,971
Total Funds by Fund	438,569	2,190	440,759	21,517	161,281	109,789

Note: The above table consolidates General Fund and Drainage Fund. From 1 July 2026, Drainage Fund fees and charges will no longer be regulated by IPART and will become part of Council's General Fund.

The General Fund unrestricted balance (inclusive of Council's Drainage Fund) is currently \$61.4M. The graph below highlights Council General Fund unrestricted cash position including the Drainage Fund.

In accordance with the 'Establishment of new Internal Restrictions and Update of Restricted Funds Policy' adopted at the November Council meeting, two new Internal Restrictions were created and during May 2023, \$4.0M was transferred to the Emergency Loan Repayment restricted funds account to cover the \$50M repayment scheduled for December 2023. As at 31 May 2023, the Emergency Loan Repayment restriction has a balance of \$28.0M. The unrestricted funds balances across Council's five Funds will fluctuate during the year as revenues are received and expenditures occur at different periods throughout the financial year.

3.1 Monthly Finance Report May 2023 (contd)



Capital Works

Council is reporting year-to-date capital works expenditure to 31 May 2023 of \$142.3M compared to a YTD budget of \$155.8M. Council currently has 130 active capex projects.

Summary of Capital Expenditure					
Department	YTD Actuals	YTD Budgets	YTD Variance (\$)	YTD Variance (%)	Full Year Approved Budget
	000's	000's	000's	%	000's
01. Office of the Chief Executive Officer	-	-	-	-	-
02. Community and Recreation Services	13,248	15,439	(2,191)	-14.2%	17,595
03. Infrastructure Services	61,414	68,512	(7,098)	-10.4%	73,881
04. Water and Sewer	53,250	54,145	(895)	-1.7%	62,109
05. Environment and Planning	5,825	8,278	(2,453)	-29.6%	10,402
06. Corporate Services	8,554	9,387	(833)	-8.9%	10,740
Total	142,291	155,762	(13,470)	-8.6%	174,727

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G2: Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making.

Attachments

1	Financial Performance - Monthly Finance Report May 2023	Provided Under Separate Cover	D15722497
2	00 Consolidated and By Fund May 2023 Monthly Financial Report	Provided Under Separate Cover	D15722506



Item No: 3.2
Title: Investment Report for May 2023
Department: Corporate Services

27 June 2023 Ordinary Council Meeting

Reference: F2004/06604 - D15709092
Author: Devini Susindran, Team Leader
Manager: Emma Galea, Chief Financial Officer
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

- 1 That Council note the Investment Report for May 2023.**
- 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 2023 unrestricted funds deficit of \$38.0M in the Drainage Fund as set out in this report.**

Report purpose

To present the monthly Investment Report in accordance with clause 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 2023.

Background

Council’s investments are made in accordance with the *Local Government Act 1993, Local Government (General) Regulation 2005*, the Investment Policy adopted at the Ordinary Council Meeting on 28 June 2022, 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 \$733.35M as at 31 May 2023. A summary of investments as at 31 May 2023 is attached as Attachment 1 to this report.

Table 1 - Council’s Cash and Investment Portfolio by Type

Type	Value (\$'000)
Investment Portfolio	680,630
Transactional accounts and cash in hand	52,716
Total	733,346

During May, Council’s total cash and investments increased by \$32.98M from \$700.37M to \$733.35M. The increase during May is due to quarterly Rates instalments received towards the end of May. Council’s cash inflows including investment maturities have been used to manage outflows. Maturities during the month have been re-invested taking into consideration operational cashflow requirements. Further investment of cash not required for immediate operational needs was made in June 2023.

Detailed restrictions have been provided in Attachment 2. Council is continuing to manage the reported negative unrestricted funds balance in the Drainage Fund through its consolidation with the General Fund.

The negative unrestricted funds balance in the Drainage Fund is currently \$38.0M. In 2026 the Drainage Fund will become part of Council’s General Fund as IPART will no longer regulate Stormwater Drainage prices. In the interim, the unrestricted funds deficit of \$38.0M is proposed to be funded through the General Fund’s available unrestricted cash balance as at 31 May 2023 of \$99.4M.

3.2 Investment Report for May 2023 (contd)

Table 2 – Council’s Portfolio by Fund

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

Fund	General Fund	Drainage Fund	Consolidated General Fund	Water Fund	Sewer Fund	Domestic Waste Fund
	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)
External Restricted Funds	208,328	40,175	248,503	14,203	32,292	99,771
Internal Restricted Funds	130,842	20	130,862	908	877	47
Total Restricted Funds	339,170	40,195	379,365	15,111	33,169	99,818
Unrestricted Funds	99,398	(38,004)	61,394	6,406	128,112	9,971
Total funds by Fund	438,568	2,191	440,759	21,517	161,281	109,789

Note: The above table consolidates General Fund and Drainage Fund. From 1 July 2026, Drainage Fund fees and charges will no longer be regulated by IPART and will become part of Council’s General Fund.

Portfolio Management

Council’s Investment Portfolio is managed through term deposits, floating rate notes and bond maturities and placements.

The total value of the Council’s investment portfolio as at 31 May 2023 is outlined in Table 3 below. Total net return on the portfolio for Council in May 2023, comprising entirely of interest earned, was \$2.51M.

Table 3 – Portfolio Movement (Investments only)

Description	2021-22 Financial Year \$'000	Jul-Sep Qtr 2022/23 \$'000	Oct-Dec Qtr 2022/23 \$'000	Jan-Mar Qtr 2022/23 \$'000	Apr-23 2022/23 \$'000	May-23 2022/23 \$'000	FYTD 2022/23 \$'000
Opening Balance	447,221	628,005	643,487	649,768	690,644	671,063	628,005
movement in cash at call, additions and disposals	191,662	15,039	5,793	38,688	-19,921	10,067	49,666
Movement in Market Value	-10,878	443	488	2,188	340	-500	2,959
Closing Balance	628,005	643,487	649,768	690,644	671,063	680,630	680,630
Interest earnings	5,660	3,574	5,230	6,069	2,018	2,505	19,396

3.2 Investment Report for May 2023 (contd)

The market value of Council's investment portfolio as at 31 May 2023 is \$680.63M.

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 4 below.

Table 4 - Investment Maturities

Time Horizon	Percentage Holdings	Maturity on or before	Value \$'000
At Call	3.85%	Immediate	26,206
Investments			
0 - 3 months	9.76%	Aug-2023	66,400
4 - 6 months	9.36%	Nov-2023	63,688
7 - 12 months	13.44%	May-2024	91,475
1 - 2 years	18.49%	May-2025	125,837
2 - 3 years	24.80%	May-2026	168,800
3 - 4 years	17.45%	May-2027	118,800
4 - 5 years	2.85%	May-2028	19,424
Total Investments	96.15%		654,424
Total Portfolio	100.00%		680,630
Interest Accrued to May 2023 (Excluding Interest on call accounts)			5,033
Market Value of Investment per Portfolio Valuation Report (Attachment 5)			685,663

The investment portfolio is concentrated in AA (16.12%), A (48.68%), and BBB (35.20%).

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. In this regard, all of Council's investments were within policy guidelines as at 31 May 2023.

The current spread of investments and counterparty exposure for May 2023 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 at Attachment 1 and are highlighted in green.

Council currently holds 3.13% or \$21.32M in ESG investments as at 31 May 2023.

Portfolio Return

Interest rates on investments in the month, ranged from 1.15% to 6.40%. The monthly Bank Bill Swap Rate (BBSW) benchmark was 3.81%. Changes in economic conditions have led to the Reserve Bank of Australia (RBA) increasing its cash rate (which was at a historic low of 0.10% until 4 May 2022), to 4.10% on 7 June 2023. BBSW has also followed this trend and has been increasing steadily. Comparative interest rates are shown in the table below.

Table 5 – Interest Rate Increases

Month	RBA Cash Rate	1 Month Bank Accepted Bills
April 2022	0.10%	0.08%
May 2022	0.35%	0.39%
June 2022	0.85%	0.92%
July 2022	1.35%	1.48%
August 2022	1.85%	1.89%
September 2022	2.35%	2.41%
October 2022	2.60%	2.72%
November 2022	2.85%	2.87%
December 2022	3.10%	3.01%
January 2023	3.10%	3.08%
February 2023	3.35%	3.28%
March 2023	3.60%	3.54%
April 2023	3.60%	3.60%
May 2023	3.85%	3.81%
June 2023	4.10%	Available at end of June

Source: RBA Statistics [Interest Rates and Yields – Money Market – Monthly – F1.1](#)

Investments are made within Council policy and at the best rates available at the time of placement. Interest rate rises have meant that earnings from some prior month investments have fallen below the current monthly BBSW rate.

The weighted running yield for May 2023 is 4.01%. Performance Statistics for Council are shown in Table 1 in Attachment 3.

Trading Limits are detailed in Attachment 4. 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.

Consultation

Not Applicable

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 and the paydown of \$50M against the emergency loans in December 2023.

Certification:

I hereby certify the investments summarised in the report have been made in accordance with section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulations 2021 and Council's investment policy.

Emma Galea, Responsible Accounting Officer

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.

Risk Management

Council's bank and investment accounts are reconciled daily to ensure sufficient funds are maintained for the provision of services.

Options




Not Applicable

Attachments

1	Summary of Investments as at 31 May 2023	Provided Under Separate Cover	D15718299
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3.2 Investment Report for May 2023 (contd)

2	Summary of Restrictions as at 31 May 2023	Provided Under Separate Cover	D15718300
			
3	Investment Report Graphs and Table for May 2023	Provided Under Separate Cover	D15718304
			
4	Trading Limits Report as at 31 May 2023	Provided Under Separate Cover	D15718305
			
5	Portfolio valuation Report as at 31 May 2023	Provided Under Separate Cover	D15718306
			



Item No: 3.3
Title: Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual charges
Department: Environment and Planning and Corporate Services

27 June 2023 Ordinary Council Meeting

Reference: F2022/02276 - D15671563
Author: Sharon McLaren, Section Manager Corporate Planning and Reporting
Vivienne Louie, Senior Financial Project Coordinator
Priya Pratap, Section Manager Rates and Revenue
Michelle Best, Financial Controller
Manager: Shannon Turkington, Unit Manager Strategic Planning
Emma Galea, Chief Financial Officer
Executive: Marissa Racomelara, Director Corporate Services
Alice Howe, Director Environment and Planning

Recommendation

That Council:

- 1 *Note that the Draft Operational Plan 2023-24 and Draft Fees and Charges 2023-24 were publicly exhibited from Monday 3 April 2023 to Monday 1 May 2023.***
- 2 *Consider the submissions received during the public exhibition, as per Attachment 3.***
- 3 *Note the amendments to the Draft Operational Plan 2023-24, Draft Capital Works Program, and Draft Fees and Charges 2023-24 as outlined in this report and as per Attachments 4, 5 and 6.***
- 4 *Adopt the final Operational Plan 2023-24 (Attachment 1) and Fees and Charges 2023-24 (Attachment 2), in accordance with the Local Government Act 1993.***
- 5 *Authorise the Chief Executive Officer, subject to resolution 4, to make final editorial amendments to the Operational Plan 2023-24 and Fees and Charges 2023-24, to ensure correctness and clarity.***
- 6 *Advise those who made submissions of Council's decision.***
- 7 *Apply land valuations, with a base date 1 July 2022, for rating purposes in the 2023-24 rating and financial year.***
- 8 *Adopt the overdue rates and charges maximum interest rate of 9.0% in accordance with s566(3) of the Local Government Act 1993.***

3.3 Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual charges (contd)

9 Adopt the overdue rates and charges maximum interest rate of 10.1% in accordance with s356 of the Water Management Act 2000 for the period from 1 July 2023 to 31 December 2023. The maximum rate of interest payable on overdue charges for the period from 1 January 2024 to 30 June 2024 will be based on the RBA cash rate for December 2023 plus 6.0%.

10 Resolve to levy rates and charges for the 2023-24 rating year, in accordance with the Local Government Act 1993 and Local Government (General) Regulations 2005. The following rates are to be levied for the 2023-24 financial year:

(a) Residential Rates

(i) In the case of all rateable land within the Central Coast Council which is categorised as Residential land, and which will be known as Residential, an Ordinary Rate of zero point zero zero two zero five three three eight (0.00205338) in the dollar upon the Land Value.

(ii) The minimum amount of the rate which shall be payable for the year for any individual parcel of such rateable land shall be five hundred and ninety dollars and sixty-two cents (\$590.62).

(b) Business Rates

(i) In the case of all rateable land within the Central Coast Council which is categorized as Business land, and which will be known as Business, an Ordinary Rate of zero point zero zero four one one five nine six (0.00411596) in the dollar upon the Land Value.

(ii) The minimum amount of the rate which shall be payable for the year for any individual parcel of such rateable land shall be five hundred ninety dollars and sixty-two cents (\$590.62).

(c) Business Major

(i) In the case of all rateable land within the Central Coast Council which is categorised as Business land and is within the sub-category of "Business Major", an Ordinary Rate of zero point zero one zero five four nine seven seven (0.01054977) in the dollar upon the Land Value.

(d) Business Local

(i) In the case of all rateable land within the Central Coast Council which is categorised as Business land and is within the sub-category of "Business Local", an Ordinary Rate of zero point zero zero five zero three six nine zero (0.00503690) in the dollar upon the Land Value.

3.3 Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual charges (contd)

- (ii) *The minimum amount of the rate which shall be payable for the year for any individual parcel of such rateable land shall be five hundred and ninety dollars and sixty-two cents (\$590.62).***

(e) *Farmland*

- (i) *In the case of all rateable land within the Central Coast Council which is categorized as Farmland and which will be known as Farmland, an Ordinary Rate of zero point zero zero one one nine seven eight four (0.00119784) in the dollar upon the Land Value.***

- (ii) *The minimum amount of the rate which shall be payable for the year for any individual parcel of such rateable land shall be five hundred and ninety dollars and sixty-two cents (\$590.62).***

(f) *Mining*

- (i) *In the case of all rateable land within the Central Coast Council which is categorized as Mining, and which will be known as Mining, an Ordinary Rate of zero point three one zero four nine five five three (0.31049553) in the dollar upon the Land Value.***

(g) *Special Rates Gosford Parking*

- (i) *In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate Gosford Parking, provides funding for the operation of the Baker Street Parking Station. This special rate will consist of an ad valorem amount that will be calculated at a rate of zero point zero zero zero eight nine six nine two (0.00089692) in the dollar upon the Land Value.***

(h) *Special Rates CBD Improvement*

- (i) *In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate CBD Improvement Rate, provides funding for works to enhance the Central Business District and benefit business properties in that area. This special rate will consist of an ad valorem amount that will be calculated at a rate of zero point zero zero two three six four one three (0.00236413) in the dollar upon the Land Value.***

(i) *Special Rate Business / Tourism Development*

- (i) *Special Rate Business / Tourism Development funds Business/tourism works across the former Gosford Local Government Area. This special rate***

3.3 Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual charges (contd)

will consist of an ad valorem amount calculated at a rate of zero point zero zero zero three two four five eight (0.00032458) in the dollar upon the Land Value.

(j) Special Rate The Entrance

(i) In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate The Entrance, funds economic development in The Entrance area. This includes promoting The Entrance area market, organizing and managing promotional events within and around the area, and improving market penetration for traders in The Entrance area. This special rate will consist of an ad valorem amount calculated at a rate of zero point zero zero two seven nine seven seven four (0.00279774) in the dollar upon the Land Value.

(k) Special Rate Toukley

(i) In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate Toukley, provides funding to the Toukley area to market and promote the economic development of the Toukley area within which this special rate applies. This special rate will consist of an ad valorem amount calculated at a rate of zero point zero zero two one zero five three three (0.00210533) in the dollar upon the Land Value.

(l) Special Rate Wyong

(i) In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate Wyong, provides funding to the Wyong area to promote the economic development of the Wyong area to which this special rate applies. This special rate will consist of an ad valorem amount calculated at a rate of zero point zero zero zero eight zero one two five (0.00080125) in the dollar upon the Land Value.

(m) Waste Management Annual Charges for 2023-24

(i) In the case of all rateable land within the Central Coast Council, for which a Domestic Waste Management (DWM) service is provided or proposed to be provided in accordance with s496 and s535 of the Local Government Act 1993 as follows:

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

3.3

**Consideration of submissions and adoption of the Operational Plan
2023-24 and making and fixing of rates and annual charges (contd)**

Name	Charge Amount
<i>Domestic Waste Management Service – 140 litre to 240 litre Waste Upgrade</i>	\$148.00
<i>Domestic Waste Management Service – 140 litre to 360 litre Waste Upgrade</i>	\$294.00
<i>Domestic Waste Management Service – Additional 140 litre Waste Bin Service</i>	\$292.00
<i>Domestic Waste Management Service – Additional 240 litre Waste Bin Service</i>	\$441.00
<i>Domestic Waste Management Service – Additional 360 litre Waste Bin Service</i>	\$588.00
<i>Domestic Waste Management Service – 240 litre to 360 litre Recycling Bin Upgrade</i>	\$39.00
<i>Domestic Waste Management Service – Additional 240 litre Recycling Bin Service</i>	\$111.00
<i>Domestic Waste Management Service – Additional 360 litre Recycling Bin Service</i>	\$148.00
<i>Domestic Waste Management Service – Additional 240 litre Vegetation Bin Service</i>	\$119.00
<i>Domestic Waste Management Service – Additional Short Term Extra Service – 140 litre Waste Bin - price per service</i>	\$19.50
<i>Domestic Waste Management Service – Additional Short Term Extra Service – 240 litre Waste Bin - price per service</i>	\$20.50
<i>Domestic Waste Management Service – Additional Short Term Extra Service – 360 litre Waste Bin - price per service</i>	\$22.00
<i>Domestic Waste Management Service – Additional Short Term Extra Service – 660 litre Waste Bin - price per service</i>	\$40.00
<i>Domestic Waste Management Service – Additional Short Term Extra Service – 1.1 cubic meter Waste Bin - price per service</i>	\$66.50
<i>Domestic Waste Management Service – Additional Short Term Extra Service – 1.5 cubic meter Waste Bin - price per service</i>	\$91.00
<i>Domestic Waste Management Service – Additional Short Term Extra Service – 240 litre Recycling Bin - price per service</i>	\$20.50
<i>Domestic Waste Management Service – Additional Short Term Extra Service – 360 litre Recycling Bin - price per service</i>	\$22.00
<i>Domestic Waste Management Service – Additional Short Term Extra Service – 660 litre Recycling Bin - price per service</i>	\$40.00
<i>Domestic Waste Management Service – Additional Short Term Extra Service – 1.1 cubic meter Recycling Bin - price per service</i>	\$66.50
<i>Domestic Waste Management Service – Additional Short Term Extra Service – 1.5 cubic meter Recycling Bin - price per service</i>	\$91.00

Name	Charge Amount
Domestic Waste Management Service – Additional Short Term Extra Service – 240 litre Vegetation Bin - price per service	\$20.50

- (ii) *That Council provides domestic waste management services only to parcels of land which have current Council consent or approval for a residential building.*
- (iii) *That Council resolve to make, the changes set out in the adopted Delivery Program and Operational Plan for the 2023-24 financial year including but not limited to the following waste management charges for the 2023-24 rating and financial year, pursuant to s501 and s535 of the Local Government Act 1993:*

Name	Charge Amount
Waste Management Service – 140 litre Waste Bin Service	\$413.00
Waste Management Service – 240 litre Waste Bin Service	\$550.00
Waste Management Service - 360 litre Waste Bin Service	\$685.00
Waste Management Service - 660 litre Waste Bin Service	\$2,350.00
Waste Management Service - 1.1 cubic metre Waste Bin Service	\$3,282.00
Waste Management Service - 1.5 cubic metre Waste Bin Service	\$4,420.00
Waste Management Service – 240 litre Recycling Bin Service	\$111.00
Waste Management Service – 360 litre Recycling Bin Service	\$148.00
Waste Management Service – 660 litre Recycling Bin Service	\$305.00
Waste Management Service – 1.1 cubic meter Recycling Bin Service	\$506.00
Waste Management Service – 1.5 cubic meter Recycling Bin Service	\$691.00
Waste Management Service –240 litre Vegetation Bin Service	\$119.00

- (iv) *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 2023-24 rating year.*

3.3 Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual charges (contd)

Report purpose

The purpose of this report is to:

- Consider submissions received during public exhibition of the Draft Operational Plan 2023-24 and Draft Fees and Charges 2023-24;
- Detail the amendments that have occurred as a result of submissions or for other reasons;
- Recommend the adoption of the final Operational Plan 2023-24 and Fees and Charges 2023-24; and
- Making and fixing of Ordinary Rates, Special Rates and Waste Management Annual Charges for the 2023-24 rating and financial year.

Executive Summary

The Draft Operational Plan and Draft Fees and Charges for the 2023-24 financial year were publicly exhibited for a period of 29 days from Monday 3 April 2023 to Monday 1 May 2023. Council received a total of 42 submissions, containing:

- Requests for additional capital projects to be included, such as roads, drainage, footpaths, and park facilities;
- Support / questions / comments on capital and operational projects, actions and indicators exhibited;
- Comments and questions on fees and charges for sportsgrounds and Planning Proposals;
- Comments on increase in rates and land valuations;
- Comments on NSW Government projects; and
- Comments on inclusion of information in the document, such as employee costs and display of the capital works program.

A summary of those submissions and whether amendments have been made to the documents as a result, is provided in Attachment 3.

Other amendments that have been made to the Draft Operational Plan 2023-24 are based on internal review or changed circumstances. These amendments are outlined in Attachment 4.

The capital works program has been reviewed and, based on the latest asset condition information and cost estimates, the revised capital works program is \$202.1 million. The pending grant funded projects have been updated to \$40.5 million as further grant funding is being sought to fund Council's capital works program.

The capital works program was amended to include:

- Additional pending grant funded projects;
- Additional priority asset renewal works; and
- Changes to the timing of delivery of multi-year projects.

3.3 Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual charges (contd)

Amendments to the Capital Works Program are set out in Attachment 5.

A number of minor amendments have been made to Draft Fees and Charges 2023-24. These amendments include statutory fee changes to Companion Animal fees, Waste Levy component of Waste Disposal fees set by the NSW Environment Protection Authority, minor amendments to Water and Sewer fees in line with IPART's final determination, and minor typographical changes, editorial corrections and clarifications that do not require re-exhibition. Some fees and charges are subject to legislative changes and amendments, and these fees and charges will be updated on Council's website as they become available.

Administrative amendments include:

- Clarification of the fee for 0056 Commercial fisherman beach access fee and 0631 Application for Vegetation Works Permit;
- Change in Unit of Measurement for fees 0056 Commercial fisherman beach access fee and 0057 Beach access key bond;
- Development Application Fees 0664 – Pre-lodgement services and advice; and
- An external GST review of the draft 2023-24 Fees and Charges which resulted in some fees having their GST treatment amended.

Amendments to the Fees and Charges 2023-24 are detailed in Attachment 6.

Amendments have been made to the budget since public exhibition in response to changing circumstances, which include:

- Increase in income and related expenditure based on post COVID increased utilisation of services;
- Additional resources for open space to improve vegetation management
- Increases in costs for recently tendered contracts; and
- Deferral of election costs to the 2024-25 financial year as the next election for Council will be held on 14 September 2024.

Council's 2023-24 budgeted consolidated operating surplus excluding capital income remains unchanged at \$2.8M.

Ordinary and special rate ad valorem amounts are reflective of a 3.8% rate peg increase approved by IPART. The proposed ordinary and special rates reflect the latest land values and rating information.

3.3 Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual charges (contd)

Background

At its Ordinary Meeting on 28 March 2023, Council resolved the following:

19/23 Resolved

1 That Council endorse the following documents for the purposes of public exhibition from Monday 3 April 2023 to Monday 1 May 2023 and invite public submissions in accordance with the Local Government Act 1993:

- Draft Operational Plan 2023-24 – Attachment 1
- Draft Fees and Charges 2023-24 – Attachment 2
- A table identifying percentage changes in proposed Fees and Charges for 2023-24 compared to the same fee in 2022-23

2 That Council authorise the Chief Executive Officer to make appropriate amendments to the draft documents to correct numerical, grammatical or typographical errors for public exhibition.

As per resolution 1, Council has completed exhibition and is now required to consider submissions received and provide details of amendments, prior to adopting final documents before the commencement of the 2023-24 financial year.

Current Status

This report recommends Council considers submissions, note the amendments, and adopt the final Operational Plan 2023-24 and Fees and Charges 2023-24, as presented in Attachments 1 and 2.

Report

The following table provides a summary of amendments made to the documents.

Operational Plan 2023-24	Summary of changes made
Operational Plan 2023-24 (actions and indicators by CSP Themes)	This section has been updated to reflect changes made as a result of submissions, to reflect accuracy and correctness or internal review. The actions and indicators that have been removed, amended or revised are outlined in Attachment 4.
Financial Information	This section has been updated to reflect the changes to operating income and expenditure and amendments in the capital works program.

3.3 Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual charges (contd)

Operational Plan 2023-24	Summary of changes made
	Attachment 5 details those amendments to capital works program.
Statement of Revenue	<p>This section has been updated to reflect the Water, Wastewater (Sewerage) and Stormwater Drainage price indexation following the release of CPI data by the Australian Bureau of Statistics. These fees and charges were adopted by Council on 23 May 2023.</p> <p>The proposed ordinary and special rates reflect the latest land values and rating information.</p>
Fees and Charges (under separate cover)	<p>This section has been updated to reflect Water, Wastewater (Sewerage) and Stormwater Drainage price indexation, changes in statutory fees, and administrative amendments including clarification of the fee, change in Unit of Measurement and an external GST review of the draft 2023-24 Fees and Charges, which resulted in some fees having their GST treatment amended. Attachment 6 details these changes.</p>

Consultation

Council fulfilled its exhibition requirements and publicly exhibited the Draft Operational Plan 2023-24 and Draft Fees and Charges 2023-24, from Monday 3 April 2023 to Monday 1 May 2023 for a total 29 days.

During this time the documents were available to view online at www.yourvoiceourcoast.com and hard copies were available at Council's Wyong administration building, the Gosford Customer Service Centre, and the 10 Library locations across the Coast (Bateau Bay, Erina, Gosford, Karingong, Kincumber, Lake Haven Toukley, Tuggerah, Umina Beach and Woy Woy)

Promotion and advertisement of the exhibition was carried out via media releases and Council's social media accounts. As a result, there were 779 page views, over 380 document downloads and a total of 42 submissions were received via the Your Voice, Our Coast engagement hub, email, or in writing. A summary of these submissions and Council's response to each is detailed in Attachment 3.

3.3 Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual 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 table below is an extract from the final Operational Plan 2023-24 and provides a summary of the final budget of Council for 2023-24 and proposed budget for 2024-25.

Financial Summary	2023-24	2024-25
	\$ 000's	\$ 000's
Operating Income	672,820	700,506
Operating Expenditure*	(670,007)	(696,711)
Net Operating Result (excluding Capital Grants and Contributions)	2,813	3,794
Capital Grants and Contributions	77,354	67,036
Net Operating Result (including Capital Grant and Contributions)	80,167	70,830
Capital Works Program	202,092	244,640

* Includes net internal revenue and expense

NB: Figures are subject to rounding

Changes made to the 2023-24 operating budget since public exhibition include:

- Increase in income and related expenditure based on post COVID increased utilisation of services;
- Additional resources for open space to improve vegetation management;
- Increases in costs for recently tendered contracts. Council's procurement framework is in place to ensure "value for money" outcomes are delivered when spending public funds. In the current environment there are difficulties in securing resourcing, services and materials, which in turn is impacting market prices; and
- Deferral of election costs to the 2024-25 financial year as the next election for Council will be held on 14 September 2024.

As detailed in Attachment 5, the capital works program has been reviewed and based on the latest asset condition information and cost estimates the revised capital works program is \$202.1 million. The pending grant funded projects have been updated to \$40.5 million as further grant funding is being sought to fund Council's capital works program.

3.3 Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual charges (contd)

Administrative amendments to exhibited draft fees and charges include the following:

- Clarification of the fee for 0056 Commercial fisherman beach access fee and 0631 Application for Vegetation Works Permit;
- Change in Unit of Measurement for fees 0056 Commercial fisherman beach access fee and 0057 Beach access key bond;
- Development Application Fees 0664 – Pre-lodgement services and advice; and
- An external GST review of the draft 2023-24 Fees and Charges which resulted in some fees having their GST treatment amended – no change in overall fee payable.

There have also been some statutory fee updates within the Fees and Charges, including:

- All prices for water, wastewater (sewerage), stormwater drainage and ancillary services for 2023-24 are in accordance with IPART's final determinations issued on 24 May 2022 adjusted by the 2023-24 CPI multiplier of 7.0%. Council had estimated the CPI multiplier to be 7.3% for 2023-24 as the March 2023 CPI had not been released at the time the fees and charges were placed on public exhibition. The final prices have been reduced in comparison to the Draft Fees and Charges adopted for public exhibition.
- Waste levy fees - during the public exhibition period the NSW Environment Protection Authority announced the annual increase to the waste levy, which is paid to the NSW Government for each tonne of waste received at Council's waste facilities. The revised waste levy will apply from 1 July 2023 and in line with the Waste Regulation, the rate was increased by CPI and will be \$163.20 per tonne in 2023-24. This increase had been factored into Council's waste pricing for 2023-24, however the commentary in the Operational Plan requires updating to reflect the new rate for 2023-24.
- s603 Certificates - Under s603 of the *Local Government Act 1993*, councils may issue a certificate as to the amount (if any) of rates, charges, etc. due or payable to the council for a parcel of land. Section 603(2) states the application must be accompanied by the approved fee. In accordance with the approved methodology, the approved fee for 2023-24 is determined to be \$95. This is an increase of \$5 from the 2022-23 fee.
- Companion Animals – updated for 2023-24 statutory fees in accordance with Companion Animals Regulations 2018. This information was not available at the time the fees and charges was placed on public exhibition.

Details of all amendments to Fees and Charges 2023-24 are set out in Attachment 6.

The following Domestic Waste Management Charges for the 2023-24 financial year will not increase from the 2022-23 annual charge:

- Domestic Waste Management Availability Charge (\$74 annual charge): Applies to all vacant parcels of land rated as residential within Council's waste collection area to fund waste management facilities to meet potential future demands from vacant land.

3.3 Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual charges (contd)

- Domestic Waste Management Service – Eastern Area (\$520 annual charge). Charged weekly for domestic waste (red) 140 litre bin collection, alternate fortnightly for 240 litre recycling (yellow), alternate fortnightly for 240 litre for vegetation (green) bin collection and six free kerbside collections per year.
- Domestic Waste Management Service – Western Area (\$461 annual charge): Charged weekly for domestic waste (red) 140 litre bin collection, fortnightly 240 litre for recycling (yellow) bin collection and six free kerbside collections per year.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G3: Provide leadership that is transparent and accountable, makes decisions in the best interest of the community, ensures Council is financially sustainable and adheres to a strong audit process.

Risk Management

The exhibition of the Draft Operational Plan and Draft Fees and Charges for 2023-24 financial year has complied with the requirements of the *Local Government Act 1993* and the relevant Integrated Planning and Reporting (IP&R) Guidelines. Submissions received during exhibition have been considered, with any amendments detailed in Attachments 4, 5 and, 6.

It is considered that the final Operational Plan 2023-24 (Attachment 1), ensures a financially sustainable position and is in the best interest of the Central Coast community. It is noted that as things evolve and change, Council will continue to provide updates through its usual quarterly reporting process.

The final Fees and Charges 2023-24 (Attachment 2) have been carefully considered and based on benchmarking, service levels and other relevant factors are deemed to be reasonable.

Options

- 1 Adopt the final Operational Plan 2023-24 as set out in Attachment 1 and adopt the final Fees and Charges 2023-24 as set out in Attachment 2. The draft Operational Plan 2023-24 and draft Fees and Charges 2023-24 have been publicly exhibited. Submissions have been considered and a number of amendments have been made as a result, as well as other necessary amendments. The final Operational Plan 2023-24 is a responsible and fair plan, that will continue to deliver a range of projects, programs and actions to the community. The final Fees and Charges 2023-24 are reasonable and has been carefully

3.3 Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual charges (contd)







considered based on benchmarking, service levels and other relevant factors. **This is the recommended option.**

- 2 Resolve not to adopt the final Operational Plan 2023-24 and final Fees and Charges 2023-24. Failure to adopt an Operational Plan by 30 June 2023 will be a breach of s405 of the *Local Government Act 1993*. The absence of an Operational Plan would leave Council without funds to operate or result in possible consequences imposed by the Minister for Local Government. This is not the recommended option.

Critical Dates or Timeframes

As per s405 of the *Local Government Act 1993*, Council is required to adopt an Operational Plan before the beginning of the financial year. Failure to do so will be a breach of the *Local Government Act 1993* and could result in possible consequences imposed by the Minister for Local Government.

Attachments

1	Final Operational Plan 2023-24	Provided Under Separate Cover	D15730445
			
2	Final Fees and Charges 2023-24	Provided Under Separate Cover	D15729773
			
3	Summary of Submissions	Provided Under Separate Cover	D15729815
			
4	Amendments to the Operational Actions and Indicators	Provided Under Separate Cover	D15729738
			
5	Amendments to the Capital Works Program	Provided Under Separate Cover	D15729709
			
6	Amendments to Fees and Charges 2023-24	Provided Under Separate Cover	D15729759
			



Item No: 3.4
Title: Liquid Trade Waste Policy
Department: Water and Sewer

27 June 2023 Ordinary Council Meeting

Reference: F2023/00221 - D15668823
Author: Breannan Clark, Personal Assistant to U/M Headworks and Treatment
Manager: Danielle Hargreaves, Unit Manager Headworks and Treatment
Executive: Jamie Loader, Director Water and Sewer

Recommendation

That Council adopt the Liquid Trade Waste Policy 2023 for implementation.

Report purpose

To seek Council's adoption of the attached Central Coast Council Liquid Trade Waste Policy 2023 (the Policy.)

The Policy will facilitate harmonised trade waste management practices and user charges that are implemented across Central Coast LGA according to IPART Pricing Determination 2022 – 2026. The Policy is consistent with Council's previous Liquid Trade Waste Policy (2019) and the NSW Department of Planning and Environment (DPE) Liquid Trade Waste Management Guidelines (2021) (the Guidelines).

Executive Summary

Council is responsible for delivering and regulating water supply, sewage, and liquid trade waste services for the community. Council must provide its liquid trade waste services in accordance with the Guidelines (2021) and The NSW Framework for the Regulation of Sewerage and Liquid Trade Waste. The Guidelines and the associated framework prescribe sound pricing, including appropriate trade waste regulation policy and approvals.

The proposed Policy was prepared in accordance with the DPE procedures for developing and adopting a liquid trade waste policy based on new Guidelines (2021) and IPART's maximum prices for water, wastewater and other services supplied by Central Coast Council. The Policy will facilitate an objective and transparent regulatory framework for Council to manage its liquid trade waste customers, including public health and environmental protection, asset management, water conservation, and Council's regulatory and licence compliance obligations as well as its workers health and safety.

Council considered the Draft Policy on 28 March 2023 and resolved, (a) to exhibit the Draft Policy for public comment, and (b) to consider a further report on the outcome of the exhibition and for adoption of the Policy (Minutes 22/23).

3.4 Liquid Trade Waste Policy (contd)

The Draft Policy went through a public exhibition in April 2023 for 28 days, until 1 May 2023, and received one external comment and one internal comment. The Policy has now been finalised.

As required, Council has obtained the consent to its Policy from DPE for implementation.

Background

Sewerage systems are designed to collect, transfer, and treat wastewater that is mostly of domestic origin. Liquid trade waste is all liquid waste other than sewage of a domestic nature. Liquid trade waste can contain high strength wastes such as grease, fats, solids, and other pollutants at concentrations not normally contained in typical domestic sewage. Sewerage systems may have the capability of accepting liquid trade waste discharge that is planned, controlled and within acceptance limits. It has been a common practice that fees and charges are applied to liquid trade waste dischargers based on a user pays cost recovery system, guided by a Liquid Trade Waste Policy which follows guidance provided by the NSW Department of Planning and Environment and determination by IPART.

A Liquid Trade Waste Policy is required to regulate commercial, public, and industrial businesses to ensure compliance with Council's discharge quality acceptance limits and conditions of approval. Council will apply the Policy and associated regulations will take appropriate enforcement action against any customers that are breaching conditions of approval or operating without a current approval.

The current Policy was adopted by Council in 2019. In 2021, DPE updated the Liquid Trade Management Guidelines for NSW Councils. Further, IPART reviewed the prices for water, wastewater and other services supplied by Central Coast Council in 2022. This review rationalised the chargeable substances in liquid trade waste.

The new Policy was considered by Council on 28 March 2023. Council resolved (Minute 22/23):

- that Council exhibits the Draft Liquid Trade Waste Policy (the Policy) for public comment
- that Council considers a further report on the outcome of the exhibition and for adoption of the policy

Current Status

The Policy for Central Coast Council, that aligns with contemporary standards, practices, and regulations, has been completed in consultation with the NSW Department of Planning and Environment and Council's Office of General Counsel.

The Policy has undergone a number of steps:

- 1 February 2023: Draft Liquid Trade Policy forwarded to DPE for review

3.4 Liquid Trade Waste Policy (contd)

- 6 February 2023: DPE reviewed the Draft Policy and considered satisfactory subject to minor amendments
- 28 March 2023: Council revised the Policy, and endorsed the revised Draft Policy for public exhibition
- 1 March 2023: End of 28-day public exhibition
- 10 May 2023: Council's Governance advised on proposed changes in the Draft Policy
- 15 May 2023: Modifications to the Draft Policy completed
- 25 May 2023: DPE reviewed the Final Policy and provided consent
- 27 June 2023: Council considers the new Policy for potential implementation

The DPE has provided written confirmation in their letter dated 24 May 2023 stating that, *"[We are] pleased to advise that the department consents to Council's Policy. Please provide a copy of the adopted document and the adoption date for our records in due course. Please note that Council must not modify its Policy, except with the written consent of Department of Planning and Environment."*

Report

The Draft Policy Report was prepared in consultation with the NSW Department of Planning and Environment, in alignment with NSW Liquid Trade Waste Management Guidelines (2021) and Council's IPART determination. The new Policy is ready for adoption by Council for implementation.

Consultation

The Draft Policy was placed on public exhibition via [Your Voice Our Coast](#) for a period of 28 days. Council received one external submission and one internal submission from this process. Both submissions and Council's response are set out below:

Submission 1: External (Business)

Comment:

The level of sulphates discharge of 500 mg/L does not align with Sydney Waters limits of 2000 mg/L which would place our business at a disadvantage to other same businesses operating in NSW.

Analysis:

This issue has been raised in the past by the same business. At that time, Council's Compliance Water Systems Section consulted with DPE, who advised the business could make their liquid trade waste application with their desired approval limits, and Council could make its decision and seek DPE's consent, but the Acceptance Limit in the Policy should not be changed. This advice was conveyed to the business at the time.

Following the recent submission, Council consulted with DPE (8 May 2023) who has reiterated its previous advice, and this advice has again been conveyed to the business.

3.4 Liquid Trade Waste Policy (contd)

Action:

No change to the approval/acceptance limit for sulphate.

Council's Liquid Trade Waste Team will work with the submission representative and DPE to reach an acceptable arrangement.

Submission 2: Internal (Council's Liquid Trade Waste Team)

Comment:

The following was in the Draft Policy that went on public exhibition, "In addition to fines, Council may recover costs of damages and fines incurred by Council as a result of an unauthorised liquid waste discharge. Temporary suspension of or cease the discharge may also be required".

LTW Team wishes to expand this include the below statement that is derived from the NSW Liquid Trade Waste Management Guidelines 2021 in Section 5 of the Policy.

5.1. Powers to disconnect a liquid trade waste service

In addition to fines, Council may recover costs of damages, fines and other payments incurred by Council as a result of an unauthorised liquid waste discharge. Temporary suspension or termination of the discharge may also be required. In addition, s. 59A (2) of the Local Government Act enables Council to disconnect the discharge from its works to ensure that Council's sewerage system is used appropriately. S. 191 (1) of the Act provides Council with the power to enter premises to disconnect a liquid trade waste service at the point where the private sewer connects with Council's sewer main.

Council shall give the owner, or the occupier of the premises written notice of its intention to enter the premises (s. 193 (1) of the Act). However, in the case of an emergency or a risk or likelihood of a serious risk to health and safety, an authorised person may enter the premises without notice (ss. 193 (3) (b) and (c) of the Act).

Council shall only use the above powers where there is proper cause and sufficient evidence to identify the correct premises prior to acting. Council shall use these powers in a lawful manner for the specific circumstances.

Analysis:

Compliance Water Systems Section believes that the proposed modification is not a significant change, but strengthening of the statement in the Draft Policy, which will facilitate Council's capacity to regulate liquid trade waste discharge operations.

Council's Governance Risk and Legal advises that the added paragraph reiterates what is already required under legislation and there is no difference in what Council would be empowered to do.

Action:

Section 5.1 will be included in the Policy.

Considering the above, the recommendations are that the acceptance level for sulphate will not be altered, and that Section 5.1 be included to incorporate DPE guidelines to suspend or cease liquid trade waste discharge.

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 Policy articulates liquid trade waste regulations in the Central Coast local government area to facilitate public health safety, environmental protection, safety of Council's assets.

The charging mechanism described in the Policy for discharging liquid trade waste in Council's sewerage system provides an authorised process for Council to recover the costs from the discharging customers, and for the customers to dispose their trade waste at an affordable cost. All factors and associated charges were included in the 2023–2026 IPART determination and Council's fees and charges from 1 July 2023.

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.

Risk Management

There is no discernible risk to Council or the customers as the proposed Policy does not make significant changes to the current Policy.

Options

The options to be considered by Council are:

- 1 To authorise the Policy for adoption and implementation. **This is the recommended option.**
- 2 To consider the Policy for another public exhibition to seek stakeholder comments on Section 5.1 of the Policy.
- 3 Not to consider the Policy for potential adoption and continue with the existing Council Policy.

3.4 Liquid Trade Waste Policy (contd)

The Policy is consistent with NSW Liquid Trade Waste Management Guidelines. There were no notable objections. The proposed modification to the Draft Policy is not significant. Therefore, Option 2 is not recommended, and Option 1 is preferred.

Council's existing Policy (2019) is outdated and requires a comprehensive review. The revised Policy is expected to be aligned with NSW Liquid Trade Waste Management Guidelines (2021) and Council's IPART determination, and to be given concurrence by NSW Department of Planning and Environment. Option 3 is not recommended.

Critical Dates or Timeframes

1 July 2023: Council resolved to implement the new Policy in the new financial year

Attachments

1	Central Coast Council Draft Liquid Trade Waste Policy	Provided Under Separate Cover	D15561033
2	Central Coast Council Liquid Trade Waste Policy 2023 for Council adoption and implementation	Provided Under Separate Cover	D15699634
3	DPE Letter of Consent to Central Coast Council Trade Waste Policy 2023	Provided Under Separate Cover	D15700265



Item No: 3.5
Title: Gosford Regional Library
Department: Infrastructure Services and Community and Recreation Services

27 June 2023 Ordinary Council Meeting

Reference: CPA/3691 - D15703034
Author: Mark Butterfield, Project Manager
Manager: Michael Ross, Unit Manager Procurement and Project Management
Executive: Boris Bolgoff, Director Infrastructure Services
Executive: Melanie Smith, Director Community and Recreation Services

Recommendation

- 1 That Council authorise the CEO to accept the tender from North Construction & Building Pty Ltd for Contract CPA/3691 – Design Development and Construction of Gosford Regional Library, for an upper limit contract sum of \$29,150,000, noting that final commercial terms and contract sum are still to be determined, and the upper limit contract sum value is inclusive of costs associated with the design construction support services consultancy contract, which will be novated through contract CPA/3691.**
- 2 That Council approve an increase of \$5,000,000 to the capital budget to accommodate the proposed delivery program of Gosford Regional Library.**
- 3 That Council determines that Attachment 1, supporting letter from registered quantity surveyor remains confidential in accordance with Section 11 (3) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.**

Report purpose

At the 28 March 2023 Ordinary Council Meeting, Council resolved in part as follows:

23/23 That Council, pursuant to clause 178(3)(e) of the Local Government (General) Regulation 2021, authorise the CEO to negotiate with any or all of the shortlisted proponents, with any proposed contract to return to Council for consideration of acceptance.

The purpose of this report is to provide Council with an outcome of the negotiations and seek approval for the CEO to finalise negotiations and execute a contract for CPA/3691 - Design Development and Construction of Gosford Regional Library within the maximum allowable budget.

Executive Summary

Libraries play a fundamental role in our community which has evolved over time. Traditionally libraries were viewed as institutions for collections and information, today they play a more contemporary role, offering not only the traditional function but also a community space where people can meet, access technology, share and learn.

Following a comprehensive 2 stage Expression of Interest (EOI)/Tender procurement process conducted in accordance with Section 168 of the *Local Government (General) Regulation 2021*, Council resolved to decline all tenders and authorised the CEO to negotiate with any or all of the shortlisted proponents and to return to Council for consideration of acceptance of a tender for contract CPA/3691 - Design Development and Construction of Gosford Regional Library. Accordingly, Council declined all tenders associated with the contract CPA/3691 and entered negotiations with North Construction & Building Pty Ltd, with a view to entering a contract.

Following an extensive negotiation process both parties are confident that a contract will be able to be executed in the coming weeks. There are still some commercial terms to be determined and value management options agreed before a contract can be executed, however these outstanding items are considered minor and should not affect the upper limit contract value of \$29,150,000.

To enable a contract to be executed in a timely manner and ensure project timelines can be maintained a resolution is required to delegate the acceptance of the contract to the CEO.

Background

There have been numerous Council briefings, reports and resolutions on the Gosford Cultural Precinct, and later the Regional Library. These date back to 2015 when Gosford Council engaged the State Library to assess 5 sites throughout Gosford for the purpose of building a regional library.

In September 2019 Council resolved to pursue the development of the Gosford Regional Library as a separate project to the Cultural Precinct, and in December 2019 Council resolved to call tenders for the development of full design documentation of the Regional Library at the Parkside location, being 123A Donnison Street, Gosford.

A funding agreement for construction of the library was executed with the Federal Government in February 2020 through the Community Development Grant Program, stating the Gosford Regional Library project will construct a digitally enabled modern library with smart work hubs and meeting rooms.

Designs for the new Regional Library includes a dedicated library space, Council customer service centre, library administration, meeting rooms, flexible function spaces, maker/creator spaces and collaboration and innovation spaces for the community over four levels. The flexible design of the

3.5 Gosford Regional Library (contd)

building allows for the capacity for Council meetings and civic functions to be held within the function space.

A construction budget was set and throughout the design development phase the design of the library was regularly benchmarked against this budget using quantity surveys undertaken by the design consultant's sub-contracted quantity surveyor.

Approval to submit a Development Application was resolved by Council in February 2021, with the report stating at that time that the design, including construction, demolition and fit out, were within the allocated budget for the project.

Subsequently, the design documentation was finalised, the DA was approved, and stage 2 (selective Tender) of the 2-stage procurement process for the combined demolition and construction of the Gosford Regional Library was released on 1 February 2023 and closed on 17 March 2023.

During evaluation, the evaluation panel identified departures, clarifications and value management options presented in the submission that were best finalised through a negotiation process, subsequently at the 28 March 2023 Ordinary Council Meeting, Council resolved in part as follows:

23/23 That Council, pursuant to clause 178(3)(e) of the Local Government (General) Regulation 2021, authorise the CEO to negotiate with any or all of the shortlisted proponents, with any proposed contract to return to Council for consideration of acceptance.

Since this was resolved, a formal Negotiation Plan approved by the CEO (D15612509) has been undertaken and is in the final stages.

Current Status

The project is currently at the stage where the formal negotiation process has been undertaken and value management options have been evaluated. Although the project team are still finalising some commercial terms and value management items, all parties are confident that the outstanding items will be finalised and, subject to the recommendations in this report being adopted, a contract should be executed.

Report

The budget for this project was initially developed in 2018, whilst various options associated with the proposed Gosford Cultural Precinct were being considered and before a determination was made to proceed with the Donnison Street site. The initial estimate was established in collaboration with Council engaged design consultants and quantity surveyors based on estimated construction costs and market conditions of the time. Since the establishment of the original budget and preliminary architectural designs, the construction industry has experienced unprecedented market conditions that have led to increased construction costs and greater uncertainty by both contractors and clients in the market. The impact of these market conditions has been well publicised with increased construction costs and numerous tier 1 and 2 construction companies folding.

To further support the cause of these cost increases, the Producer Price Indexes for Construction publicised by Australian Bureau of Statistics (ABS) show a typical increase of 1% to 2% annually up until March 2021. However, various external factors such as supply chain disruption and labour shortages have resulted in cost increases over the next 24 months closer to 10% annually. The chart below (Figure 01 - Cost escalation) demonstrates the impact that the market volatility has had on the Gosford Regional Library Project.

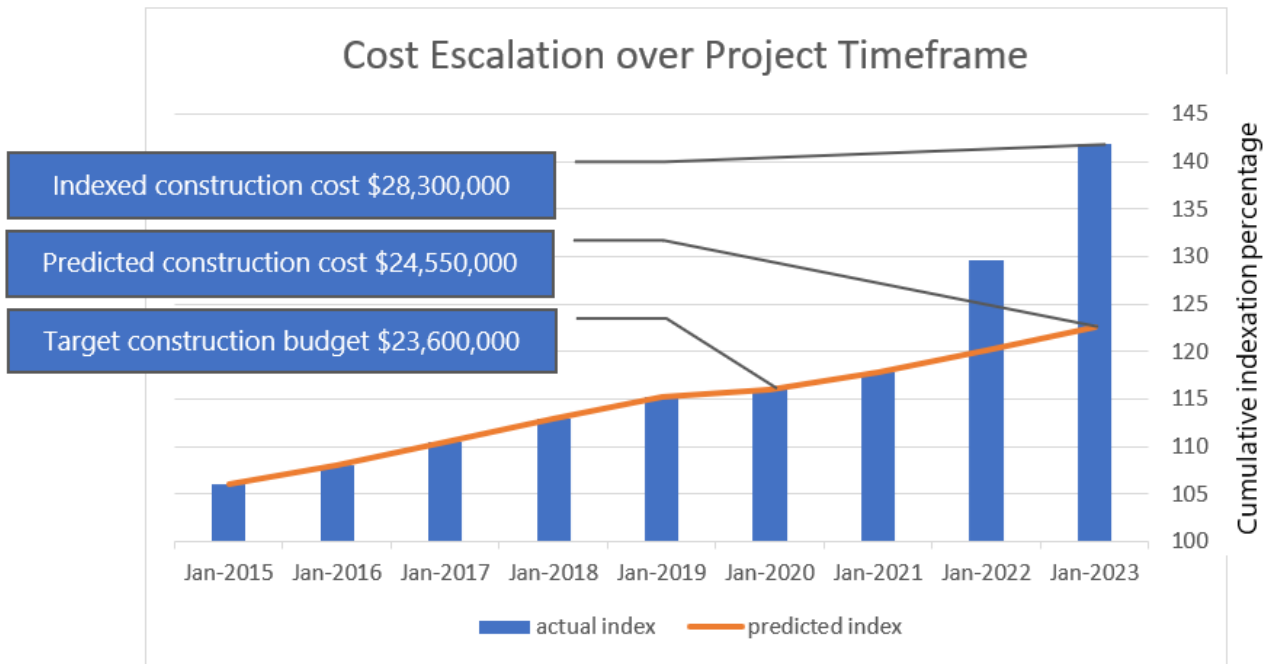


Figure 1 – Cost escalation

In light of the impact these external forces were having on the library project, a cost review was conducted at the 50% design development stage to ascertain the likely construction costs and, if necessary, adjust design to bring the construction cost estimate under the construction budget target of \$23.6M. However, the construction cost estimate came under pressure from market-wide price escalation as design development progressed. This pressure resulted in the cost estimate at the 100% design development stage of \$26.07m, exceeding the target construction price by 10.4%.

Despite additional design and construction cost reviews throughout the design period and subsequent tender and negotiation process, this construction cost estimate could not be significantly reduced without severe scope changes (removing a level, for example) as cost reductions identified by the design consultant and their sub-consultants had already been taken up at the 50% design development stage.

The current negotiated position with North Construction & Building Pty Ltd is considered Council's best value option. Whilst the quantity surveyor considers the construction costs to be at the upper end of an acceptable value, they are consistent with the market and coupled with North Construction & Building Pty Ltd's experience and capacity to successfully complete a project of this

3.5 Gosford Regional Library (contd)

nature it is considered the best value outcome. In addition to the confidence both Council and the quantity surveyor have in North Construction & Building Pty Ltd to successfully complete the project safely and to a high quality, the local economic benefits through utilising a local contractor who uses local sub-contractors further demonstrates that the offer from North Construction & Building Pty Ltd is also advantageous from a local and social economic perspective.

Financial Considerations

The Community Development Grant funding agreement identifies a total project cost of \$27.8m. There are no formal Council resolutions stating the budget for the standalone Library project. However, there are Council reports and community information available on website that states that currently the project is being funded through the following funding sources (Table 1):

Table 1 - Previously Identified Project Funding Sources

Type	Amount
Existing Council Special Rate Variation	\$8,100,000
Federal Government Grant	\$7,000,000
Developer Contributions	\$8,500,000
Sale Proceeds – 136-146 Donnison Street, Gosford ('Kibbleplex' building)	\$4,100,000
Total	\$27,700,000

The sale proceeds of Kibbleplex have been depleted over time through use of funds for the Gosford Waterfront Revitalisation project and by Council resolution. Over this same period, the budgets available through the Special Rate Variation and Developer Contributions have increased, with balances detailed in the table below.

At present, the following funds are available in restrictions and grant for the finalisation of the project (Table 2):

Table 2 – Current Available Project Funding Sources

Type	Amount
Existing Council Special Rate Variation	\$11,569,665.95
Federal Government Grant	\$7,000,000.00
Developer Contributions	\$9,487,655.72
Sale Proceeds – 136-146 Donnison Street, Gosford ('Kibbleplex' building)	\$2,733,387.00
Total	\$30,790,708.67

Based on the costs estimated by quantity surveys conducted throughout the preliminary design development, contract CPA/3691 was released to shortlisted proponents with upper budget guidance of \$23.6m together with a list of areas where proponents could look for value management of the Preliminary Design. Various value management opportunities were identified by North Construction & Building Pty Ltd and whilst acceptance of those deemed appropriate will reduce construction costs, the total construction cost will remain higher than what was anticipated during budget development. Accordingly, to facilitate construction of Gosford Regional Library the

3.5 Gosford Regional Library (contd)

total existing project budget must be increased to \$32.7m, to cover the items outlined in the below table (Table 3) which includes previous expenditure:

Table 3 – Project Expenditure Breakdown

Cost Item	Amount
Spend to date (all years)	\$2,541,337.00
Contract CPA/3691 (upper limit)	\$29,150,000.00
Other project items	\$1,008,663.00
Total	\$32,700,000.00

Relevant Legislation

The tender and resolution to negotiate has been conducted in accordance with the *Local Government Act 1993*, the *Local Government (Regulation) 2021* and Council's Procurement Policy. Information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed in accordance with Section 10A(2)(d) of the *Local Government Act 1993*. A consistent standard for all tenders has been used in assessing any request for confidentiality by a tenderer.

Link to Community Strategic Plan

Theme 5: Liveable

Choose Focus Area

L-L3: Cultivate a love of learning and knowledge by providing facilities to support lifelong learning.

Risk Management

The Regional Library project has been in planning for many years and has a high level of community interest and expectation.

A funding agreement was executed with the Federal Government on 7 February 2020, and the current agreed project completion date is 30 June 2024. Whilst the funding program does not define delivery timeframes, Council officers will submit a revised program timeline once a construction contract is executed, and completion timeframes contain more certainty.

Options

Council has the following options:

- 1 That Council resolve to authorise the CEO to execute a contract with North Construction & Building Pty Ltd following finalisation of negotiations. **This is the recommended option.**

3.5 Gosford Regional Library (contd)

- 2 Commence negotiations with other shortlisted proponents – Given the progress of negotiations with the current party and high likelihood of a beneficial outcome it is considered that commencing negotiations with other parties is unlikely to achieve a more favourable outcome and will result in further project delays, additional costs associated with negotiations, and subsequent exposure to market price escalation. This option is not recommended.

- 3 Invite Fresh Tenders - as the tender has already been subject to a lengthy two-stage procurement process and it is considered the associated shortlisting process has identified contractors with the capacity and capability to undertake the subject works. A further market approach at this stage is unlikely to achieve any significant benefit and will result in further project delays, additional costs associated with a new tender process, and subsequent exposure to market price escalation. This option is not recommended.

Attachments

- 1 CONFIDENTIAL - Supporting Letter from registered quantity surveyor



Item No: 3.6
Title: CPA/3179 Niagara Park Stadium Driveway, Carpark, Accessible Ramp, Building Facade and Amenities Upgrades Tender
Department: Community and Recreation Services

27 June 2023 Ordinary Council Meeting

Reference: CPA/3179 - D15651409
Author: Anthony Burling, Section Manager Leisure and Pools
Manager: Phil Cantillon, Unit Manager Leisure Beach Safety and Community Facilities
Executive: Melanie Smith, Director Community and Recreation Services

Recommendation

- 1 That Council, in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2021, decline to accept the tender submissions received for contract - CPA/3179 Design and Construction, Niagara Park Stadium Driveway, Carpark, Accessible Ramp, Building Façade and Amenities upgrade.**
- 2 That Council, pursuant to clause 178(3)(e) of the Local Government (General) Regulation 2021, resolve to allow Council to negotiate (whether or not the person was a tenderer) with a view to entering into a contract in relation to CPA/3179 Design and Construction, Niagara Park Stadium Driveway, Carpark, Accessible Ramp, Building Façade and Amenities upgrade.**
- 3 That Council, in accordance with clause 178(4)(a) of the Local Government (General) Regulation 2021, note that the reasons for declining to invite fresh tenders or applications are:**
 - a Given the tender was subject to interest from multiple contractors, it is considered reasonable that the tender process has identified contractors with the capacity and capability to undertake the subject works.**
 - b Inviting fresh tenders at this stage, for the same scope of works is not expected to result in any significant benefits considering time delays and additional costs associated with a new tender process.**
- 4 That Council resolve, for the purposes of Section 11(3) of the Local Government Act 1993, that Attachment 1 is to be treated and remain as confidential because this document contains information that would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposing to conduct) business 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.**

3.6 CPA/3179 Niagara Park Stadium Driveway, Carpark, Accessible Ramp, Building Façade and Amenities Upgrades Tender (contd)

Report purpose

The purpose of this report is for Council to consider declining all tenders in relation to the contract (CPA/3179) - Design and Construction, Niagara Park Stadium Driveway, Carpark, Accessible Ramp, Building Façade and Amenities Upgrade and approve the proposed recommendation to negotiate with suitable proponents to obtain best value provision for Council and the community.

Executive Summary

The Request for Tender for contract (CPA/3179) Design and Construction, Niagara Park Stadium Driveway, Carpark, Accessible Ramp, Building Façade & Amenities Upgrade was released on 31 January 2023 and closed on 21 March 2023. Council has evaluated all submissions and identified issues and clarifications that present risks to Council. Additionally, value management opportunities exist that should be investigated by Council to ensure best value for money is obtained for this contract.

Accordingly, it is recommended that Council declines all tenders associated with contract CPA/3179 and enters negotiations with any persons (whether the person was a tenderer) with a view to entering into a contract to deliver the project.

Background

Niagara Park Stadium is a highly utilised community facility that plays host to regional, state, and national sporting and community events. The facility was constructed in 1999, and since that time, the accessible access leading from the stadiums main car park has deteriorated.

Council received NSW Stronger Country Communities funding in November 2021 for the upgrade of the driveway, carpark, accessible ramp and building façade totalling \$850,000. Total project delivery outcomes include improving access to the facility for people with a disability through a new pathway, carparking, wayfinding, lighting, covered access and further improvements internally to change rooms and amenities.

Between 11 October and 8 November 2022 Central Coast Council sought community feedback on the concept plans for accessibility improvements to Niagara Park Stadium via Council's Your Voice Our Coast website. The concept plans were visited 341 times, and 89% of the community supported the key features.

Current Status

Council released an open tender on 31 January 2023. A mandatory tender meeting was held, at which eight contracting firms attended. The tender closed on 21 March 2023, however only two tenders were received that significantly exceeded the available budget and include items that require further consideration and negotiation.

3.6 CPA/3179 Niagara Park Stadium Driveway, Carpark, Accessible Ramp, Building Facade and Amenities Upgrades Tender (contd)

The contract's evaluation team has completed an evaluation of the submissions in accordance with the tender's evaluation criteria and has indicated a successful outcome is most likely achieved through direct negotiation (whether or not the person was a tenderer).

It is proposed that these negotiations are completed in accordance with clause 178(3)(e) of the *Local Government (General) Regulation 2021*.

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.

Staff presented to the Strategic Infrastructure Committee meeting on 15 May 2023, for consideration of additional budget to deliver the project within Council's capital program in 2023/24 and 2024/25.

Relevant Legislation

The tender has been conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and Council's Procurement Policy. Information provided by tenderers which is commercial-in-confidence has been protected and will not be disclosed in accordance with section 10A(2)(d) of the *Local Government Act 1993*. A consistent standard for all tenders has been used in assessing any request for confidentiality by a tenderer.

The process of tender acceptance is carried out in accordance with *Local Government (General) Regulation 2021* – Section 178.

Link to Community Strategic Plan

Theme 5: Liveable

Goal L: Healthy lifestyle for a growing community

L-L1: Promote healthy living and ensure sport, leisure, recreation and aquatic facilities and open spaces are well maintained and activated.

3.6 CPA/3179 Niagara Park Stadium Driveway, Carpark, Accessible Ramp, Building Facade and Amenities Upgrades Tender (contd)

Risk Management

The Niagara Park Stadium project is required to ensure safe and accessible access to this popular facility for the many different community users and community groups

The project is partially grant funded and the original project timeline will now be slightly delayed. A variation to the funding deed timelines has been approved with a revised completion date of 18 October 2024.

Risks related to the proposed negotiation will be mitigated through the establishment of a formal negotiation process and approved negotiation plan.

Options

Council has the following options:

- 1 That Council resolve to decline the tender and enter negotiations with any person (whether or not the person was a tenderer). **This is the recommended option.**
- 2 That Council declines all tenders and invites fresh tenders in accordance with Section 167, 168, or 169 of the *Local Government Regulation 2021*. Given the tender has already been completed with significant interest a further market approach at this stage is unlikely to achieve any significant benefit and will result in further project delays, additional costs associated with a new tender process, and subsequent exposure to market price escalation. **This option is not recommended.**

Attachments

1	CONFIDENTIAL Tender Evaluation and Recommendation Report CPA/3179 D&C Niagara Park Stadium Driveway, Carpark, Accessible Ramp, Building Facade and Amenities Upgrades -	Provided Under Separate Cover	D15634891
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Item No: 3.7
Title: Central Coast Food Manufacturing Innovation Hub Site
Department: Environment and Planning

27 June 2023 Ordinary Council Meeting

Reference: F2023/01035 - D15716638
Author: Chris Barrett, Commercial Property Manager, Commercial Property
Manager: Jamie Barclay, Unit Manager Economic Development and Property
Executive: Alice Howe, Director Environment and Planning

Recommendation

- 1** *That Council authorise the Chief Executive Officer to negotiate, finalise and execute a business development lease with Central Coast Industry Connect for the establishment, development and operation of the Central Coast Food Manufacturing Innovation Hub over operational land at 2 and 4 Brownlee Street, Ourimbah (all of Lot 3 DP 612071 and part of lot 42 DP 1237817).*
- 2** *That the maximum term of the business development lease be 30 years inclusive of options.*
- 3** *That the basis for setting site rent take into account innovation and industry development aspects of the Hub and the commitment by Central Coast Industry Connect to employ a food manufacturing innovation and development officer to facilitate research and innovation in food manufacturing on the Central Coast. Accordingly, that the period allowed to transition to full market rent be 20 years.*
- 4** *That, during the course of the business development lease, Central Coast Industry Connect be responsible for site outgoings on a pro-rata basis including but not limited to applicable waste, water and sewerage charges, rates and land tax (if applicable).*

Report purpose

Through the provision of a suitable site via a long-term lease, to facilitate the establishment and operation of a not-for-profit collaborative food manufacturing innovation hub on the Central Coast that is supported on a tripartite basis by federal, state and local government along with industry groups and academic institutions.

Executive Summary

Central Coast Industry Connect (CCIC), a not-for-profit umbrella body for the manufacturing sector on the Central Coast has received government commitments of more than \$17 million to establish the Central Coast Food Manufacturing Innovation Hub. This

3.7 Central Coast Food Manufacturing Innovation Hub Site (contd)

facility will be a co-operative hub for food manufacturing research, innovation, promotion and education.

CCIC has approached Council for assistance to identify a suitable site, preferably in close proximity to the Central Coast campus of the University of Newcastle (a research and training partner of the Hub) and to existing food manufacturing businesses, which are concentrated in the Ourimbah-Berkeley Vale area.

Council has now identified a site that is considered highly suitable for the Hub's development and operations.

The terms on which a lease will be offered over the site are outside the parameters of Council's existing *Leasing and Licensing Facilities Policy* and accordingly the proposed lease has been referred to Council for consideration.

Background

At the ordinary Council meeting of 28 September 2020 Council resolved to adopt the first *Central Coast Economic Development Strategy* for the region. The strategy identifies that by 2040 the Central Coast will welcome nearly 88,000 additional residents and is targeting the creation of 72,000 new jobs. Identified in that strategy are key sectors that the Central Coast is strongly represented in, and emerging sectors that Council will support through its economic development activities. Food manufacturing is a key sector already operating on the Central Coast and is identified as a key growth sector.

CCIC is a not-for-profit manufacturing sector umbrella body which maintains, grows and promotes manufacturing and other value-adding industries on the Central Coast and currently supports all of the key growth sectors identified in Council's adopted Economic Development Strategy. Implementation Plan 2.4 of the Strategy, which addresses economic innovation and enterprise, includes the following priority actions:

- 1 Work with the local innovation eco-system to establish a Central Coast Innovation Network
- 2 Start a digital education and accelerator program for all primary and secondary public schools on the Central Coast
- 3 Establish and partner with universities to foster collaboration and attraction of new high value industry and to enhance existing established industry
- 4 Identifying precincts and sectors with high growth prospects, and preparing roadmaps to drive this economic development
- 5 Develop an internal Innovation Policy Framework for Council
- 6 Transform Council's innovation and business development programs to enhance local impacts and outcomes

3.7 Central Coast Food Manufacturing Innovation Hub Site (contd)

- 7 Prepare a roadmap to drive economic vibrancy and diversity, exploring options such as events, city activations, better design, place-making, and promotion and utilisation of natural areas
- 8 Build on existing advanced manufacturing and food innovation to enhance and promote business excellence
- 9 Prepare a health innovation business case to compliment the growing health economy.

Establishment and operation of the Hub contributes to five of these nine key deliverables.

CCIC has received a federal government commitment of \$17.4 million to establish, develop and promote a state-of-the-art food manufacturing innovation centre (the Hub) on the Central Coast. The Hub will be a purpose-built facility designed to foster local business and promote the Central Coast as a nationally significant player in the food processing sector. It will incorporate a fully functioning and equipped pilot facility and skills development centre that drives industry collaboration and innovation and develops the skills of business owners, managers, employees and contractors.

The Hub is expected to be operational by 2026 and will be developed in three stages:

- The first stage is to establish a skills centre and associated programs.
- The second stage is to construct and fit out a suitable building and install a range of pilot facilities.
- The third stage is to activate the pilot facilities for product development and contract manufacturing and extend its use to the skills centre.

The economic impact of the project is significant with over 200 direct jobs (and potentially 400 indirect jobs) being generated over time as a result of the Hub being in place. The multiplier effect of businesses being nurtured and accelerated through the Hub are unknown at this stage but given that manufacturing is one of the largest employment sectors on the Central Coast the anticipated flow on employment benefits will be significant.

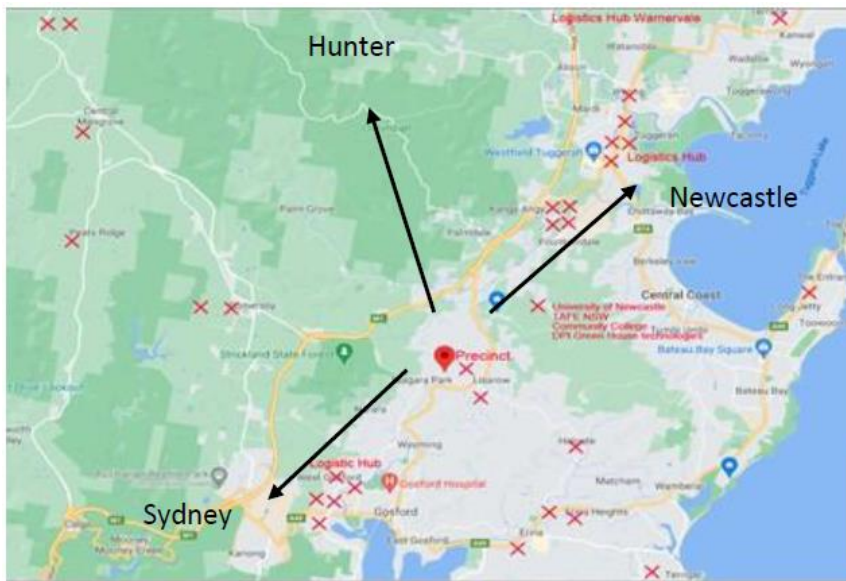
Current status

During the 2022 federal election, the Member for Dobell, Emma McBride announced that an Albanese Labor Government would contribute \$17.4 million towards the project. This funding will cover construction and fit out of the building and installation of equipment and contribute to initial operational costs.

As well, in-kind contributions have been pledged by key industry partners including the University of Newcastle and Regional Development Central Coast and also CCIC itself. These contributions are valued at \$1.2 million. The Greater Cities Commission has also contributed \$380,000 to the project to drive innovation.

3.7 Central Coast Food Manufacturing Innovation Hub Site (contd)

Ourimbah is identified as the preferred location because of its proximity to established food and beverage manufacturers and to the Central Coast campus of University of Newcastle (Figure 1).



- Lisarow Industrial Area
- 8 minutes to Gosford City
- 5 minutes to the M1
- 5 minutes to the University of Newcastle
- 14 Minutes to Tuggerah Business Park
- Just over an hour to Sydney and Newcastle ports and international airports

X's represent Food & Bev Manufacturers

Figure 1 - Preferred precinct location of the Hub

The proposed facility is expected to have a floor space of at least 2000m². To allow for ancillary uses such as parking and storage, a site with at least 5,000m² of suitable zoned land (most likely E4) is required. Additional site area would be desirable to allow for potential expansion and also to engage in community education and outreach activities.

After an extensive search, a suitable Council-owned site has been identified, which is currently partially used as a material handling facility.

The site is at 2 to 4 Brownlee Street, Ourimbah and comprises lot 3 DP 612071 plus part of Lot 42 DP 1237817. It is close to the Pacific Highway, to the M1 Motorway interchange and to Ourimbah Train Station. The proposed Hub site comprises all of Lot 3 and 25% (the northernmost portion) of Lot 42.

Lot 3 (2 Brownlee Street) is the site of a former sawmill and comprises a mix of E4 industrial land and C2 environmental conservation land. This lot is just over 10,000m² in size, with up to 6,000 m² potentially suitable for general industrial development.

Lot 42 (4 Brownlee Street) is a mix of E4 General Industrial and C2 Environmental Conservation. This site is just under 8000m² in size. It accommodates a former dwelling house and a Council sub depot, which is a holding site for road building and maintenance materials. A creek runs diagonally across this lot and separates the industrial land from the environmental land. Up to 2000 m² may be suitable for general industrial development, based on continued occupation of the site by the Council depot. A water mains traverses both lots, which would be re-routed as part of the project.



Figure 2 – proposed Hub site at 2 and 4 Brownlee Street, Ourimbah

Report

In order for CCIC to be able to undertake adequate due diligence, Council will provide a 12-month site investigation lease at nominal charge over the Hub site. During this time, CCIC will undertake site testing (including to establish whether there is any significant site contamination) and also undertake pre-lodgement discussions with Council's development assessment team. CCIC will also undertake some basic remedial work to improve the presentation of the site, including clearing of weeds and some waste removal.

Meanwhile, Council will prepare a detailed site survey and arrange for a lease subdivision plan. This will be required to finalise and register the long-term lease described below.

Once site investigations are completed and CCIC is satisfied that the site is suitable, a long-term ground lease over the Hub site for a maximum term of 30 years will commence. This long-term lease will be at a level of rent, which takes into account the value of CCIC's contribution to driving future economic development in the Central Coast region.

The current unimproved value of the land based on Valuer-General data is \$1.71 million. This value comprises 100% of the value of Lot 3 (valued at \$1.48 million) and 25% of the value of Lot 42 (valued at \$0.23 million).

3.7 Central Coast Food Manufacturing Innovation Hub Site (contd)

Full market rental for a ground lease of this type is in the range of 3.5 to 5.5 per cent of land value. In this case, because CCIC has indicated a willingness to act as custodian over the environmental land that forms part of the site and also to undertake community outreach activities, it is proposed that rent should be at the 25th percentile of the market range for the first 10 years.

It is proposed that the land be leased for a total period of up to 30 years as follows:

- Development phase (initial 10-year term) – Nominal base rent; outgoings met by CCIC.
- Consolidation phase (intermediate 10-year term) – Transition to full market rent over 10 years; outgoings met by CCIC
- Maturity phase (final 10-year term) – Full market rent; outgoings met by CCIC.

The in-kind contribution by Council to the project, taking account of concessional rental arrangements over the first two lease terms, is estimated at \$1.02 million in real dollar terms.

Partially offsetting the level of in-kind support provided by Council will be the obligation on CCIC to fund a dedicated Business Development Manager for the Central Coast food manufacturing industry. This will be a condition for the duration of the lease.

Consultation

Extensive consultation has occurred between CCIC and Council staff to determine a suitable site for the project, with only one Council site being identified that fully meets the required criteria.

CCIC has consulted with the federal funding body and the Member for Dobell about the proposed site at Ourimbah and both are supportive.

External consultation has also been undertaken with the food manufacturing sector and the University of Newcastle. All parties are supportive of the offer of a long-term lease.

Internal consultation has been undertaken with Council's Road Construction and Maintenance Unit, which makes use of part of the site for handling and short-term storage of materials used for road and open space works. It is noted that there is a shortage of other conveniently located sites for such purposes. Accordingly, it is not intended that the offer of the lease in any way impede the continuation of these operations for as long as may be required.

Council's Water and Sewer Directorate has been consulted in relation to the water line traversing the site and has confirmed that it is feasible to relocate along the site boundary.

Further consultation required under environmental planning and assessment guidelines will occur with surrounding landholders and other parties as development on the site is planned, designed and executed.

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.

A condition of the lease will be that the leaseholder meets all outgoings associated with the site. That means, there will be no cost to Council during the initial set up and development phase. Over time, the lease will move to a fully commercial base, meaning that the site will make a significant, sustained and positive contribution to Council finances.

Provision of the lease at below market value is considered warranted in this case, as there is no identified tenant for the site at full market value, and the current proposal provides significant value to the Central Coast community and economy.

A condition of the lease will be that the site is returned to Council in good order and condition, meaning that the value of the site is likely to be substantially enhanced over the next 30 years. That is, Council will eventually have direct control over a substantial sustainable income-generating investment.

Some minor water supply lines are located in the site which can be relocated to the boundary of the lease area at CCIC's cost. The site may also have some contamination owing to the former sawmill use, in which case, this can be remediated at CCIC's cost.

Link to Community Strategic Plan

Theme 2: Smart

Goal C: A growing and competitive region

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

Goal C: A growing and competitive region

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

Risk Management

Three key risks are identified in relation to the offer of the lease to CCIC for the establishment and development of the food manufacturing innovation Hub:

First – A site is not identified on a timely basis at which the Hub will be based. The consequence is that significant economic development potential of the Hub is lost. This risk is substantially mitigated by the offer of the Council site at 2 to 4 Brownlee Street, Ourimbah.

Second – The Council site at 2 to 4 Brownlee Street is considered unsuitable for development as the Hub. This outcome is not considered likely. However, it must be taken into consideration. To mitigate this risk, Council has worked with CCIC on a framework (the site investigation lease) that allows investigations to be accelerated and development risks to be identified on a timely basis. Should there be any lingering uncertainties over the site, CCIC will continue to be on the lookout for possible alternative sites that may be acceptable to funding authorities, albeit on a delayed implementation timetable.

Third – The Hub is established on the site at 2 to 4 Brownlee Street but fails to be delivered in the agreed manner and potentially fails commercially. Suitable safeguards will be built into the lease to ensure that the Council or a third party (for example, a government department or an academic institution) can step in if necessary. Also, both Council and a range of other supporting institutions will have a continuing presence in the management of the site and CCIC more generally.

Options

- 1 Take no action to assist the Hub to locate a suitable site for its development and operations.

This is not the preferred option. The Hub has experienced considerable difficulties in locating a site which is available on terms which are affordable and provide long term stability for it to develop and operate. The availability of funding from state and federal government is time-limited and constrained. The likelihood is that the opportunity to develop the Hub on the Central Coast would be lost.

- 2 Work with the Hub to identify a suitable third-party site on which the Hub can establish and develop its operations.

This is not the preferred option. The Hub has experienced considerable difficulties in locating a site which is available on terms which are affordable and provide long term stability for it to develop and operate. This option presents similar risks to option 1.

- 3 Approve the lease proposal for 2 and 4 Brownlee Street, Ourimbah for CCIC to develop and operate the Hub.

This is the recommended option. The Hub has experienced considerable difficulties in locating a site which is available, affordable and offers long term stability for it to develop and operate. By identifying a suitable site and making it available on terms that facilitate establishment and development, Council can ensure that the Hub will be secured for the Central Coast. This is a significant and strategic economic development initiative.

Critical Dates or Timeframes

Funding for the Hub can be secured by Council committing to an offer of a long-term lease on suitable terms over the proposed site at 2 to 4 Brownlee Street, Ourimbah.

The acceptance of the site by the Hub is subject to it conducting due diligence, including confirmation of the site conditions and development capacity. To facilitate investigations, Council will enter into a site investigation lease of not more than 12 months with the Hub.

Following completion of site investigations, and within 12 months, Council and the Hub will enter into a long-term lease on the terms described in this report, in effect, by 30 June 2024.

Attachments

Nil.



Item No: 3.8
Title: Adoption of Woy Woy Floodplain Risk Management Study and Plan
Department: Environment and Planning

27 June 2023 Ordinary Council Meeting

Reference: F2020/00504 - D15671499
Author: Parissa Ghanem, Team Leader Floodplain Management and Senior Planner
Smita Nepal, Flooding and Drainage Management Engineer
Manager: Peter Sheath, Section Manager, Flood Strategy and Planning
Executive: Alice Howe, Director Environment and Planning

Recommendation

- 1 That Council adopt the Woy Woy Peninsula Floodplain Risk Management Study and Plan contained in Attachments 1, 2, 3 and 4.**
- 2 That all those who made submissions during public exhibition be notified of Council's decision.**

Report purpose

To recommend the adoption of the Woy Woy Peninsula Floodplain Risk Management Study and Plan (FRMSP) acknowledging the minor updates to the exhibited draft FRMSP, as listed in Attachment 6, following the public exhibition, internal engagement and community consultation.

Executive Summary

Central Coast Council commissioned DHI Pty Ltd to prepare a FRMSP for the Woy Woy Peninsula including Kahibah Creek catchment. The draft FRMSP quantify the nature and extent of the existing flooding issues and recommend actions to better manage the existing, future, and continuing flood risk.

The draft FRMSP also seeks to build community resilience to flooding and include flood mitigation works, emergency management plans, flood warning processes, land use planning, and suitable design of infrastructure and buildings.

The draft FRMSP were placed on public exhibition for a period of four weeks from 18 January 2023 until 15 February 2023. Submissions were evaluated and proposed amendments for flood management were made to the final FRMSP (Attachments 1 and 2). The consultation summary including key issues raised during the exhibition are presented in Attachment 6.

3.8 Adoption of Woy Woy Floodplain Risk Management Study and Plan (contd)

Background

NSW Floodplain Risk Management Process

The NSW Government has established the Floodplain Development Manual (2005) as a framework for councils to carry out floodplain management responsibilities. Council is considered to have acted in good faith, and thus is protected from legal liability under Section 733 of the *Local Government Act 1993*, if the floodplain risk management process is followed as set out in the Floodplain Development Manual (2005).

The Floodplain Risk Management process involves the following four sequential stages:

- 1 Preparation of a Flood Study- To determine the nature and extent of the flood problem: flood levels, velocities, and associated flood mapping.
- 2 Preparation of a Floodplain Risk Management Study- (FRMS) To identify, assess and compare various risk management options.
- 3 Development of a Floodplain Risk Management Plan (FRMP)- To recommend specific flood risk management measures to guide priorities for Council, communities and the State Emergency Service (SES).
- 4 Implementation of the Plan - To provide advice and carry out actions in accordance with the plan.

The Woy Woy Peninsula FRMSP represent steps 2 and 3 in the above process. Two-thirds of the funding for the projects has been provided by the NSW Government, with the remaining third is funded by Council.

Adoption of Floodplain Risk Management Plans is a prerequisite to being eligible to seek further grant funding assistance for costs associated with the implementation of the recommended flood mitigation works and other management plan actions.

Current Status

The Draft FRMSP have been publicly exhibited and minor amendments were made to the final documents in response to feedback.

Report

Study Area

The study area is subject to a complex range of flood risks, including catchment flooding associated with rainfall on the local catchments, flooding from Brisbane Water caused by ocean storm surge and regional rainfall, and inundation of foreshore areas from extreme

3.8 Adoption of Woy Woy Floodplain Risk Management Study and Plan (contd)

tides. Some portions of the study area are also affected by mainstream flooding from the Kahibah Creek and the Main Drain systems.

Additionally, and specific to low-lying areas with highly permeable sandy soils, groundwater levels affect the flooding behaviour seen throughout the study area. High groundwater levels can prevent infiltration into the underlying soils and, if elevated enough, can be a source of flooding for areas with otherwise poor drainage. These flood risks are expected to be aggravated by the effects of climate change.

Preparation of the Floodplain Risk Management Study and Plan

A FRMSP have been prepared which contain various recommended actions for potential future implementation to manage existing and future flood risk to be considered for adoption by Council via the recommendations in this report.

The project was undertaken by DHI Pty Ltd and overseen by Council's Catchments to Coast Advisory Committee (CCAC). The CCAC comprises community representatives, Council staff and a representative from the NSW Department of Planning and Environment (DPE). The NSW State Emergency Service (SES) and internal Council staff have also been engaged throughout the preparation of the draft FRMSP as a key stakeholder.

The draft FRMP draws on the analysis undertaken in the draft FRMS and the *Woy Woy Climate Change Adaptation Study* (Rhelm, 2021b) and presents the recommended measures for managing flood risk and implementation measures for them at Woy Woy Peninsula.

Recommended Management Actions from the Plan

The draft FRMS and FRMP assessed many options to best manage flood risk in the study area. This included a multi-criteria analysis, which considered cost, cost-benefit ratio, flood impact, emergency response, environmental impacts, and community feedback. The recommendations for implementation are listed below and have been prioritised as high, medium, and low actions.

Table 1 Summary of Recommended Floodplain Risk Management Measures

Mitigation Type	Option ID	Action Name	Implementation Time Frame / Priority
Flood Modification	FM03	Installation of six infiltration devices along low-lying streets with a history of ponding and nuisance flooding due to lack of drainage or drainage capacity even in minor flood events	< 10 years / Medium
Property Modification	PM01	Land Use and Development Control Planning Recommendations	< 5 years / High
	PM05	Property Education and Compliance	< 5 years / Medium

3.8 Adoption of Woy Woy Floodplain Risk Management Study and Plan (contd)

Mitigation Type	Option ID	Action Name	Implementation Time Frame / Priority
	PM06	Sustainable Level of Drainage Service	< 10 years / Medium
	PM07	Landform Adaptation	< 10 years / High
Emergency Response Modification	EM01	SES Review of Evacuation Centre Locations	< 5 years / Medium
	EM03	SES Review of Flood Warning Systems	< 10 years / Low
	EM04	Flood Warning Signs	< 5 years / Medium
	EM05	Flood Education Programs	< 5 years / High

Climate Change

Prior to the preparation of this FRMP, the *Woy Woy Climate Change Adaptation Study* (Rhelm, 2021b) was undertaken by Council to inform the development of a regional adaptation masterplan. This adaptation study was undertaken for Woy Woy CBD, Blackwall, Booker Bay and Ettalong and focused on the technical analysis of potential landforms and associated measures to provide flood protection against existing and future flood risk associated with both catchment and ocean flooding (both tidal and storm induced).

Following on from the adaptation study, the Draft FRMP recommends the following action:

- PM07 - Climate Change Landform Adaptation

To deliver this action the conceptual landforms as proposed by Council in the *Woy Woy Climate Change Adaptation Study* (Rhelm, 2021b) need to be further refined for implementation. This will include:

- Detailed feasibility analysis
- Community consultation and engagement to resolve any issues associated with proposed easements
- Development of detailed design drawing and plans
- Detailed design of drainage components associated with the landforms
- Detailed staging plans to manage the impacts of filling and raising infrastructure on adjoining properties.

Note that the FRMP recommends that Council progresses with the next planning stage, which is the implementation workplan associated with Adaptation Pathway A (prompt and immediate action). Alternatively, Pathway B (delayed action) would also provide the same flood risk outcomes but comes with added risk that some low-lying lands may not be able to be raised in a timely manner to avoid loss of liveability.

3.8 Adoption of Woy Woy Floodplain Risk Management Study and Plan (contd)

Consultation

Details of the project consultation including internal consultation and public exhibition are summarised in Attachment 6.

Public Exhibition

Following completion of the Draft FRMSP documents, they were publicly exhibited from 18 January 2023 to 15 February 2023 with submissions accepted until 22 February 2023 to give members of the public and all relevant stakeholders an opportunity to provide feedback.

As part of the community engagement effort, copies of the Draft FRMSP were made available to the public on-line as well as hardcopies supplied to Woy Woy and Umina Beach libraries for viewing. Council's website provided opportunities for the community to submit their concerns and issues during the public exhibition period. A drop-in session at the Woy Woy Country Women's Association Hall occurred on 1 February 2023 so the project team could discuss issues directly with the community.

All submissions received from the public during the public exhibition period were reviewed and informed the finalisation of the FRMSP. The most significant issues raised in the submissions included:

- Sea level rise predictions are not informed by the latest International Panel on Climate Change (IPCC) reports
- Emergency management planning requires further consideration with respect to evacuation routes and access to the regional Gosford Hospital
- General concern across the community about the degree of development in the Woy Woy Peninsula and the increase in impervious surfaces on private property, and
- Indications that the flood planning level recommendations are inconsistent with the recommendations in the Brisbane Water Foreshore FRMSP.

All submissions were considered by Council staff and consultants. Minor amendments and clarifications were made to the draft FRMSP in preparation for the adoption of its final version (refer to Table 1 of Attachment 6).

Financial Considerations

Although adoption of the FRMSP itself does not have any financial impact upon Council, the implementation of the recommended management actions in the plans requires financial commitment by Council and other authorities. The FRMSP gives guidance on

3.8 Adoption of Woy Woy Floodplain Risk Management Study and Plan (contd)

implementation timeframe as a best-case scenario for mitigating flood risks to the community.

Once the FRMSP has been adopted by Council, the recommended actions identified within the Plan become eligible for grant funding from various external departments including DPE under the NSW Floodplain Risk Management Program.

Identified capital projects would be listed and ranked on Council's future capital works program; funding options for each would be considered at the time of listing on the 4-year Delivery Program.

It should be noted that the FRMP does not commit Council to implementing Landform Adaptation PM07 (including the land raising). The FRMP recommends further feasibility assessment to be undertaken in order to progress with the implementation of PM07.

Detailed economic feasibility analysis and community consultation would also be undertaken as part of action PM07, this would involve the inclusion of the unquantified benefits and would also typically involve a more detailed understanding of design, costs and community input.

Link to Community Strategic Plan

Theme 4: Responsible

Choose Focus Area

R-13: Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management.

Risk Management

The FRMSP draws upon latest flood modelling techniques to reassess potential flood problems and to re-evaluate the suite of available floodplain management measures to better manage the risk to life and property posed by flooding.

Choosing to not adopt the draft FRMSP would deem Council ineligible for possible future grant funding to implement the recommended management actions to alleviate flooding in this catchment.

Should the FRMSP be adopted by Council, it is recommended that implementation measures be programmed to gain the identified benefits to the community. These are to be incorporated into the operational and capital budgets in Council's Long Term Financial Plan. Implementation of the FRMSP is not only dependent upon external grant funding and a

3.8 Adoption of Woy Woy Floodplain Risk Management Study and Plan (contd)

positive feasibility outcome but also availability of internal funding to match the grant funding.

Actions will be incorporated into Council's future delivery plans and implemented as resources allow.

Mitigation works can be ranked against other mitigation works across the Central Coast Local Government Area to justify the works to be in the Delivery Program and Operational Plan depending on the nature of the works.

Options

- 1 Adoption of the FRMSP: Flood risk mitigation works can be ranked against other mitigation works across the Central Coast Local Government Area to justify the works to be included in the Delivery Program and Operational Plan depending on the nature of the works. **This is the recommended option.**
- 2 Not adopting the FRMSP: Choosing to not adopt the FRMSP would mean that Council was not acting on the basis of the best available flood risk management information and would mean that flood mitigation works were not guided by that information. This will result in increased flood risk to the community. This option is not recommended.

Attachments

1⇒	Woy Woy Floodplain Risk Management Study - Main Volume	Provided via Your Voice Our Coast website	LINK
2⇒	Woy Woy Floodplain Risk Management Plan - Final Report - March 2023	Provided via Your Voice Our Coast website	LINK
3⇒	Woy Woy Floodplain Risk Management Study - Technical Volume	Provided via Your Voice Our Coast website	LINK
4⇒	Woy Woy Floodplain Risk Management Study - Appendices	Provided via Your Voice Our Coast website	LINK
5⇒	Woy Woy FRMSP - Submissions Compilation	Provided via Your Voice Our Coast website	LINK
6⇒	Woy Woy FRMSP Supplementary Report v1	Provided via Your Voice Our Coast website	LINK



Item No: 3.9
Title: Community Support Grant Program - April 2023
Department: Community and Recreation Services

27 June 2023 Ordinary Council Meeting

Reference: F2017/02117-002 - D15565029
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 \$12,683.85 (inclusive of GST where applicable) from the 2022/23 grants budget to the Community Support Grant program, as outlined below and in Attachment 1.

- a Tuggerah Lakes Art Society Incorporated - \$2,655.55**
- b Auspicious Arts Projects Incorporated - \$2,841.30**
- c Crommelin Native Arboretum Incorporated - \$5,000.00**
- d 5 Lands Walk Incorporated - \$2,187.00**

2 That Council decline applications as outlined below, for the reasons indicated in Attachment 1, and the applicants be advised and where relevant, directed to alternate funding sources.

- a Terrigal Outrigger Canoe Club - lack of broader community benefit.**
- b Toukley District Cycle Club – lack of broader community benefit.**
- c Music NSW – lack of broader community benefit.**

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 faster 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.

The Community Support Grant Program is provided to support the community to deliver activities which require a small amount of funding and/or in-kind support. The Community Support Grant Program remains open throughout the year to provide assistance for community activities that require:

- 1 In-kind support through the provision of subsidised access to Council services.
- 2 Financial assistance for community activities that require a smaller amount of support. The Community Support Grant Program provides a combined original budget of \$300,000 annually as detailed in table one below.

Table 1: Community Support Grant Program

Program	Original Budget	Opening Period	2022/2023 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	\$237,146.02	\$12,683.85	\$249,829.87
TOTAL			\$237,146.02	\$12,683.85	\$249,829.87

Current Status

The Community Support Grant Program remains open for applications throughout the year and the closing date for each assessment period is the last day of each month.

Applications submitted from 1 – 30 April 2023 are considered in this report. 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

Seven applications were received and assessed by 10 May 2023, with four applications recommended for funding in this Council report.

Three of the seven applications were not recommended for funding because they did not demonstrate a broader community benefit. All applicants will be advised to discuss their proposal further with Council's Grants Officers prior to resubmission in a future round.

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 33 attendees and four grant information sessions with 76 attendees.

Additionally, Council staff also undertook three drop -in support sessions with eight 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 2022/2023 Council Operational Expenditure original budget allocates \$300,000 to the Community Support Grant Program.

Expenditure is approved until the end of the 2022-2023 financial year. Unspent funds will lapse on 30 June 2023.

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 being provided prior to the release of funds, and successful applicants are required to return any unspent funds for projects not able to be delivered as planned

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 Grant Program - April 2023 - Recommended and Not Recommended	Provided Under Separate Cover	D15700234
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Item No: 3.10
Title: Terms of Reference for Heritage and Culture Advisory Committee
Department: Environment and Planning

27 June 2023 Ordinary Council Meeting

Reference: F2018/00102 - D15648746
Author: Peta James, Senior Strategic Planner Strategic Planning Projects
Manager: Shannon Turkington, Unit Manager Strategic Planning
Executive: Alice Howe, Director Environment and Planning

Recommendation

That Council:

- 1 *Establish a Heritage and Culture Advisory Committee for the remaining term of the current Council.***
- 2 *Adopt Terms of Reference for the Heritage and Culture Advisory Committee (Attachment 1).***
- 3 *Confirm the following members of the Committee (subject to their approval) in accordance with the Terms of Reference:***
 - ***Paul Dignam***
 - ***Kay Williams***
 - ***Ross Howard***
 - ***Gary Jackson***
 - ***Peter Rea***
 - ***Johanna Reygersberg***
 - ***Bradley Twynham***
 - ***Richard Waterhouse***
- 4 *Write to others that applied for the role thanking them for their interest.***

Report purpose

To establish the Heritage and Culture Advisory Committee ("H&CAC"), endorse its Terms of Reference and confirm its members.

Executive Summary

Council staff have reviewed the Council's heritage program over the next 12-18 months, considered the recommendation of the *Heritage Gap Analysis* report and reviewed the

3.10 Terms of Reference for Heritage and Culture Advisory Committee (contd)

Terms of Reference of the H&CAC. This review has identified that Council's needs will be best served by a standing Advisory Committee of Council.

The role of the H&CAC is to act in an advisory capacity to the Council with the aim of protecting our rich environmental, historic, and cultural heritage and local character. This will meet the Community Strategic Plan objectives and achieve a best practice approach to heritage management.

This report recommends that the Heritage and Culture Advisory Committee be re-established, and that Council endorse the Terms of Reference for H&CAC and confirm the membership of the Advisory group.

Background

Council at its meeting of 24 January 2023 resolved:

Minute 13/23/3 "*That Council endorses to dissolve the Heritage and Culture Advisory Committee, as it currently exists, and approve for the formation of the Heritage Reference Group.*"

This recommendation and resolution were the result of a general review of all of Council's Committees and Reference Groups. Since that time Council has reviewed its internal heritage program in response to the *Heritage Gap Analysis*, which was adopted by Council in 2022, and has committed to undertaking several heritage projects over the next 12 – 18 months including:

- A citywide Heritage Strategy;
- Central Coast Thematic History;
- Planning Proposal to add additional heritage items to the *Central Coast Local Environmental Plan 2022*; and
- Preparation of development controls to appropriately manage and protect heritage across the Central Coast.

There are also a number of planned cross-organisational projects that would benefit from heritage community input such as heritage trails and other tourism initiatives, interpretation and place plan development.

To allow the group to consider a range of Council projects they need to meet on a regular basis and allow a broader focus on engagement between the various sections of Council. For this reason, it is considered that input from the community would be better provided by a Heritage and Culture Advisory Committee format. The benefit of operating as a committee is that it provides opportunities for the exchange of information, ideas, and concerns of the

3.10 Terms of Reference for Heritage and Culture Advisory Committee (contd)

community that are relevant to Council's responsibility to heritage conservation. The role of an advisory group is broader than a reference group, which generally focuses on a specific project.

The recently adopted *Heritage Gap Analysis* supported continuation of the H&CAC as this is considered best practice for local government. It did, however, suggest some changes to the committee structure, functions, and Terms of Reference. As such the Committee structure has been reviewed and Terms of Reference have been amended to reflect the recommendations.

It is also noted that the *Local Government Heritage Guidelines for Local Councils* (prepared by NSW Heritage Office 2002), recommends that a Heritage Advisory Committee be included as part of the Council's heritage program. It is stated that the purpose of the Committee should be:

"The primary role of such committees has been to advise councils on how to conserve and promote heritage items, places, and areas. The responsibility of these committees has encompassed Aboriginal, built, movable and natural heritage."

It is therefore recommended that the H&CAC be re-established, and the revised Terms of Reference be adopted.

Report

Central Coast Council has an adopted Community Strategic Plan and Delivery Program that will shape Council's activities and projects over the next three years. Council's Advisory Committees are an important mechanism for consultation, advice, and feedback to Council staff on implementation and review of the Community Strategic Plan and related Council plans and policies.

The H&CAC will assist Council to achieve the Community Strategic Plan aims and objectives of protecting our rich environmental, historic, and cultural heritage and local character.

The role of the H&CAC is to act in an advisory capacity to the Council with respect to providing support and advice on heritage within the Local Government Area.

Heritage is a diverse field and may include, but not be limited to, built heritage, cultural landscapes, movable heritage, Aboriginal cultural heritage and natural heritage. Through its actions and contributions, the H&CAC will actively encourage increased community participation, awareness and appreciation of heritage across the Central Coast area.

The H&CAC is responsible for providing advice and feedback to Council and staff on:

- Matters relating to natural, historic, and Aboriginal cultural heritage.

3.10 Terms of Reference for Heritage and Culture Advisory Committee (contd)

- Informing and providing advice on Council's heritage policies including the preparation and implementation of Council's heritage strategy and development control plan.
- Proposed and current heritage listings, including the identification and documentation of heritage items.
- Promote our unique heritage and help Council to increase the awareness of our heritage in the community.
- Provide support for Council in effective heritage management, such as alerting Council to heritage issues within the community, and supporting education, awareness and capacity building.
- Support Council in best-practice heritage conservation such as the restoration, management, and interpretation of Council's heritage assets, including buildings, landscapes, monuments and cemeteries.
- Provide support and knowledge to Council on ways to promote and celebrate heritage within the community including contributing to cultural tourism and events such as trails and walks.
- Collaborate with First Nation's people on management and conservation of Aboriginal sites, places and cultural landscapes.
- Foster partnerships and collaborations with other heritage organisations and stakeholders.
- Undertake research and investigations on heritage matters as required.

Membership of the initial Advisory Committee has been selected from those community members who nominated to be part of a refreshed H&CAC in November 2022 and members of the previous H&CAC.

The selection is based on criteria which were outlined as part of the nomination process including relevant formal and informal qualifications, involvement in relevant community work or projects, experience with committees or similar and evidence of willingness to participate in the Advisory Committee. Participants were selected to ensure a range of skills and experience, a complementary mix of interests, and an understanding of the local community's needs and aspirations. Nominations were assessed by a selection panel comprised of Council staff.

The H&CAC members will serve for the remainder of the term of Council, which is up to September 2024.

3.10 Terms of Reference for Heritage and Culture Advisory Committee (contd)

The Terms of Reference for the H&CAC (Attachment 1) define the purpose, objective, size, structure and term of the group, meeting frequency and management process and incorporate the changes recommended by the *Heritage Gap Analysis* report.

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 operational costs of convening the H&CAC will be met within Council's adopted budgets. No fees or out of pocket expenses will be paid to members.

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.

Goal B: Creativity, connection and local identity

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

Theme 4: Responsible

Goal I: Balanced and sustainable development

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

Risk Management

Failure to endorse the Terms of Reference and set up an H&CAC would be inconsistent with Heritage NSW Guidelines and the recommendations of the *Heritage Gap Analysis* adopted by Council in 2022 and would fail to meet best practice in heritage conservation and management.

3.10 Terms of Reference for Heritage and Culture Advisory Committee (contd)

Options

Council has already resolved to set up a group comprised of community members to assist Council on heritage matters. Therefore, the options include:

- 1 Endorse the Terms of Reference for the H&CAC (attachment 1) and confirm the persons nominated in the recommendation to be members of the group. **This is the recommended option** and is in accordance with adopted strategies and best practice heritage management.
- 2 Endorse the group to be set-up as a Reference Group, Amend the Terms of Reference for the H&CAC and revise the proposed membership of the group. This is not recommended as it does not align with good practice nor support the program of heritage work Council has identified.
- 3 Gave neither an Advisory Group nor Reference Group. This is not recommended, as community input into Council's heritage policy position is an important part of the local government and decision making process.

Critical Dates or Timeframes

The H&CAC shall meet quarterly or as required for specific projects or items of interest.

Attachments

- | | | | |
|---|--|-------------------------------|-----------|
| 1 | Draft Terms of Reference - Heritage and Culture Advisory Committee | Provided Under Separate Cover | D15713135 |
|---|--|-------------------------------|-----------|



Item No: 3.11
Title: Governance Lighthouse Report as at 31 March 2023
Department: Corporate Services

27 June 2023 Ordinary Council Meeting

Reference: F2020/02182 - D15700626
Author: Alysha Coussos, Senior Governance Officer, Governance
Manager: Teresa Chadwick, Section Manager Governance
Edward Hock, Unit Manager Governance Risk and Legal
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

That Council note the Governance Lighthouse Report as at 31 March 2023 as provided at Attachment 1 to this report.

Report purpose

To provide a Governance Lighthouse Report as at 31 March 2023 for the information of Council.

Executive Summary

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

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 the Governance Lighthouse Report at the 7 June 2023 meeting. Feedback on the structure and content of the report (including setting targets or areas of improvement in light of the commentary and data relevant to each metric) was provided by the Committee and will be included in the next iteration of the report.

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 impacts as a result of this report.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G2: Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making.


Risk Management

The Governance Lighthouse Report is provided to Council as a means of periodically assessing Council's governance framework, including identifying trends and areas for improvement. The Report is based on the Governance Lighthouse strategic early warning system developed by the NSW Audit Office, which outlines eight principles and 17 governance components.

Options

- 1 Council notes the Governance Lighthouse Report for Q3 2022-23 and provides any feedback as required. **This is the recommended option.**
- 2 Council does not note the Report. Not recommended.

Attachments

1	Governance Lighthouse Report Q3 2022-	Provided Under Separate	D15693475
	23	Cover	



Item No: 3.12
Title: Council Circular 23-05 Ward boundary and name changes
Department: Corporate Services

27 June 2023 Ordinary Council Meeting

Reference: F2022/02823 - D15718154
Author: Teresa Chadwick, Section Manager Governance
Manager: Edward Hock, Unit Manager Governance, Risk and Legal
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

That Council note that the ward boundaries do not require altering as variation to elector numbers within wards does not exceed the 10% threshold.

Report purpose

To inform Council that consideration has been given to the Office of Local Government's *Council Circular 23-05 – Ward boundary and name changes* and it has been determined that Council is not required to alter its ward boundaries due to the variance calculation not exceeding the 10% threshold.

Executive Summary

Councils must review their ward boundaries and notify the NSW Electoral Commission (NSWEC) of any changes to ward boundaries and/or names by 5 October 2023.

Background

Under section 211 of the *Local Government Act 1993* (NSW) (LG Act), councils that are divided into wards must keep ward boundaries under review to ensure the difference in elector numbers between wards does not exceed 10%.

The NSWEC provides further information regarding the calculation of the 10% variation to elector numbers within wards.

Before altering ward boundaries, councils must:

- consult the NSWEC and the Australian Statistician; and
- prepare and publicly exhibit a plan detailing any proposed alteration (the ward boundary plan).

Under section 277A of the *Local Government (General) Regulation 2021* (NSW) (the Regulation), ward boundary and name changes must be made by 5 October 2023 to be in

effect for the 14 September 2024 ordinary elections unless the Electoral Commissioner otherwise approves in special circumstances.

Report

The NSWEC maintains a website to assist councils to review their ward boundaries and provide guidance on the process for consulting with it. The website is available [here](#).

Councils must publicly exhibit the ward boundary plan for at least 28 days and consider any submissions made during the 42-day consultation period.

Calculating the variation to elector numbers within wards

The following is the calculation for Central Coast Local Government Area (LGA) as per population statistics provided on the NSWEC website:

- 1 Find the difference between the ward with the most electors and the ward with the fewest electors.
- 2 Divide that difference by the number of electors in the smallest ward (that is, the ward with the fewest electors).
- 3 If the result is more than 10%, follow the ward boundary alteration processes.

Council	Ward	Electors as at April 2023	Variance
Central Coast	The Entrance Ward	49,598	7.7%
Central Coast	Gosford East Ward	50,814	
Central Coast	Gosford West Ward	51,514	
Central Coast	Budgewoi Ward	52,137	
Central Coast	Wyong Ward	53,413	

Difference between Wyong Ward (largest) and The Entrance Ward (smallest):
53,413 – 49,598 = 3,815.

Difference as a percentage of The Entrance Ward (smallest): **3,815/49,598 = 0.769** (7.7%)

There is a variation of less than 10% between the number of electors in two wards of the LGA. As the variation is less than 10%, Council is not required to alter its ward boundaries in compliance with [section 211](#) of the LG Act.

Consultation

Council’s Unit Manager Governance, Risk and Legal was consulted in the development of the recommendation in this report.

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 negative financial implications as Council is not making a change to the ward boundaries.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G3: Provide leadership that is transparent and accountable, makes decisions in the best interest of the community, ensures Council is financially sustainable and adheres to a strong audit process.

Risk Management

Under Section 211 of the LG Act councils that are divided into wards must keep ward boundaries under review to ensure the difference in elector numbers between wards does not exceed 10%. Should Council exceed the 10% variation to elector numbers within wards it may be in breach of the LG Act.


Options

- 1 Council can choose to keep the ward boundaries the same as they currently are.
This is the recommended option.
- 2 Council can choose to make changes to the current ward boundaries.

Critical Dates or Timeframes

Under Section 277A of the Regulation, ward boundary and name changes must be made by 5 October 2023 to be in effect for the 14 September 2024 ordinary elections unless the Electoral Commissioner otherwise approves in special circumstances.

Attachments

- | | | | |
|----------|--|----------------------------------|-----------|
| 1 | Council Circular 23-05 - Ward Boundary and
 Name Changes | Provided Under Separate
Cover | D15719109 |
|----------|--|----------------------------------|-----------|



Item No: 3.13
Title: Local Government Remuneration decision - Setting of fees for Mayor and Councillors
Department: Corporate Services

27 June 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15680547
Author: Teresa Chadwick, Section Manager Governance
Manager: Edward Hock, Unit Manager Governance, Risk and Legal
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

- 1** *That Council note the determination made by the Local Government Remuneration Tribunal on 27 April 2023 in respect of Councillor and Mayoral fees.*
- 2** *That Council fix the annual fee to be paid to each Councillor at \$34,330 pursuant to Section 248(2) of the Local Government Act 1993.*
- 3** *That Council fix the annual fee to be paid to the Mayor at \$106,960 pursuant to Section 249(3) of the Local Government Act 1993.*
- 4** *That Council determine, pursuant to Section 249(5) of the Local Government Act 1993, that an annual fee of \$9,980 be paid to the Deputy Mayor, with that fee to be deducted from the annual fee paid to the Mayor in accordance with resolution 3 above.*
- 5** *That Council note annual fees are only payable when the Mayor and Councillors return to civic office following the Local Government Election on 14 September 2024.*

Report purpose

To recommend the fixing of annual fees to be paid to the Mayor and each Councillor, and to recommend the determination of an annual fee to be paid to the Deputy Mayor, noting that these fees are only applicable when the Mayor and Councillors return to civic office following the Local Government Election on 14 September 2024.

Executive Summary

The Local Government Remuneration Tribunal has made its [Annual Determination](#) for fees payable for 2023/24. The Tribunal found the allocation of councils into the current categories appropriate. These categories have not changed further to the extensive review undertaken as part of the 2020 review. Central Coast Council remains in the category of

3.13 Local Government Remuneration decision - Setting of fees for Mayor and Councillors (contd)

Major Strategic Area. The Tribunal determined a 3% increase in the minimum and maximum fees applicable to each category. The report recommends the annual fee amount is set to the maximum of the range.

Background

Council is required to fix the annual fee to be paid to each Councillor, and the additional annual fee that is to be paid to the Mayor under Section 248(2) and Section 249(3) of the *Local Government Act 1993* (the LG Act).

The Tribunal is required to report to the Minister for Local Government by 1 May each year as to its determination of categories of Council and the maximum and minimum amounts of fees to be paid to mayors, councillors and chairpersons and members of county councils. The Tribunal undertook an extensive review of the categories and allocation of councils into each of those categories as part of the 2020 review at which time Central Coast Council was determined to be in the category of Major Strategic Area.

The Determination was made on 27 April 2023 in accordance with the [Local Government \(General\) Regulation 2021](#) which extended the time for making of the determination to no later than 1 July 2020.

Central Coast Council is currently under administration. It is appropriate to fix the annual fee that would be paid to elected officials should Council have an elected body in office.

Categories

The Tribunal noted that a determination of categories of councils and mayoral offices has been completed following consultation with the sector as required under Section 239 of the LG Act.

The Tribunal determined to retain a categorisation model which differentiates councils primarily based on their geographic location and the other factors including population, the sphere of the council's economic influence and the degree of regional servicing.

The Tribunal has determined the creation of two new categories, being Metropolitan Major and Rural Large. Consideration was given to statistical data, the existing categories and relativities between each category. The existing Rural category did not differentiate between large and small rural councils, in population, size, and terrain. Evidence demonstrated that a number of Rural councils are large in geographic area, requiring great distances to be covered. The Tribunal also examined a range of data that it believes goes to the delivery of efficient and effective local government. Hence a new category Rural Large is created.

The Tribunal has determined the categories of general-purpose councils as follows:

3.13 Local Government Remuneration decision - Setting of fees for Mayor and Councillors (contd)

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural

Central Coast Council remains in the category of Major Strategic Area, as provided in Attachment 1 to this report. It is noted that the remuneration span for this category is the same as for a Major Regional City.

In reviewing the current model, the Tribunal sought to improve consistency of criteria. Three councils will be reclassified as a result of meeting criteria thresholds into an existing category.

Evidence reviewed established the need to differentiate between some large Metropolitan councils. Comparison data reviewed included population, operating revenue, and submissions evidence relevant to Section 239 of the LG Act. This examination further exposed the gap between Metropolitan Large and Major CBD categories, thus resulting in the Tribunal establishing a new category to bridge the gap. The new category is Metropolitan Major with a population criteria threshold of 400,000 (including non-resident). Accordingly, the Tribunal has identified a number of councils that will be recategorized into these new categories.

Given relativities in population threshold criteria, the Tribunal has adjusted the population criteria for Regional Strategic Area from 200,000 down to 100,000. As a result, three councils will be reclassified as Regional Strategic.

Fees

The Tribunal determined a 3% increase in the minimum and maximum fees applicable to each category.

Submissions that addressed fees sought an increase of 2.5% or greater. These submissions raised similar issues to warrant an increase which included the significant workload, responsibilities, capabilities, duties and expanding nature of mayor and councillor roles. Some submissions also suggested that an increase in remuneration may assist in improving the diversity of potential candidates.

Council must fix those annual fees in accordance with the determination made by the NSW Local Government Remuneration Tribunal, which was that the annual fee to be paid to each Councillor was to be between \$19,760 and \$34,330, and the annual fee to be paid to the Mayor was between \$41,960 and \$106,960 as provided in Attachment 1 to this report.

3.13 Local Government Remuneration decision - Setting of fees for Mayor and Councillors (contd)

Section 249 of the LG Act provides that Council may also determine that an annual fee be paid to the Deputy Mayor, with any annual fee to be paid to the Deputy Mayor to be deducted from the Mayor's annual fee. Council is under no obligation to determine that a fee be paid to the Deputy Mayor – it is entirely discretionary.

Annual fees paid to the Mayor, Deputy Mayor and Councillors are payable monthly in arrears for each month or part thereof that Councillor holds office, from the date of the declaration of the election poll as per Section 250 of the LG Act.

In accordance with Section 438M(7) of the LG Act, while Council is in administration, the Administrator is to be paid a salary from the Council's funds determined by the Minister. Therefore, no annual fees or other remuneration under the Local Government Remuneration Tribunal's *Annual Determination 2023* is to be paid.

Deputy Mayor

Council may elect to have a Deputy Mayor in accordance with Section 231 of the LG Act.

Central Coast Council has determined to have a Deputy Mayor and as such it is considered appropriate that there be remuneration for the performance of this role. However, it is not a requirement under the LG Act, and does not apply during the current period of administration.

Consultation

The Local Government Remuneration Tribunal consults with the sector prior to making its determination. Central Coast Council did not make any submissions to the Tribunal for the 2023 review.

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.

Funding for Mayoral and Councillors' Fees will be included in the Budget for the 2024/2025 financial year.

Below is a summary of the increase as provided by the Tribunal Determination:

3.13 Local Government Remuneration decision - Setting of fees for Mayor and Councillors (contd)

Category		Councillor Annual Fee (\$ effective 1 July 2021)		Mayor Additional Fee*(\$ effective 1 July 2021)	
		Minimum	Maximum	Minimum	Maximum
General Purpose Councils – Non-Metropolitan	Major Strategic Area	19,760	34,330	41,960	106,960

The overall all cost impact at the maximum amount (recommended option) will be:
 \$34,330.00 x 15 Councillors = \$514,950.00
 Plus \$106,960 Mayoral fee = **\$621,910.00**

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G2: Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making.

Risk Management

Council is required to fix the annual fee to be paid to each Councillor, and the additional annual fee that is to be paid to the Mayor under Section 248(2) and Section 249(3) of the LG Act.

Not fixing a fee will mean that Council could be in breach of these provisions.

Options

- 1 No change. Council may resolve not to apply the 3 per cent increase. The fees currently paid are in accordance with the Tribunal determination. Not recommended.
- 2 Apply maximum increase in accordance with the determination. **This is the recommended option.**
- 3 Determine a reduction in fees payable in accordance with the determination. Council may resolve to apply the minimum fee payable under the Tribunal's determination. Not recommended.

3.13 Local Government Remuneration decision - Setting of fees for Mayor and Councillors (contd)

Critical Dates or Timeframes

The fees for Councillors and Mayors as per Section 241 of the LG Act are effective from 1 July 2023. Fees would not be paid as Council is under administration.

Attachments

1	Local Government Remuneration Tribunal Annual Determination 2023 - 27 April 2023	Provided Under Separate Cover	D15681599
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Item No: 3.14
Title: Pecuniary Interest Disclosure Returns - Recently Appointed Designated Persons
Department: Corporate Services

27 June 2023 Ordinary Council Meeting

Reference: F2022/01293 - D15699546
Author: Alysha Croussos, Senior Governance Officer, Governance
Manager: Teresa Chadwick, Section Manager Governance
Edward Hock, Unit Manager Governance Risk and Legal
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

That Council receive the report on Pecuniary Interest Disclosure Returns – Recently Appointed Designated Persons.

Report purpose

To meet Council's Code of Conduct requirements for Pecuniary Interest Disclosure Returns for Council officers who have commenced with Council and who are deemed to be Designated Persons.

Executive Summary

Council's Code of Conduct, at clauses 4.8 to 4.27, requires each Designated Person to lodge a Pecuniary Interest Disclosure Return (as specified in Schedule 2 of Council's Code of Conduct) with the Chief Executive Officer:

1. Annually
2. Within three months of joining Council; or
3. When becoming aware of a change in circumstances of "a designated person's interest as specified in Schedule 1 of Council's Code of Conduct."

One new person had joined Council in a Designated Role and this Return is tabled at this meeting.

Background

One new Council official has commenced with Council in a role that is deemed to be a Designated Person. This position is:

1. Unit Manager Strategic Planning.

3.14 Pecuniary Interest Disclosure Returns - Recently Appointed Designated Persons (contd)

Current Status

Council's Code of Conduct requires each Designated Person to lodge a Pecuniary Interest Disclosure Return with the Chief Executive Officer (CEO) within three months of joining Council.

The *Government Information (Public Access) Act 2009* (GIPA Act) defines Pecuniary Interest Disclosure Returns as open access information. Section 6 of the GIPA Act provides for the mandatory proactive release of open access information. The GIPA Act further provides that open access information must be made publicly available free of charge on Council's website.

The NSW Information and Privacy Commission's *Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interests of Councillors and designated persons* states at 3.10:

3.10 *Section 6(4) of the GIPA Act requires agencies 'must facilitate public access to open access information contained in a record by deleting matter from a copy of the record if disclosure of the matter would otherwise be prevented due to an overriding public interest against disclosure and it is practicable to delete the matter.'*

As such, the residential address and signature (information which is classified as personal information) has been redacted from each published Return on Council's website. Any requests for further redactions to a Return have been assessed under the *Local Government Act 1993* and the GIPA Act.

Council's Code of Conduct requires that Returns lodged with the CEO need to be tabled at the first Council meeting after the last day the Return is required to be lodged.

As such, the Return is tabled at this Council meeting.

The unredacted Return will subsequently be available for view only inspection by application as per Council's current practice. The redacted published Return will soon be available to view at this [link](#) on Council's website.

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.

3.14 Pecuniary Interest Disclosure Returns - Recently Appointed Designated Persons (contd)

There are no material financial implications associated with this report.


Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G2: Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making.

Attachments

- | | | | |
|---|---|----------------|-----------|
| 1 | Disclosure of Interest Return - Shannon Turkington - | Provided Under | D15714520 |
|  | Newly Appointed Designated Person - Unit Manager Strategic Planning | Separate Cover | |