



Central Coast Council  
Business Paper  
Ordinary Council Meeting  
**31 October 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.



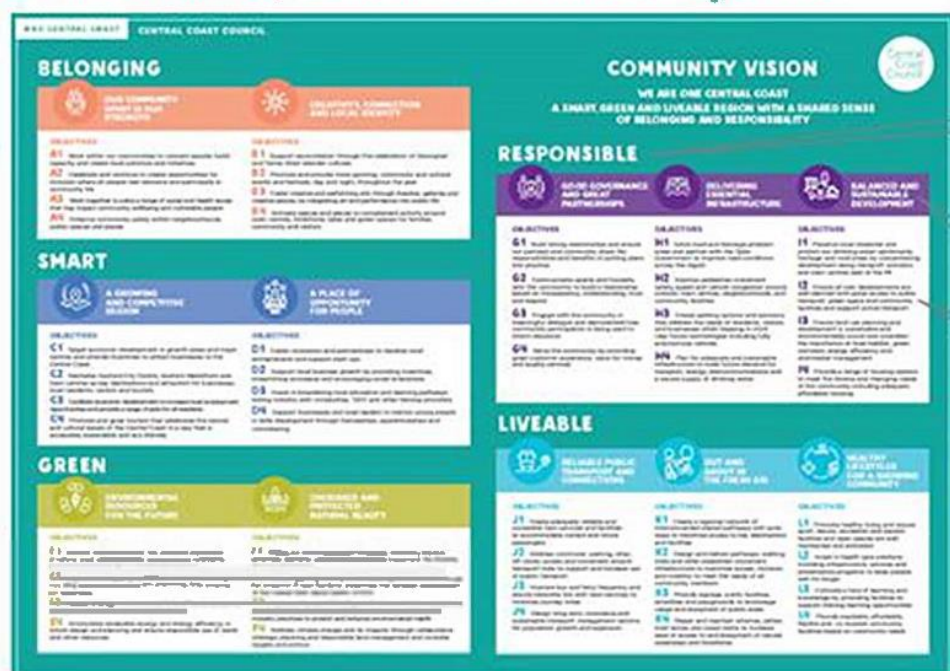
**Good governance and great partnerships**

**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.



Theme

Focus Area

Objective

# Meeting Notice

**The Ordinary Council Meeting  
of Central Coast Council  
will be held at Central Coast Council Chambers,  
2 Hely Street, Wyong  
on Tuesday 31 October 2023 at 6.30pm,  
for the transaction of the business listed below:**

**The Public Forum will commence at 6.00pm, 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](http://www.centralcoast.nsw.gov.au/council/meetings-and-minutes/council-meetings)

## **1 Procedural Items**

1.1	Disclosures of Interest.....	5
1.2	Confirmation of Minutes of Previous Meeting.....	7
1.3	Notice of Intention to Deal with Matters in Confidential Session.....	8

## **2 Reports**

2.1	Monthly Finance Report September 2023 .....	10
2.2	Investment Report for September 2023 .....	21
2.3	Presentation of 2022-2023 Financial Reports and related Auditor's Reports for Central Coast Council and Central Coast Council Water Supply Authority .....	28
2.4	Hardship and Debt Recovery Policy .....	29
2.5	Central Coast Conservation Fund Policy.....	33
2.6	Acquisition of Land for a Public Purpose - 235 Scenic Drive, Colongra.....	38
2.7	Acquisition of Land at 71 and 93 Brieses Road, Peats Ridge.....	45
2.8	Partial Road Closure to Facilitate Realignment of Road Reserve – Little Jilliby Road, Little Jilliby.....	49
2.9	Council Services - Union Picnic Day 1 December 2023 and Christmas 2023 - New Year 2024 Closure.....	54
2.10	Proposed Council Meeting Dates 2024.....	61
2.11	Recommendation from the 21 September 2023 Protection of the Environment Trust Committee (POET).....	66
2.12	Recommendations from the Coastal Open Space System Committee regarding Council's revised draft Dogs in Open Space Action Plan.....	69
2.13	Community Development Grants Program - 2023-2024.....	72
2.14	Community Support Grant Program - August 2023.....	79
2.15	Community Events and Place Activation Grant Program -2023-2024.....	84
2.16	Variations to Development Standards - July to September 2023 .....	91
2.17	Submission to Inquiry into the Performance of the Regional Investment Activation Fund and Regional Job Creation Fund.....	93

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2.18	Submission to Inquiry into the Impacts of Climate Change on the Environment and Communities .....	96
2.19	Disclosure of Interests Returns for the Period 1 July 2022 to 30 June 2023 .....	97

David Farmer

**Chief Executive Officer**

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

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31 October 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15555899  
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.

Nil

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

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31 October 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15555911



### **Recommendation**

***That Council confirms the minutes of the Ordinary Meeting of Council held on 26 September 2023.***

### **Summary**

Confirmation of minutes of the Ordinary Meeting of Council held on 26 September 2023.

### **Attachments**

<b>1</b>	MINUTES- Council Meeting - 26 September 2023	Provided Under Separate Cover	D15870482
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**Item No:** 1.3  
**Title:** Notice of Intention to Deal with Matters in Confidential Session  
**Department:** Corporate Services

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31 October 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15555906

### **Recommendation**

***That Council notes 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,*



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

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

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

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

#### **Attachments**

Nil



**Item No:** 2.1  
**Title:** Monthly Finance Report September 2023  
**Department:** Corporate Services

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31 October 2023 Ordinary Council Meeting

Reference: F2020/03205 - D15846745  
Author: Leslie Chan, Team Leader Financial Accounting  
Michelle Best, Section Manager Financial Accounting and Assets  
Manager: Emma Galea, Chief Financial Officer  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

### ***That Council:***

- 1 Receives the report Monthly Financial Reports – September 2023.***
- 2 Approves the movement of funds into the Emergency Loan Repayment Restriction over the period until the loan is due to be refinanced in December 2023 at a rate that will enable the extinguishment of the loan.***

## **Report purpose**

To present to Council the monthly financial report for September 2023.

The content of the monthly financial reports is currently under review with the aim to provide reports that capture overall organisational performance, and to measure performance against the relevant mandated benchmarks.

## **Executive Summary**

This report presents the September 2023 monthly financial report.

For 2023/2024 FY Council has budgeted an operating surplus before capital income of \$2.8M. The budgeted net operating position will fluctuate throughout the financial year, reflecting income and expenditure timing.

As at 30 September 2023, on a consolidated basis, Council has an operating surplus of \$8.5M against a budgeted operating deficit of (\$3.7M).

The financial results included in this report are subject to change due to adjustments that may be requested as part of the audit by the NSW Audit Office of the 2022/2023 FY Annual Financial Statements.

**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.

**Consultation**

The preparation of the September 2023 monthly financial report included consultation with business units across Council to ensure all revenue and expenditure attributable to the 2023/2024 FY is captured.

**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.

**Consolidated Operating Statement**

As at 30 September 2023, Council has a consolidated net operating surplus of \$8.5M, before capital income, which is favourable to budget by \$12.1M and a net operating surplus including capital income of \$24.8M which is favourable to budget by \$26.9M.

<div>Consolidated Operating Statement</div> <div>September 2023</div> <div>Central Coast Council</div>										
	CURRENT MONTH			YEAR TO DATE				FULL YEAR		
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>										
Rates and Annual Charges	35,694	35,751	(57)	101,964	101,903	62	94,240	389,283	421,456	421,456
User Charges and Fees	15,371	14,718	653	40,126	39,848	278	37,441	164,977	163,782	163,782
Other Revenue	1,020	1,080	(60)	4,268	3,060	1,208	4,004	21,086	13,683	13,683
Interest	3,362	1,801	1,560	8,810	5,346	3,464	3,794	23,888	15,244	15,244
Grants and Contributions	1,023	1,821	(798)	4,003	3,585	418	5,440	56,621	49,880	49,880
Gain on Disposal	-	-	-	(13)	-	(13)	1,034	7,785	-	-
Other Income	842	858	(16)	2,886	2,341	545	2,383	9,754	8,775	8,775
Internal Revenue	4,429	4,781	(352)	13,982	15,030	(1,048)	15,363	61,923	60,701	60,701
<b>Total Income attributable to Operations</b>	<b>61,742</b>	<b>60,812</b>	<b>930</b>	<b>176,026</b>	<b>170,913</b>	<b>5,113</b>	<b>163,700</b>	<b>735,318</b>	<b>733,521</b>	<b>733,521</b>
<b>Operating Expenses</b>										
Employee Costs	14,575	14,780	205	44,715	44,597	(118)	41,307	184,873	195,069	195,069
Borrowing Costs	719	951	232	2,417	2,291	(126)	2,671	13,073	13,746	13,746
Materials and Services	16,586	19,465	2,879	50,603	57,444	6,840	47,156	216,095	237,509	237,783
Depreciation and Amortisation	15,471	15,471	-	46,441	46,441	-	36,369	176,598	192,226	192,226
Other Expenses	4,775	4,767	(9)	11,081	10,989	(93)	11,984	44,044	44,523	44,523
Loss on Disposal	-	-	-	-	-	-	-	22,060	-	-
Internal Expenses	3,699	4,097	398	12,307	12,824	517	13,223	50,087	47,634	47,634
Overheads	0	0	-	(0)	(0)	-	-	(0)	(0)	(0)
<b>Total Expenses attributable to Operations</b>	<b>55,825</b>	<b>59,530</b>	<b>3,705</b>	<b>167,565</b>	<b>174,585</b>	<b>7,020</b>	<b>152,711</b>	<b>706,831</b>	<b>730,708</b>	<b>730,982</b>
<b>Operating Result after Overheads and before Capital Amounts</b>	<b>5,917</b>	<b>1,282</b>	<b>4,635</b>	<b>8,461</b>	<b>(3,672)</b>	<b>12,133</b>	<b>10,988</b>	<b>26,487</b>	<b>2,813</b>	<b>2,539</b>
Capital Grants	2,142	-	2,142	7,534	-	7,534	9,055	48,684	59,854	59,854
Capital Contributions	876	545	331	8,825	1,634	7,191	3,973	69,368	17,500	17,500
<b>Grants and Contributions Capital Received</b>	<b>3,018</b>	<b>545</b>	<b>2,473</b>	<b>16,358</b>	<b>1,634</b>	<b>14,725</b>	<b>13,027</b>	<b>118,051</b>	<b>77,354</b>	<b>77,354</b>
<b>Net Operating Result</b>	<b>8,934</b>	<b>1,826</b>	<b>7,108</b>	<b>24,820</b>	<b>(2,038)</b>	<b>26,858</b>	<b>24,016</b>	<b>146,538</b>	<b>80,167</b>	<b>79,893</b>

An overview of consolidated financial performance against budget, and variance analysis is as follows:

### Operating Revenue – \$5.1M favourable to budget

- **Rates and Annual Charges < +\$0.1M**  
On track with no material variation to budget.
- **User charges and fees +\$0.4M**
  - User charges
    - (\$0.5M) unfavourable variance in water supply user charges.
    - (\$0.5M) unfavourable variance in trade waste user charges.
  - Fees
    - \$0.7M favourable variance from statutory and regulatory function fees.
    - \$0.3M favourable variance in CCB Childcare Fee Relief
    - \$0.3M favourable variance in Pool Fees
    - \$0.1M favourable variance in Ground Fees
- **Other revenue +\$1.2M**
  - \$1.6M favourable variance in unrealised gain on investments, floating rate notes and bonds. Net unrealised gain of \$1.2M September YTD.
  - (\$0.4M) unfavourable variance in event/ticketing income

- **Interest +\$3.5M**  
Favourable variance predominantly from an increased interest rate environment, hence receiving more interest on investments than budgeted.
- **Grants and contributions +\$0.4M**  
Favourable, timing only difference relating to:
  - \$0.3M additional Financial Assistance Grant instalment that was unbudgeted for this period.
  - \$0.1M in other operating grants relating to Bushfire and Emergency Services.
- **Gain on Disposal < (\$0.1M)**  
YTD is on track with no material variation to budget.
- **Other Income +\$0.5M**
  - \$0.3M favourable variance in Community Facilities rental income.
  - \$0.1M favourable variance in Commercial rental income.
  - \$0.1M favourable variance in recovery of outgoings from rental properties.

The above variances are mainly timing differences.

- **Internal revenue (\$1.0M)**
  - (\$1.5M) unfavourable variance in external plant hire.
  - (\$0.5M) unfavourable variance in plant and fleet permanent hire.
  - (\$0.2M) unfavourable variance in internal water usage charges.
  - \$1.1M favourable variance in internal tipping fees.

### **Operating Expenses – \$7.0M favourable to budget**

- **Employee costs (\$0.1M)**  
Overall employee costs and associated expense is on track (within 0.3% of budget). Underspend in salaries and wages is offset by the movement in leave provisions being higher than estimated for the period.
- **Borrowing costs (\$0.1M)**  
On track with no material variation to budget.
- **Materials and services +\$6.8M**
  - \$2.7M favourable variance in contract, labour hire and consultant costs.
  - \$2.0M favourable variance in materials purchased.
  - \$0.4M favourable variance in training costs.
  - \$0.3M favourable variance in garbage collection.

- \$0.3M favourable variance in software and other licenses and software expenses.
- \$0.2M favourable variance in Bank and EFTPOS charges.
- \$0.2M favourable variance in external plant hire costs.
- \$0.2M favourable variance in postage and printing costs.
- \$0.2M favourable variance in mobile telecommunication costs.
- \$0.2M favourable variance in Contracts - Green Waste Processing.
- \$0.2M favourable variance in legal fees.

Some of these variances are timing differences only.

- *Depreciation*  
On track with no variation to budget.
- *Other expenses (\$0.1M)*  
On track with no material variation to budget.
- *Loss on Disposal*  
YTD is on track with no variation to budget.
- *Internal expenses +0.5M*
  - \$0.5M favourable variance in Plant and Fleet permanent hire costs.

#### **Capital Items – \$14.7M favourable to budget**

- *Capital Grants +\$7.5M*  
Favourable, timing only difference relating to:
  - Water and Sewer projects \$4.0M
  - RMS related capital projects \$2.0M
  - Library projects \$1.1M
  - Community centres projects \$0.3M
  - Other capital grants \$0.2M
- *Capital Contributions +\$7.1M*  
Timing only difference relating to:
  - \$2.7M favourable variance in developer contributions in Open Space Works.
  - \$1.7M favourable variance in non-cash contributions.
  - \$1.1M favourable variance in developer contributions in GCIP.
  - \$0.6M favourable variance in developer contributions in Roads Works.

## 2.1

## Monthly Finance Report September 2023 (contd)

- \$0.5M favourable variance in developer contributions in Community Facilities Works.
- \$0.5M favourable variance in other s7.12 developer contributions.

### Financial Performance by Fund

The following Tables summarise the financial performance for the reporting period by Fund.

<div> <div>Total General (+ Drainage &amp; Waste) Fund</div> <div>Operating Statement</div> <div>September 2023</div> <div>Central Coast Council</div> </div>										
	CURRENT MONTH			YEAR TO DATE				FULL YEAR		
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>										
Rates and Annual Charges	26,298	25,990	309	75,899	75,555	344	72,846	302,073	312,872	312,872
User Charges and Fees	7,479	6,580	899	18,262	17,027	1,234	17,252	79,306	72,227	72,227
Other Revenue	1,020	1,080	(60)	3,906	3,060	847	3,658	19,957	13,683	13,683
Interest	2,572	1,564	1,008	6,728	4,634	2,094	2,940	18,149	12,336	12,336
Grants and Contributions	1,005	1,821	(816)	3,919	3,585	333	5,431	56,253	49,880	49,880
Gain on Disposal	-	-	-	(13)	-	(13)	1,034	7,785	-	-
Other Income	842	858	(16)	2,886	2,341	545	2,383	9,752	8,763	8,763
Internal Revenue	4,103	4,582	(479)	13,588	14,430	(842)	14,987	59,248	58,030	58,030
<b>Total Income attributable to Operations</b>	<b>43,319</b>	<b>42,475</b>	<b>844</b>	<b>125,175</b>	<b>120,632</b>	<b>4,542</b>	<b>120,531</b>	<b>552,521</b>	<b>527,792</b>	<b>527,792</b>
<b>Operating Expenses</b>										
Employee Costs	12,035	12,163	128	36,993	36,647	(346)	35,297	156,491	163,347	163,347
Borrowing Costs	202	351	149	579	492	(87)	655	5,280	5,358	5,358
Materials and Services	13,835	16,007	2,172	41,361	48,143	6,782	39,184	181,380	190,650	190,924
Depreciation and Amortisation	9,080	9,080	-	27,267	27,267	-	21,471	104,422	113,759	113,759
Other Expenses	4,684	4,767	83	10,990	10,989	(1)	11,754	43,291	44,523	44,523
Loss on Disposal	-	-	-	-	-	-	-	19,882	-	-
Internal Expenses	2,676	3,056	380	8,892	9,597	705	10,365	37,851	35,857	35,857
Overheads	(2,067)	(2,067)	-	(6,200)	(6,200)	-	-	(20,067)	(24,801)	(24,801)
<b>Total Expenses attributable to Operations</b>	<b>40,444</b>	<b>43,357</b>	<b>2,913</b>	<b>119,883</b>	<b>126,935</b>	<b>7,052</b>	<b>118,725</b>	<b>528,529</b>	<b>528,692</b>	<b>528,966</b>
<b>Operating Result after Overheads and before Capital Amounts</b>	<b>2,875</b>	<b>(882)</b>	<b>3,757</b>	<b>5,292</b>	<b>(6,302)</b>	<b>11,594</b>	<b>1,806</b>	<b>23,992</b>	<b>(900)</b>	<b>(1,174)</b>
	-	-	-	-	-	-	-	-	-	-
Capital Grants	47	-	47	3,510	-	3,510	5,393	30,264	35,318	35,318
Capital Contributions	625	-	625	6,838	-	6,838	2,282	60,874	10,964	10,964
<b>Grants and Contributions Capital Received</b>	<b>672</b>	<b>-</b>	<b>672</b>	<b>10,348</b>	<b>-</b>	<b>10,348</b>	<b>7,675</b>	<b>91,138</b>	<b>46,282</b>	<b>46,282</b>
<b>Net Operating Result</b>	<b>3,547</b>	<b>(882)</b>	<b>4,428</b>	<b>15,640</b>	<b>(6,302)</b>	<b>21,942</b>	<b>9,481</b>	<b>115,130</b>	<b>45,381</b>	<b>45,108</b>



## Total Water & Sewer Fund Operating Statement



September 2023

	CURRENT MONTH			YEAR TO DATE				FULL YEAR		
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD	Last Year Actual	Original Budget	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>										
Rates and Annual Charges	9,396	9,761	(366)	26,066	26,348	(282)	21,395	87,209	108,584	108,584
User Charges and Fees	7,892	8,139	(246)	21,864	22,621	(757)	20,189	85,672	91,555	91,555
Other Revenue	-	-	-	361	-	361	346	1,190	-	-
Interest	790	237	553	2,082	712	1,370	854	5,739	2,908	2,908
Grants and Contributions	18	-	18	84	-	84	10	368	-	-
Gain on Disposal	-	-	-	-	-	-	-	-	-	-
Other Income	-	-	-	-	-	-	-	2	12	12
Internal Revenue	326	199	127	394	600	(206)	376	2,676	2,671	2,671
<b>Total Income attributable to Operations</b>	<b>18,422</b>	<b>18,337</b>	<b>86</b>	<b>50,851</b>	<b>50,280</b>	<b>571</b>	<b>43,169</b>	<b>182,796</b>	<b>205,729</b>	<b>205,729</b>
<b>Operating Expenses</b>										
Employee Costs	2,540	2,616	76	7,721	7,949	228	6,010	28,383	31,722	31,722
Borrowing Costs	517	600	83	1,838	1,799	(39)	2,016	7,794	8,389	8,389
Materials and Services	2,751	3,458	707	9,242	9,300	58	7,973	34,716	46,859	46,859
Depreciation and Amortisation	6,391	6,391	-	19,174	19,174	-	14,898	72,177	78,468	78,468
Other Expenses	92	-	(92)	92	-	(92)	230	752	-	-
Loss on Disposal	-	-	-	-	-	-	-	2,178	-	-
Internal Expenses	1,023	1,041	18	3,415	3,227	(188)	2,858	12,236	11,777	11,777
Overheads	2,067	2,067	-	6,200	6,200	-	-	20,067	24,801	24,801
<b>Total Expenses attributable to Operations</b>	<b>15,381</b>	<b>16,173</b>	<b>793</b>	<b>47,682</b>	<b>47,650</b>	<b>(32)</b>	<b>33,986</b>	<b>178,301</b>	<b>202,015</b>	<b>202,015</b>
<b>Operating Result after Overheads and before Capital Amounts</b>	<b>3,042</b>	<b>2,163</b>	<b>878</b>	<b>3,169</b>	<b>2,630</b>	<b>539</b>	<b>9,183</b>	<b>4,495</b>	<b>3,713</b>	<b>3,713</b>
	-	-	-	-	-	-	-	-	-	-
Capital Grants	2,095	-	2,095	4,024	-	4,024	3,661	18,420	24,537	24,537
Capital Contributions	251	545	(294)	1,986	1,634	353	1,691	8,494	6,536	6,536
<b>Grants and Contributions Capital Received</b>	<b>2,346</b>	<b>545</b>	<b>1,801</b>	<b>6,010</b>	<b>1,634</b>	<b>4,376</b>	<b>5,352</b>	<b>26,913</b>	<b>31,072</b>	<b>31,072</b>
<b>Net Operating Result</b>	<b>5,387</b>	<b>2,708</b>	<b>2,679</b>	<b>9,180</b>	<b>4,264</b>	<b>4,915</b>	<b>14,535</b>	<b>31,409</b>	<b>34,786</b>	<b>34,786</b>

### Financial Performance Benchmarks

Below is a summary of Council's performance, by Fund, against main financial performance benchmarks set by the Office of Local Government and compared to Council benchmarks set out in the current adopted Financial Strategy. The Financial Strategy is currently under review, and the Council set benchmarks may be revised to align with mandated benchmarks and taking into consideration Council's current and projected performance.

<i>Financial Performance Ratio</i>	<i>Fund</i>	<i>Benchmark Ratio (Office of Local Government)</i>	<i>Benchmark Ratio (Council current Financial Strategy)</i>	<i>Actual Ratio as at September 2023</i>
Operating Performance Ratio	Consolidated	>0%	1% - 8%	<b>4.5%</b>
Unrestricted Current Ratio	Consolidated	>1.5x	>1.5x	<b>1.9x</b>
Unrestricted Cash Position	Consolidated	N/A	3% – 10%	<b>30.7%</b>
	General & Drainage			<b>16.4%</b>
	Water			<b>(2.1%)</b>
	Sewer			<b>124.1%</b>
	Domestic Waste			<b>26.6%</b>

As at the end of the September 2023, on a consolidated basis, Council exceeded the mandated benchmark for the operating result, achieving 4.5%, which is within the parameters set in Council's current Financial Strategy.

Council has also performed favourably against the unrestricted current ratio, achieving 1.9% against a benchmark of >1.5%. This ratio considers all assets and liabilities, including cash.

Council maintained positive performance regarding unrestricted cash, exceeding target for all but the Water Fund.

### Cash and Investments

Details on cash and investments as at September 2023 is included in the Monthly Investment Report September 2023, included as a separate report in this business paper.

### Restricted Funds

A summary of restricted and unrestricted funds is 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	221,818	35,776	257,594	16,001	29,783	104,437
Internal Restricted Funds	160,998	68	161,066	974	935	45
<b>Total Restricted Funds</b>	<b>382,816</b>	<b>35,844</b>	<b>418,660</b>	<b>16,975</b>	<b>30,718</b>	<b>104,482</b>
Unrestricted Funds	100,138	(35,845)	64,293	(2,142)	123,600	20,698
<b>Total funds by Fund</b>	<b>482,954</b>	<b>(1)</b>	<b>482,953</b>	<b>14,833</b>	<b>154,318</b>	<b>125,182</b>

Details on Council's external and internal restriction balances as at September 2023 is included in the Monthly Investment Report September 2023, included as a separate report in this business paper.

### Emergency Loans

In accordance with Council's resolution at its November 2022 Council meeting, an internal restriction was created to set aside funds to make an early loan repayment against the \$100M emergency loan which is due for refinancing in December 2023.

An amount of \$4M was transferred each month following the resolution. At its meeting on 25 June 2023 Council resolved to transfer an additional \$11.0M to the restriction.

In the first three months of the 2023/24 FY, based on the available total cash and liquidity requirements, there was capacity to continue to restrict \$4M a month continuing from the previous financial year. As at September 2023, the Emergency Loan Repayment restriction has a balance of \$55.0M.

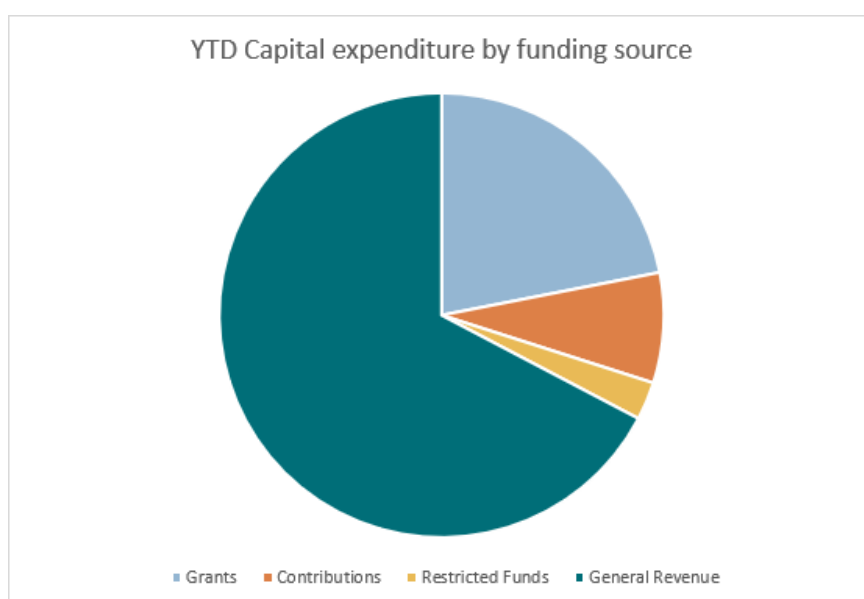
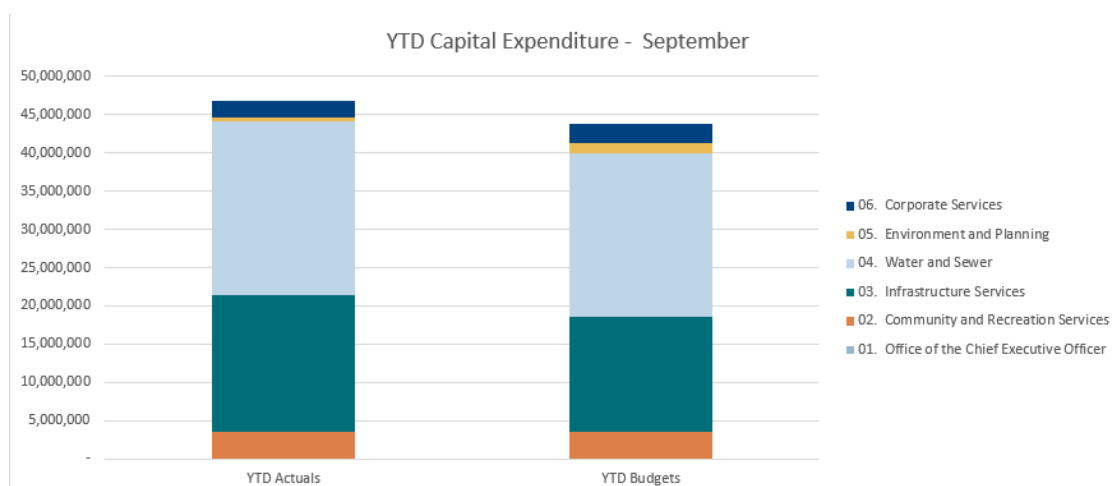
Council's operating surplus for the 2022/23 FY has a direct positive impact on Council's unrestricted cash. The current level of unrestricted cash is surplus to immediate operating requirements and consideration could be given to restricting further funds to the Emergency Loan Repayment Restriction to enable the extinguishing of the full amount due to be refinanced in December 2023.

## 2.1 Monthly Finance Report September 2023 (contd)

### Capital Works

As at 30 September 2023 capital expenditure is \$46.9M against a YTD budget of \$43.8M for the same period, and a 2023/2024 FY budget of \$203.0M.

Department	YTD Actuals	YTD Budgets	YTD Variance	Full Year Approved Budget
01. Office of the Chief Executive Officer	-	-	-	-
02. Community and Recreation Services	3,574,398	3,546,300	(28,098)	24,487,240
03. Infrastructure Services	17,780,346	15,044,222	(2,736,124)	65,646,731
04. Water and Sewer	22,772,746	21,414,876	(1,357,870)	84,155,136
05. Environment and Planning	525,098	1,314,449	789,351	10,490,536
06. Corporate Services	2,247,105	2,486,000	238,895	18,236,000
<b>Total</b>	<b>46,899,693</b>	<b>43,805,847</b>	<b>(3,093,846)</b>	<b>203,015,643</b>



**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**

Nil

**Item No:** 2.2  
**Title:** Investment Report for September 2023  
**Department:** Corporate Services

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31 October 2023 Ordinary Council Meeting

Reference: F2004/06604 - D15899802  
Author: Devini Susindran, Regulatory Reporting Senior Accountant  
Leslie Chan, Team Leader Financial Accounting  
Manager: Emma Galea, Chief Financial Officer  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

### ***That Council:***

- 1 Notes the Investment Report for September 2023.**
- 2 Notes that internally restricted funds are unrestricted funds that have been internally allocated to a certain purpose.**
- 3 Allocates the required unrestricted funds available in the General Fund to meet its September 2023 unrestricted funds deficit of \$35.85M in the Drainage Fund and \$2.14 in the Water Fund as set out in this report.**

## **Report purpose**

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

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

## Executive Summary

This report details Council's investments as at 30 September 2023.

## Background

Council's investments are made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005, Council's adopted Investment Policy, 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 \$777.28M as at 30 September 2023. A summary of investments as at 30 September 2023 is attached as Attachment 1 to this report.

**Table 1 - Council's Cash and Investment Portfolio by Type**

Type	Value (\$'000)
Investment Portfolio	745,827
Transactional accounts and cash in hand	31,457
<b>Total</b>	<b>777,284</b>

During September, Council's total cash and investments increased by \$4.71M from \$772.57M to \$777.28M. 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.

**Table 2 – Council's Portfolio by Fund**

Council's Portfolio is held in separate funds by purpose and is 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	221,818	35,776	257,594	16,001	29,783	104,437
Internal Restricted Funds	160,998	68	161,066	974	935	45



## 2.2 Investment Report for September 2023 (contd)

<b>Total Restricted Funds</b>	<b>382,816</b>	<b>35,844</b>	<b>418,660</b>	<b>16,975</b>	<b>30,718</b>	<b>104,482</b>
Unrestricted Funds	100,138	(35,845)	64,293	(2,142)	123,600	20,698
<b>Total funds by Fund</b>	<b>482,954</b>	<b>(1)</b>	<b>482,953</b>	<b>14,833</b>	<b>154,318</b>	<b>125,180</b>

*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.*

Detailed restrictions have been provided in Attachment 2. The unrestricted funds balances above, across the five Funds will increase and decrease during each financial year as revenues are received and expenditures occur. As the 2022/23 audit by the NSW Audit Office was still in progress at the time of preparing this report, the reported restricted funds may be subject to audit adjustments impacting on the opening balance of the restrictions.

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 \$35.85M. From 2026/2027 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 \$35.85M in the Drainage Fund is proposed to be funded through the General Fund's available unrestricted cash balance as at 30 September 2023 of \$100.14M.

Whilst on a Fund basis the Water Fund has a negative unrestricted cash balance of \$2.14M, overall, the Water Supply Authority (Water and Sewer Funds) has a positive unrestricted cash balance of \$121.5M.

### 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 30 September 2023 is outlined in Table 3 below. Total net return on the portfolio for Council in September 2023, comprising entirely of interest earned, was \$3.15M.

**Table 3 – Portfolio Movement (Investments only)**

Description	2022-23 Financial Year \$'000	Jul-23 2023-24 \$'000	Aug-23 2023-24 \$'000	Sep-23 2023-24 \$'000	FYTD 2023-24 \$'000
<b>Opening Balance</b>	<b>628,005</b>	<b>707,301</b>	<b>688,245</b>	<b>700,619</b>	<b>707,301</b>
Movement in cash at call, additions and disposals	76,828	(19,944)	11,658	45,403	<b>37,117</b>
Movement in Market Value	2,468	888	716	(195)	<b>1,409</b>
<b>Closing Balance</b>	<b>707,301</b>	<b>688,245</b>	<b>700,619</b>	<b>745,827</b>	<b>745,827</b>
Interest earnings	22,168	2,465	2,733	3,148	<b>8,346</b>

The market value of Council's investment portfolio as at 30 September 2023 is \$745.83M.

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
<b>At Call</b>	2.24%	Immediate	16,686
<b>Investments</b>			
0 - 3 months	15.53%	Dec-2023	115,802
4 - 6 months	10.26%	Mar-2024	76,490
7 - 12 months	15.61%	Sep-2024	116,452
1 - 2 years	13.79%	Sep-2025	102,835
2 - 3 years	29.43%	Sep-2026	219,528
3 - 4 years	10.59%	Sep-2027	78,983
4 - 5 years	2.55%	Sep-2028	19,051
<b>Total Investments</b>	<b>97.76%</b>		<b>729,141</b>
<b>Total Portfolio</b>	<b>100.00%</b>		<b>745,827</b>
<b>Interest Accrued to September 2023 (Excluding Interest on call accounts)</b>			6,224
<b>Market Value of Investment per Portfolio Valuation Report (Attachment 5)</b>			<b>752,051</b>

The investment portfolio is concentrated in AA (16.74%), A (41.00%), and BBB (42.26%).

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 30 September 2023.

The current spread of investments and counterparty exposure for September 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 2.81% or \$20.95M in ESG investments as at 30 September 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 4.05%. Changes in economic conditions have led to the Reserve Bank of Australia (RBA) increasing its cash rate 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 4 – Interest Rate Increases**

<b>Month</b>	<b>RBA Cash Rate</b>	<b>1 Month Bank Accepted Bills</b>
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%	4.07%
July 2023	4.10%	4.10%
August 2023	4.10%	4.05%
September 2023	4.10%	4.05%
October 2023	4.10%	Available at end of October

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 September 2023 is 4.50%. 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.

### **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 early retirement of one 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.

**Attachments**

<b>1</b>	Summary of Investments as at 30 September 2023	Provided Under Separate Cover	D15899804
<b>2</b>	Summary of Restrictions as at 30 September 2023	Provided Under Separate Cover	D15899807
<b>3</b>	Investment Report Graphs and Table for September 2023	Provided Under Separate Cover	D15899809
<b>4</b>	Trading Limit Report as at 30 September 2023	Provided Under Separate Cover	D15899810
<b>5</b>	Portfolio Valuation Report as at 30 September 2023	Provided Under Separate Cover	D15899811

**Item No:** 2.3  
**Title:** Presentation of 2022-2023 Financial Reports and related Auditor's Reports for Central Coast Council and Central Coast Council Water Supply Authority  
**Department:** Corporate Services

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31 October 2023 Ordinary Council Meeting

Reference: F2022/02183 - D15896496  
Author: Michelle Best, Section Manager Financial Accounting and Assets  
Manager: Emma Galea, Chief Financial Officer  
Executive: Marissa Racomelara, Director Corporate Services

Due notice is given of this matter in accordance with Council's Code of Meeting Practice.

The report and any relevant attachments will be provided prior to the Ordinary Meeting of 31 October 2023.

**Item No:** 2.4  
**Title:** Hardship and Debt Recovery Policy  
**Department:** Corporate Services

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31 October 2023 Ordinary Council Meeting

Reference: F2004/06604 - D15902851  
Author: Priya Pratap, Section Manager Financial Operations  
Manager: Emma Galea, Chief Financial Officer  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

### ***That Council:***

- 1 Places the draft Hardship and Debt Recovery Policy on public exhibition for a period of twenty-eight (28) days.***
- 2 Considers a further report on the outcome of the public exhibition and for adoption of the draft Hardship and Debt Recovery Policy at the completion of the public exhibition period.***

## **Report purpose**

The purpose of this report is to submit the draft 'Hardship and Debt Recovery Policy' for Council's consideration and recommends placing the Policy on public exhibition for 28 days.

## **Executive Summary**

Council adopted the 'Debt Recovery and Hardship Policy' at its meeting on 23 March 2021. A review of the adopted Policy has been undertaken and some changes are recommended to improve the effectiveness of the Policy in achieving its objectives.

The purpose of the Policy is to:

1. provide a framework to assist ratepayers and sundry debtors during periods of financial hardship.
2. provide a process for the assessment and determination of financial hardship applications.
3. ensure effective controls, policies, and procedures are in place for the collection of overdue rates, water, and charges by the Council.



The revised Policy considers the Debt Management and Hardship Guidelines issued by the Office of Local Government in 2018. Other councils' debt recovery and hardship policies were also reviewed to understand industry practices.

The proposed Policy is in line with Council's policy framework.

### **Background**

Council needs to have a framework outlining the parameters within which it can:

- assist ratepayers experiencing financial difficulties in making payments of rates, annual charges and other fees, and
- undertake efficient and effective debt recovery

The *Local Government Act 1993* and the associated Regulations, and the *Water Management Act 2000* provide the legislative boundaries that councils must follow as a minimum when establishing the framework.

The "Debt Recovery and Hardship Policy" adopted by Council on 23 March 2021, provides Council with this framework. The adopted Policy has been reviewed with the aim of improving clarity regarding the different ways Council can assist ratepayers experiencing financial difficulties.

Some changes are also recommended to improve the effectiveness of the Policy in achieving its objectives. The review has also identified scope for improvement regarding the debt recovery processes undertaken by Council, to maximise efficiency and effectiveness.

### **Current Status**

The proposed changes to the current adopted Policy are as follows:

1. The Policy format has been reviewed to align with Council's new Policy Framework.
2. A new part has been added to the Policy to address the process regarding the Delegation to Write Off General Debtors. An amount of five thousand dollars \$5,000 is proposed as the amount above which debts need Council resolution to be written off. It is proposed that Council delegates authority to the CEO or his delegate to write off amounts under \$5,000.
3. The various ways in which council provides assistance to ratepayers experiencing financial hardship are more clearly outlined.

Through the review of the current adopted Policy it has been identified that there is scope to improve current debt recovery procedures to improve the cost efficiency and effectiveness. The proposed Policy supports the implementation of a more streamlined and cost - effective

process and procedures will be updated accordingly, following Council adoption of the Policy.

### **Consultation**

It is proposed that Council place the draft Hardship and Debt Recovery Policy on public exhibition for a period of twenty-eight (28) days, and that Council consider a further report on the outcome of the public exhibition and for adoption of the Hardship and Debt Recovery Policy at the completion of the public exhibition period.

### **Financial Considerations**

There are no additional costs associated with this Policy review. The Policy, if adopted, will support a more efficient and effective debt recovery process. The various types of assistance that Council can offer to support ratepayers experiencing hardship will ensure that payments can still be made without placing undue pressure on these ratepayers.

The improved approach will also contribute to the improvement of Council's performance against the *rates and annual charges outstanding percentage* measure mandated by the Office of Local Government. For the 2022/2023 financial year Council did not meet the benchmark, noting that this measure is impacted by payment arrangements entered with Council, which result in amount being unpaid past the due date and a delayed receipt of payment.

### **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 proposed Policy will ensure that Council's approach to supporting individuals facing genuine financial hardship, and to undertaking debt recovery, follows a consistent and transparent framework.

### **Options**

## 2.4 Hardship and Debt Recovery Policy (contd)

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The proposal is for Council to adopt to place the Draft 'Hardship and Debt Recovery Policy', attached to this report, on public exhibition for a period of 28 days. Council has the option to:

1. Adopt the attached 'Hardship and Debt Recovery Policy', for public exhibition. This Policy will enable Council to receive feedback on the draft Policy. **This is the recommended option.**
2. Resolve not to endorse the proposed changes to the current adopted 'Debt Recovery and Hardship Policy', and not exhibit the Policy as reviewed. This is not recommended as the review has identified scope to make changes to improve the effectiveness of the current adopted Policy.

### Critical Dates or Timeframes

It would be prudent for Council to adopt the Draft 'Hardship and Debt Recovery Policy' for public exhibition as soon as possible to support the review of procedures implemented in line with the Policy, and to enable the progression of the procurement process for debt recovery services.

### Attachments

<b>1</b>	DRAFT Hardship and Debt Recovery Policy	Provided Under Separate	D15909881
	docx(2)	Cover	

**Item No:** 2.5  
**Title:** Central Coast Conservation Fund Policy  
**Department:** Environment and Planning

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31 October 2023 Ordinary Council Meeting

Reference: F2020/00878 - D15736132  
Author: Rochelle Lawson, Senior Ecologist, Natural Assets and Biodiversity  
Manager: Luke Sulkowski, Unit Manager Environmental Management  
Executive: Alice Howe, Director Environment and Planning

## **Recommendation**

### ***That Council:***

- 1     *Notes that public exhibition has occurred for the draft Central Coast Conservation Fund Policy.***
- 2     *Adopts the Central Coast Conservation Fund Policy (Attachment 1) and establish the Central Coast Conservation Fund.***
- 3     *Advise those who made a submission of Council's decision.***

## **Report purpose**

To seek adoption of the *Central Coast Conservation Fund Policy* following the public exhibition of the draft policy. The policy relates to the establishment and on-going management of the Central Coast Conservation Fund.

## **Executive Summary**

Council resolved on 22 November 2022 to develop a draft policy for the Central Coast Conservation Fund. The establishment of a conservation fund is identified in the *Central Coast Biodiversity Strategy* adopted by Council on 28 September 2020.

Council resolved on 23 May 2023 to endorse the draft *Central Coast Conservation Policy* for public exhibition for not less than 42 days. The public exhibition period was from 24 May 2023 to 4 July 2023.

This report has been prepared to seek a Council resolution to adopt the *Central Coast Conservation Fund Policy* and to establish the conservation fund to which it relates.

**Background**

At the ordinary Council meeting on 22 November 2022, Council resolved:

*Minute 208/22:*

- 1 *That Council note the resolution of 13 April 2021 that Council discontinue any negotiations to purchase by agreement the land known as the Davistown Wetlands.*
- 2 *That Council note the balance of the internally restricted funds held in the Davistown Wetlands Acquisition Fund was \$1,436,039 as of 21 October 2022.*
- 3 *That Council instruct staff to develop a draft policy, in consultation with the Davistown Progress Association, Coastal Open Space System Committee and the Catchment to Coast Committee, for a Central Coast Conservation Fund in accordance with Action 2.2.1 of the Central Coast Council Biodiversity Strategy adopted by Council on 28 September 2020 and that the draft policy be placed on public exhibition for not less than 28 days.*
- 4 *That following the exhibition period a report be brought back to Council on the outcomes of the community consultation, which is to include recommendations in relation to the draft Central Coast Council Conservation Fund Policy and the formal adoption of the Central Coast Conservation Fund.*
- 5 *That subject to the adoption of the Central Coast Conservation Fund, given that Council no longer seeks to acquire Davistown Wetlands, consideration be given by Council to derestricting the Davistown Wetlands Acquisition Fund and reallocating the balance of that fund along with other appropriate environmentally related funds, such as those generated from Council's participation in the NSW Government's Biodiversity Offsets Scheme, to the Central Coast Conservation Fund.*
- 6 *That expenditure of Davistown Wetlands Acquisition Fund on environmental management activities within Davistown be considered in the design of the Central Coast Conservation Fund Policy.*

Following consideration of a report on the draft *Central Coast Conservation Policy* on 23 May 2023 Council resolved:

*Minute 55/23*

*That Council*

- 1 *Endorse the draft Central Coast Conservation Fund Policy, as amended to correct typographical errors, for public exhibition for a period of not less than 42 days.*
- 2 *Note a further report will be provided following the public exhibition period.*

**Current Status**

The policy, which has been amended following feedback received from the community, is provided as an attachment to this report.

Council has resolved to discontinue any negotiations to purchase by agreement the land known as the Davistown Wetlands. The future use and application of the Davistown Wetlands Acquisition Fund will be considered in a separate subsequent report to Council and not considered at this time. Other pertinent factors, such as the finalisation of the Dogs in Open Space Action Plan, and how that plan proposes to address the conflict between dogs and the habitat of threatened species within Davistown (in particular the habitat of federally listed critically endangered species at Pippi Point), may better direct how these funds are applied.

**Report**

This report has been prepared to seek Council resolution to adopt the *Central Coast Conservation Fund Policy* and to establish the conservation fund to which it relates.

This follows consultation in the development of the draft policy and feedback received during its public exhibition. All relevant feedback has been incorporated into the post community consultation version of the *Central Coast Conservation Fund Policy* that is recommended for adoption.

**Consultation**

The public exhibition period was for 42 days from 24 May 2023 to 4 July 2023, during which time the policy was available for comment on Council's Your Voice Our Coast website and promoted on social media. A total of 59 visits were made to the Your Voice Our Coast page in that period. Across Facebook, Instagram and LinkedIn there were 24 clicks, 28 interactions, 2 shares, and 4,936 impressions.

Three written submissions were received during the exhibition period, one of which was relevant to the draft policy and is addressed below. Prior to the exhibition period, feedback was received from the Coastal Open Space System (COSS) Advisory Committee and the Davistown Progress Association. The feedback has been considered in the development of the policy attached to this report to be considered for adoption. No feedback was received from the Catchments to Coast Committee.

Feedback from the COSS Advisory Committee was that interest earnings should be added to the balance of the Conservation Fund, and that the funds should be spent on habitat enhancement and protection for threatened species, such as the Bush Stone Curlew, both in the Davistown area and elsewhere in the Local Government Area. In regard to the application of the Davistown Wetlands Acquisition Fund specifically, the COSS Advisory Committee suggested some consideration should be given to investment of those funds for

biodiversity in the Davistown area. This will be given further consideration when the Davistown Wetlands Acquisition Fund is considered in a separate report.

Feedback from Davistown Progress Association was that the Davistown Wetland Acquisition Fund should be allocated towards the restoration, management and maintenance of public environmental land in Davistown and for improving access to the foreshore of Brisbane Water. Further consideration will be given to reallocating the balance of the Davistown Wetland Acquisition Fund following Council adoption of the Dogs in Open Space Action Plan and will be addressed in a separate report.

To address this feedback in adoption of this policy, the policy states that appropriate use of the Conservation Fund will align with Council's conservation management program, which would include environmental projects in Davistown:

- 6.3 *Expenditure of funds will align with a strategic program of environmental lands acquisition and biodiversity conservation management across the Central Coast Local Government Area and may also consider other Council and external projects and programs.*

Feedback from the Central Coast Community Better Planning Group requested clarification of the potential for philanthropic donations to be tax deductible and requested that reference be made in the policy to the Protection of the Environment Trust. In order to address the feedback about the Protection of the Environment Trust, item 4.4 has been added to the Background section of the Policy.

- 4.4 *The former Gosford City Council established the Gosford City Council Protection of the Environment Trust which operates as per the Deed of Settlement of 2006, and not per this policy.*

The frequently asked questions provided during public consultation advised that following establishment of the Central Coast Conservation Fund, Council will apply for tax deductibility status to apply to it.

Internal consultation on the draft policy has been undertaken with staff from the Environmental Management Unit and the Strategic Planning Unit. Careful consideration has been given to the wording in the policy with regards to contributions to the fund and uses of the fund. Section 5 has been simplified to better capture all contribution streams that may be directed to the fund.

### **Financial Considerations**

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

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



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

Adoption of the policy will not have an impact on Council's General Fund.

Should the policy be adopted, it will guide operation of a conservation fund that provides for the identification, acquisition, protection and management of environmental land across the Central Coast Local Government Area. It will apply to all types of expenditure payments from a conservation fund for the purposes of biodiversity management, including protection and expansion of the Council-owned conservation reserve system.

### Link to Community Strategic Plan

Choose Themes

### Goal F: Cherished and protected natural beauty

G-F2: Promote greening and the wellbeing of communities through the protection of local bushland, urban trees, and expansion of the Coastal Open Space System (COSS).

### Risk Management

The policy seeks to address potential reputational risks around the transparency, equity and accountability of Council investment in conservation management by providing clear guidance.

### Options

Council may resolve to:

- 1 Adopt the amended policy, which includes feedback received during public exhibition. **This is the recommended option.**
- 2 Adopt the exhibition version of the policy. This is not recommended as it would not address community feedback.
- 3 Not adopt a policy position. This is not recommended as it would not provide clarity about Council's approach to investment in conservation management on Council land.

### Attachments

1	Proposed Central Coast Conservation Fund Policy	Provided Under Separate Cover	D15753592
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**Item No:** 2.6  
**Title:** Acquisition of Land for a Public Purpose - 235 Scenic Drive, Colongra  
**Department:** Environment and Planning

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31 October 2023 Ordinary Council Meeting

Reference: F2023/01785 - D15884815  
Author: Chris Barrett, Commercial Property Manager Commercial Property  
Manager: Jamie Barclay, Unit Manager Economic Development and Property  
Executive: Brett Sherar, Director. Community and Recreation Services

## **Recommendation**

### ***That Council:***

- 1 Authorises the acquisition of all or part of 235 Scenic Drive Colongra 2259 (being Lot 500 and Lot 501 in DP 755266) for public recreation purposes, including the provision of community sporting fields and other recreation improvements.***
- 2 Authorises the Chief Executive Officer to commence the process for compulsory acquisition of all or part of 235 Scenic Drive Colongra 2259 (being Lot 500 and Lot 501 in DP 755266) for a public purpose in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991, noting that a period of statutory negotiation is required prior to commencement of compulsory acquisition.***
- 3 Authorises the Chief Executive Officer to negotiate, finalise and execute a contract for the purchase of all or part of 235 Scenic Drive Colongra 2259 (being Lot 500 and Lot 501 in DP 755266) in accordance with the considerations set out in the body of this report and taking account of the further guidance on commercial matters relating to acquisition in Attachment 1.***
- 4 Resolves, in accordance with provisions of Section 11(3)) of the Local Government Act 1993, that Attachment 1 remain confidential in accordance with Section 10A(2)(d) of the Local Government Act 1993 as it contains commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it or confer a commercial advantage on a competitor of Council.***
- 5 Upon acquisition, classifies the land at 235 Scenic Drive Colongra 2259 (being Lot 500 and Lot 501 in DP 755266) as Operational Land in accordance with Section 31 of the Local Government Act 1993.***

**Report purpose**

To authorise the acquisition of all or part of 235 Scenic Drive Colongra 2259 (being Lot 500 and Lot 501 in DP 755266) for public recreation purposes such as community sporting field and to provide ancillary amenities such as car parking, visitor amenities and other recreation improvements.

To start the acquisition process for the acquisition in accordance with the terms of the *Land Acquisition (Just Terms Compensation) Act 1991*.

To authorise the expenditure of funds for the purchase of the land at 235 Scenic Drive as an amendment to the approved Long Term Financial Plan.

**Executive Summary**

Land adjacent to Scenic Drive at Colongra in the peninsula that separates Lake Budgewoi from Lake Munmorah has for many years been identified as a preferred location for the development of community sporting facilities and other recreational improvements to serve the growing population of the Greater Munmorah area.

In order to secure a site for the development of such facilities, a long-term lease over land at 235 Scenic Drive was put in place in 2014 between the former Wyong Shire Council and the [then] NSW Government-owned electricity generation company that (at the time) owned and operated the nearby Colongra and Munmorah power stations.

To provide greater security of tenure over the land at 235 Scenic Drive, and in order to take advantage of an opportunity to accelerate the development of community sporting fields through NSW Government infrastructure funding, it is desirable to expedite the acquisition of the land at 235 Scenic Drive, Colongra.

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**Background**

There has been a long-term interest on the part of Council in developing land in the vicinity of Scenic Drive at Colongra to provide community sporting facilities to support further residential growth areas in the north of the Central Coast region.

The land at 235 Scenic Drive (Figures 1 and 2) has been identified as the preferred site for such facilities since at least 2014. This land comprises two lots, being Lot 500 and Lot 501 in DP 755266, with a combined area of about just over 7 ha and with a current land use zoning of C3 (Environmental Management) under the *Central Coast Local Environmental Plan 2022*. This zoning is appropriate for the development of community sporting facilities, subject to

## 2.6

any other applicable development controls identified through the development assessment process.



**Figure 1 - General location of proposed Colongra acquisition**



**Figure 2 - Close up aerial shot of proposed Colongra acquisition**

On account of the suitability of the site for this purpose, and taking into account the imminent decommissioning of the Munmorah power station in 2014, Wyong Shire Council successfully negotiated the terms of a long-term lease over the land with Delta Generation, the then operator of the Munmorah Power Station. The purpose of the lease is public recreation and the term of the lease is 18 years (ending in mid-2032) if not further extended.

At the time that the lease was entered in to, eventual acquisition of the site by Council was extensively canvassed. However, no formal process to acquire the land was commenced and no funds were set aside for this purpose at that time.

### **Current Status**

Since the lease was entered in to in 2014, the electricity generating sector in NSW has been significantly restructured. The Munmorah Power station was decommissioned and the lands surrounding the former power station premises (including the site at 235 Scenic Drive) were placed in the hands of a specific-purpose asset holding company called Generator Property Management Pty Limited (GPM). The sole shareholder in GPM is the NSW Treasurer.

Earlier in 2023, Council applied for and was successful in receiving an offer of grant funding for community sporting fields under Round 3 of the Accelerated Infrastructure Fund. This fund is administered by the NSW Department of Planning and Environment. The requirement of the grant funding arrangements is that the works should be completed within two years.

Based on its pre-existing long-term lease over the land, Council has already undertaken extensive investigation and preliminary design work. The result is that much of the pre-design work that would be needed to construct community sporting fields on the site is already complete. Accordingly, development of the land can occur at relatively short notice, subject to relevant planning approvals.

### **Report**

Initial contact has been made at senior management level with GPM. Senior management at GPM has expressed the view that there would appear to be no reason why GPM might object to the proposed acquisition of the land by Council, in particular, as the proposed acquisition would be within the framework of the compulsory acquisition provisions of the *Land Acquisition Just Terms Compensation Act 1991*. GPM further notes that it has already entered into a number of transactions to divest land in the vicinity of the Munmorah power station, in particular for the Waratah super battery.

GPM is currently in the process of selling some land to TransGrid and has nominated the process that has applied to that transaction as suitable for this proposed transaction. That process included having the land valued by its valuer, and TransGrid having an independent

## **2.6 Acquisition of Land for a Public Purpose - 235 Scenic Drive, Colongra (contd)**

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valuation undertaken, followed by further negotiations that led to agreement on an intermediate price.

One issue that GPM has sought to have included in a sale agreement is a commitment from Council to fence the boundary of the site with the same post and heavy wire vehicle barrier that has been installed along other boundaries of the former power station site. The only place where unauthorised vehicles are entering currently is through the lease area, and GPM would like this addressed, especially as the intention is to put in public facilities.

It is noted that the current lease is over the whole of the land at 235 Scenic Drive, whereas the proposed community sporting facilities may not require all the land to be developed.

On account of the configuration of the land, and on account of the differential development capacities of the different parts of the land, it is considered to be commercially prudent to include the whole of the land in the acquisition negotiations.

This is likely to make commercial negotiations more timely (as it accords with GPM's preferences) and hence to ensure better adherence to the two-year deadline for the community sporting facilities to be constructed. In the end, the whole of the land may or may not be acquired. The eventual outcome of negotiations is proposed to be reported back to Council in due course.

### **Consultation**

The need for more and better community sporting facilities in the greater Munmorah area has been identified and reconfirmed as part of repeated and ongoing strategic planning initiatives.

The timely completion of the land acquisition to deliver these facilities is highly dependent on establishing a collaborative approach to negotiations with the party from whom the land will be acquired (GPM). Initial approaches have been made to GPM and a constructive dialogue is already underway.

### **Financial Considerations**

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

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

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

It is intended to amend the Long-Term Financial Plan to bring forward the acquisition of the land, noting the \$6 million of grant funding that has been awarded to Council to support



## **2.6 Acquisition of Land for a Public Purpose - 235 Scenic Drive, Colongra (contd)**

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development of sporting facilities at the site. Further commentary on the prospective acquisition cost is contained in Attachment 1.

There is \$7,000,000 currently allocated in the adopted Capital Works program for Colongra Sporting Facility construction over the 2024/25 and 2025/26 financial year, \$2,500,000 and \$4,500,000 respectively. The estimated cost of construction is between \$8,500,000 and \$10,500,000.

With the success of the \$6,000,000 grant application, the two funding sources proves enough funding to purchase the land and construct the sporting facility.

The classification of the land as Operational Land is recommended for financial and operational reasons. This will allow any eventual boundary adjustments that maybe desirable, for example, to sell surplus land to an adjoining owner or to modify the configuration of the adjoining road reserve. Long term commercial leases, for example of third party-constructed club facilities, are also much more straightforward on Operational Land.

### **Link to Community Strategic Plan**

Choose Themes

### **Goal L: Healthy lifestyle for a growing community**

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

### **Risk Management**

Two significant risks are associated with this proposal:

1. Failure to complete the land acquisition in a timely fashion, potential placing the on-time delivery of the project for which grant funding has been offered. Every effort is being made to ensure the timely acquisition is not impeded.
2. Potential unsuitability of the land for the intended purpose.

This risk is mitigated by the extensive investigations that have occurred into site conditions both prior to and after the former Wyong Shire Council entered a lease over the land, and by design work done since to address known site constraints.

### **Options**

- 1 Not proceed to acquire land at 235 Scenic Drive, Colongra.

## 2.6 Acquisition of Land for a Public Purpose - 235 Scenic Drive, Colongra (contd)

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The consequence will be that Council will not be able to accept the offer of grant funding under the Accelerated Infrastructure Fund for the construction of community sporting fields to serve the greater Munmorah area. Also, the land at 235 Scenic Drive may be placed on the market or otherwise disposed of to an unrelated third party, meaning that the significant existing investment in site investigations, pre-construction works and sporting facility design will ultimately be lost. This option is not recommended.

- 2 Make allowance for only one of the two lots that comprise 235 Scenic Drive, Colongra to be included in the acquisition process. The consequence of this approach would potentially be a significant delay in the acquisition process. This could occur for either or both of two reasons.

GPM has indicated that the process should be as seamless as possible, and that there may be a preference for the entirety of the land to be considered as part of the acquisition.

The final resolution of design works may result in a requirement to acquire a larger area of land than initially anticipated (should only part of the land be included in the initial negotiations). Timely resolution of issues is considered to be highly dependent on a collaborative approach. This option is not recommended.

- 3 Proceed to acquire all or part of the land at 235 Scenic Drive on an agreed and timely basis and on a commercially realistic price in accordance with the framework that is set out in the *Land Acquisition Just Terms Compensation Act 1991*. **This is the recommended option.**

### Critical Dates or Timeframes

Timely acquisition of the land is essential in order to meet timelines for the delivery of new facilities imposed by the grant funding body.

The *Land Acquisition Just Terms Compensation Act 1991* sets out a minimum of at least 6 months for negotiation to occur before a compulsory acquisition can be initiated, and accordingly a prospective period of up to 12 months before an acquisition can be completed.

However, Council's intention is to achieve agreement on an acceptable price (guided by independent valuation advice) within 4 to 6 months, and to finalise the purchase shortly thereafter. This can be done where the negotiating parties are agreeable.

### Attachments

- |   |  |                               |           |
|---|--|-------------------------------|-----------|
| 1 | CONFIDENTIAL ATTACHMENT - Colongra - 235 Scenic Drive - Acquisition for public purpose - | Provided Under Separate Cover | D15915642 |
|---|--|-------------------------------|-----------|



**Item No:** 2.7  
**Title:** Acquisition of Land at 71 and 93 Brieses Road,  
Peats Ridge  
**Department:** Infrastructure Services

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31 October 2023 Ordinary Council Meeting

Reference: F2022/00718 - D15858645  
Author: Scott Jarvis, Section Manager Roads Technical Services  
Manager: Jeanette Williams, Unit Manager Engineering Services  
Executive: Boris Bolgoff, Director Infrastructure Services

## **Recommendation**

### ***That Council:***

- 1 Resolves to acquire the following land for the purpose of road reserve to accommodate the existing formed road. Part of Lot 3, DP703490 at 71 Brieses Road, Peats Ridge that will form lot 1 of proposed DP 1294433 as shown on the diagram in the plan in Attachment 1.***
- 2 Resolves to acquire the following land for the purpose of road reserve to accommodate the existing formed road. Part of Lot 2 DP574179 at 93 Brieses Road, Peats Ridge shown that will form lot 2 of proposed DP 1294433 as on the diagram in the plan in Attachment 1.***
- 3 Negotiates the purchase price after taking into account the current market value as determined by an independent registered valuer.***
- 4 Authorises the Chief Executive Officer to execute all necessary documentation relevant to the acquisition of the land.***
- 5 In the event that negotiations for the acquisition of all or some of the portions comprising the Land with the relevant property owner or owners cannot be satisfactorily resolved within 9 months, Council resolves to make an application to the Minister for Local Government and the Governor for approval to acquire all or some of the portions comprising the Land by way of compulsory process for the purpose of road, pursuant to the Land Acquisition (Just Terms Compensation) Act 1991, and Section 177 of the Roads Act 1993***
- 6 Resolves, pursuant to section 11(3) of the Local Government Act 1993, that Attachments 2 and 3 remain confidential in accordance with section 10A(2)(d)(iii) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it and because consideration of the attachments in open Council would on balance be contrary to the public interest as it would affect Council's ability to obtain value for money for the Central Coast community.***

### Report purpose

Approval is sought to acquire part of Lot 3 DP703490 being 71 Brieses Road, Peats Ridge and part of Lot 2 DP574179 being 93 Brieses Road, Peats Ridge for road reserve due to the existing council road formation encroaching on private land.

### Executive Summary

Brieses Road provides access to rural properties, Brisbane Water National Park, and electricity network infrastructure. Brieses Road is an unsealed, gravel road managed by Central Coast Council.

It has recently been identified that a small section of Brieses Road encroaches into the two abovementioned properties at the eastern end of the road reserve.

Property acquisition of part of the two affected Lots being Lot 3 DP703490 (71 Brieses Road, Peats Ridge) and Lot 2 DP574179 (93 Brieses Road, Peats Ridge) is required to accommodate the current alignment of the road and is pending Council approval.

The owners of both properties have been consulted by Council Officers and support the land acquisition proposal put forward by Council.

### Context

Detailed survey and investigation of the current alignment of the existing formed road of Brieses Road, Peats Ridge has identified that part of the formed road crosses on to private land and encroaches two properties located at 71 Brieses Road and 93 Brieses Road, Peats Ridge (as shown in the diagram below).



Removing the section of the encroaching road formation and relocating and reconstructing the road so that it is situated wholly within the existing road reserve has been investigated, however, the realignment would require the removal of a significant amount of vegetation, including mature trees; would be compromised by two existing electricity lines and associated infrastructure such as power poles; and has an estimated design and construction cost of over \$500,000.

The preferred option is for Council to acquire the land from the private property owners, which enables the road formation to remain in its current location and preferred alignment which will result in the road being located wholly within the road reserve. No other operational works will be required for Council. Consultation has been undertaken with the property owners, who are supportive of this option.

71 Brieses Road, Peats Ridge (being Lot 3, DP703490) has an area of 14.4ha and is zoned RU1- Primary Production. It has been identified that approximately 402 square metres of the property is required for the acquisition.

93 Brieses Road, Peats Ridge (being Lot 2, DP574179) has an area of 10.12ha and is zoned RU1 – Primary Production. It has been identified that approximately 308 square metres of the property is required for the acquisition.

### **Current Status**

Discussions with the owners have occurred and a valuation of the land has been obtained. The valuation is included as a confidential attachment to this report.

### **Consultation**

Council has verbal and written communication with the property owners of both affected lots informing them of the proposal to acquire part of their property to accommodate the encroaching road formation. The owners have agreed verbally and in writing to 'in principle' agreement to the proposed part acquisition of their property.

Council's Property Section have been involved in the development of the acquisition proposal.

### **Financial Considerations**

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

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

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

The cost of acquisition including the cost of compensation to owners (this amount is commercially sensitive - to be negotiated based on independent market valuation) and the associated technical, administrative and legal costs and reimbursements (these are estimated

at not more than \$15,000 plus GST). Funds for the acquisition are available in the 2023/2024 Infrastructure Services capital works budget.

### Link to Community Strategic Plan

Theme 4: Responsible

### Goal H: Delivering essential infrastructure

R-H2: Improve pedestrian movement safety, speed and vehicle congestion around schools, town centres, neighbourhoods, and community facilities.

The attachments show the land affected by the acquisitions and the location of the proposed road reserve acquisition.

### Attachments

<b>1</b>	Final Survey Plan (DP) 71 and 93 Brieses Road Peats Ridge	Provided Under Separate Cover	D15911157
<b>2</b>	Confidential road reserve valuation report for Lot 3 DP703490 (71 Brieses Road, Peats Ridge) -	Provided Under Separate Cover	D15805568
<b>3</b>	Confidential road reserve valuation report for Lot 2 DP574179 (93 Brieses Road, Peats Ridge) -	Provided Under Separate Cover	D15805586

**Item No:** 2.8  
**Title:** Partial Road Closure to Facilitate Realignment of Road Reserve – Little Jilliby Road, Little Jilliby  
**Department:** Environment and Planning and Infrastructure Services

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31 October 2023 Ordinary Council Meeting

Reference: F2023/01574 - D15837967  
Author: John Lowrie, Special Projects Officer  
Manager: Chris Barrett, Commercial Property Manager Commercial Property  
Jamie Barclay, Unit Manager Economic Development and Property  
Executive: Alice Howe, Director Environment and Planning  
Boris Bolgoff, Director Infrastructure Services

## **Recommendation**

### ***That Council:***

- 1 In accordance with the provisions of Part 4 of Division 3 of the Roads Act 1993, authorises the commencement of the process to close part of the road reserve in the vicinity of 227 Little Jilliby Road, Little Jilliby to enable the adjustment of the road reserve boundaries. The intention of the partial road closure is to ensure the existing road formation can be fully contained within the realigned road reserve.***
- 2 Gives notice of the road closure proposal as set out in Section 32B of the Roads Act 1993 and Clause 81 of the Roads Regulation 2018.***
- 3 Commences a public notification period of not less than 28 days.***
- 4 Receives a further report to consider submissions received during the period of the public notification.***
- 5 Resolves that, if the partial road closure is confirmed at a future meeting of Council,***
  - a) the closed road reserve shall be classified as operational land, and***
  - b) the closed road reserve shall be offered to the adjoining owner at 227 Little Jilliby Road, Little Jilliby in lieu of payment for the acquisition of part of that property as previously determined.***

### **Report purpose**

To seek approval to commence the process to close a small portion of the public road reserve adjacent to 227 Little Jilliby Road, Little Jilliby in order to facilitate the adjustment of road reserve boundaries in the vicinity so that the road formation is fully contained within the road reserve.

### **Executive Summary**

Council has previously resolved to undertake a land acquisition in the vicinity of to 227 Little Jilliby Road, Little Jilliby in order to facilitate the adjustment of road reserve boundaries in the vicinity so that the road formation is fully contained within the road reserve.

This report proposes that, in accordance with a request from the property owner at 227 Little Jilliby Road, Little Jilliby, Council agree to a land swap in place of monetary compensation in order to facilitate the proposed realignment of the road reserve.

### **Background**

The acquisition of part Lot 23 DP 731090 (new Lot 233) was previously approved at the November 2022 Council meeting.

205/22

- 1 *That Council resolve to acquire the following land for the purpose of road widening due to the upgrade of Little Jilliby Bridge. That part of Lot 23 DP731090 being 227 Little Jilliby Rd, Little Jilliby as highlighted in bright yellow in the plan in Attachment 1 ('Land').*

Local councils are responsible for closing council public roads following amendments to the *Roads Act 1993* on 1 July 2018. Prior to this, it was necessary for a local council to apply to the Department of Planning, Industry and Environment – Crown Lands (the Department) to close a council road.

Under Section 38B of the *Roads Act 1993*, when a local council is proposing to close a council-owned public road, it must give notice of the proposal. This notice includes, but is not limited to, publishing a notice in a local newspaper, notifying all adjoining owners, notifying all notifiable authorities, and notifying any other person (or class of person) prescribed by the regulations.

When a council-owned public road on which construction has occurred is closed, the land remains vested in the council after the road closure and the council may facilitate the subsequent disposal of the land.

## **2.8 Partial Road Closure to Facilitate Realignment of Road Reserve – Little Jilliby Road, Little Jilliby (contd)**

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In this case it is intended to provide the Department with a written declaration of road construction within the road corridor, to facilitate the subsequent vesting of the affected land in Council ownership.

### **Current Status**

The NSW Government has provided Council with funding as part of the Fixing Country Bridges Program to replace Little Jilliby Bridge at Little Jilliby. The installation of the replacement bridge, together with lead-in road reconstruction, has now been completed.

During the design phase of the project, it was discovered that part of the existing road formation in the vicinity was on private land rather than on road reserve.

Options to relocate the road so that it was wholly within the existing road reserve were investigated but were deemed unviable as it would result in an unreasonable road alignment, would depart from the scope of the project, and significantly increase the cost.

### **Report**

The privately owned land at 227 Little Jilliby Rd, Little Jilliby (Lot 23 DP 731090) is approximately 21 hectares and is zoned RU1 Primary Production and C3 Environmental Management.

Detail survey of the Little Jilliby Road identified that part of the current road alignment crosses the south-eastern corner of this private property (see Attachment 1). This small triangular parcel of land (Figure 1), forms part of 227 Little Jilliby Road (Lot 23 DP 731090), separated from the rest of the lot by the road reserve.

A new Deposited Plan has been created (refer to Attachment 2) which subdivides the small triangular parcel (Lot 233) from the original Lot 23 and creates another Lot (Lot 232) from the existing road reserve.

It is intended to acquire Lot 233 for road reserve, close that section of road identified as Lot 232 and dedicate this lot to the owners of the new Lot 231 (being 227 Little Jilliby Road).

### **Consultation**

Consultation to-date has involved writing to the owner of the affected land, advising of the proposed road works and the associated proposal to adjust the road boundaries at this location.

The owner has agreed to the proposal for a land swap with no monetary compensation payable by Council, apart from for legal and administrative costs incurred by the owner.





**Figure 1 – Area of private land affected by road encroachment**

Council's Economic Development and Property Unit has facilitated the development of the acquisition and partial road closure proposal in consultation with the Roads and Drainage Infrastructure Unit which is responsible for the delivery of the works relating to the Fixing Country Bridges Program.

Council's Finance Unit has also endorsed the acquisition and partial road closure based on the anticipated legal and administration costs and the required budget that is allocated in the 2023/24 budget.

### **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.

Due to the equitable size and estimated value of the land in question (see Attachments 1 and 2) it is proposed that Lot 233 be transferred to Council (and dedicated as road reserve) and Lot 232 transferred to the owners of 227 Little Jilliby Road. As part of this process, the road closure, land transfer and other associated costs will be met by Council.



## 2.8 Partial Road Closure to Facilitate Realignment of Road Reserve – Little Jilliby Road, Little Jilliby (contd)

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The legal and administrative costs for the partial road closure is estimated to be approximately \$10,000. Funds are available in the 2023/24 Roads and Drainage capital works budget.

### Link to Community Strategic Plan

Theme 4: Responsible

### Goal H: Delivering essential infrastructure

R-H1: Solve road and drainage problem areas and partner with the State Government to improve road conditions across the region.

### Risk Management

The partial road closure is associated with the Fixing Country Bridges Program, which has been developed to provide funding for timber bridge replacements across regional and rural NSW. Council has now entered into a funding deed with Transport for NSW to replace four priority timber road bridges. This project has contributed to a reduction in the backlog of much needed road maintenance works and mitigate the physical risks associated with outdated roads infrastructure.

### Options

- 1 Do nothing. This would mean that that part of the existing road formation was on private land rather than on road reserve (not recommended).
- 2 Commence the process to close a small portion of the public road reserve adjacent to 227 Little Jilliby Road, Little Jilliby in order to facilitate the adjustment of road reserve boundaries so that the road formation is fully contained within the road reserve. **This is the recommended option.**

### Attachments

<b>1</b>	Aerial View Showing Road Crossing Private Property	Provided Under Separate Cover	D15838842
<b>2</b>	Plans Showing Road Reserve Before and After Boundary Adjustment	Provided Under Separate Cover	D15838843



**Item No:** 2.9  
**Title:** Council Services - Union Picnic Day 1 December 2023 and Christmas 2023 - New Year 2024 Closure  
**Department:** Community and Recreation Services

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31 October 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15885652  
Author: Sue Ledingham, Unit Manager Communications Marketing and Customer Engagement  
Executive: Marissa Racomelara, Director Corporate Services  
Brett Sherar, Acting Director Community and Recreation Services

## **Recommendation**

***That Council notes the report on essential services in operation on Union Picnic Day 1 December 2023, and the Christmas 2023 – New Year 2024 closure period.***

## **Report purpose**

To provide an overview of Council Service closures on Union Picnic Day and the Christmas/New Year Closure period. The report also provides information on how the community will be advised of the changes to operations during this period.

## **Executive Summary**

This report provides a summary of outward facing Council Services that will be affected by the Union Picnic Day and Christmas/New Year closure period and outlines essential services operating during this period.

## **Background**

Council has in previous years been closed for the annual Union Picnic Day.

Council has consistently closed its premises between Christmas Day and New Year's Day public holidays. In recent years, this has been extended to a two-week period, however the closure for 2023-24 will be reduced to one week commencing Monday 25 December 2023, with services returning Tuesday 2 January 2024.

As with previous years, there will be a number of essential services that will operate throughout these closure periods.

## **Report**

The following information outlines outward facing Council Services that will be affected by the Union Picnic Day and Christmas/New Year closure period and outlines essential services operating during this period.

During both periods of closure there will be a roster of staff, including on call staff, available to deliver essential services and respond to issues that may require immediate attention.

Council's Customer Service and Call Centre will be closed during both periods, and during that time, customers can access our afterhours service centre or access our online services to lodge applications, reports or requests. Conveyancing related certificates and spatial data or mapping services will not be available during the closure periods.

### **Union Picnic Day Closure – 1 December 2023**

- Central Coast Council offices, depots, Wyong pool, libraries, and Early Childhood and Education and Care Centres will be closed and reopening from 8.30am on Monday 4 December 2023. For Union Picnic Day non-urgent requests will be processed on Monday 4 December 2023

### **Christmas and New Year Closure – Monday 25 December 2023, with services returning Tuesday 2 January 2024.**

- Central Coast Council offices, depots, Laycock St Theatre and libraries will be closed and reopening Monday from 8.30am on 2 January 2024, with Early Childhood and Education and Care Centres closing from 6pm Thursday 21 December 2023 re-opening to children on Tuesday 9 January 2024.

For the Christmas/New Year closure non-urgent requests will be processed from Tuesday 2 January 2024.

Commencing the 1 November 2023, in the lead up to the Christmas/New Year closure period, there will be information available on Council's website via 'Council News' at <https://www.centralcoast.nsw.gov.au/council/council-news> outlining closures, changes to services and cut off timeframes to assist customer.

The following table outlines the essential services that will be available over both closure periods:

*Table 1 – Essential Services During Closure Periods*

<b>Location</b>	<b>Detail</b>
Airport	Warnervale Airport remains open
Beaches	<p>Council lifeguards will be at the 15 patrolled beaches on Union Picnic Day and the Christmas/New Year Closure.</p> <p>Saturdays, Sundays and Public holidays, 25, 26, and 27 December 2023 and 1 and 2 January 2024 will be patrolled by Surf Life Saving Central Coast.</p>
Cemeteries	Cemeteries and gardens will be open to visitors during daylight hours every day for visitation.
Community Facilities	<p>Groups with bookings will have self-access during this time.</p> <p>More information will be available on Council's Community Centres and Halls webpage.</p> <p>Customers can plan in advance via Council's website for current application processing days to factor in pre-booking prior to the Christmas/New Year closure period.  <a href="https://www.centralcoast.nsw.gov.au/recreation/planning-events/hall-and-venue-finder">https://www.centralcoast.nsw.gov.au/recreation/planning-events/hall-and-venue-finder</a></p>
Customer Service Centre and Call Centre	<p>Emergency calls to (02) 4306 7900 will go through our After Hours Contractor.</p> <p>All non-urgent issues can be lodged via the online Customer Service Centre via Council's home page under 'Report and Issue' and will be attended to when Council's reopens.</p>
Environmental Reporting	Urgent pollution or environmental issues should be reported to Council by phoning 02 4306 7900 immediately and will go through our After Hours Contractor, incidents will then be forwarded to on call staff for assessment and response.
Gyms and Recreation Facilities	Peninsula Leisure Centre Gym, Lake Haven Recreation Centre and Niagara Park Stadium will be open as normal on Union Picnic Day.

Location	Detail
	<p>Peninsula Leisure Centre and Lake Haven Recreation Centre will be open during the Christmas/New Year closure, with the exception of Christmas and Boxing Day. Niagara Park Stadium will be open for bookings and closed if no bookings.</p> <p>Peninsula Leisure Centre 24 hour Gym access will be available during closure periods for members that have an Access Tag.</p>
Holiday Parks	Central Coast Council Holiday Parks will be open.
Libraries	<p>Library return chutes will be open, along with Library@YourTime which will continue to operate at Bateau Bay, Kariong and Toukley Libraries.</p> <p>Collection of reservations will be available from secure self-service lockers at Erina, Tuggerah and Umina Beach Libraries, and the Wyong Service Centre.</p> <p>E-resources will continue to be available online.</p>
Parks, Reserves and Playgrounds	<p>Litter collection will continue over the closure.</p> <p>Sports fields will be mowed and maintained as well as safety issues in parks, playgrounds and roadsides attended to.</p>
Public Swimming Pools	<p>Wyong Pool will be closed to the public on Union Picnic Day, and all other pools, including Grant McBride Baths will be open as normal.</p> <p>All Council pools are open during the closure period with the exception of Christmas Day and Boxing Day.</p> <p>Grant McBride Baths will be open during the Christmas/New Year Closure period.</p>
Public Toilets	Public Toilets will be open with cleaners continuing to operate across the closure period.
Rangers and Parking Officers	After hours and reduced roster arrangements in place for parking officers and ranger services.

Location	Detail
	Urgent issues should be reported to Council by phoning 02 4306 7900 immediately and will go through to our After Hours Contractor to be assessed and responded to as soon as possible.
Roads Maintenance and Construction	Urgent issues should be reported to Council by phoning 02 4306 7900 and will immediately go through to our After Hours Officer to be assessed and responded to as soon as possible.
Theatres and Galleries	<p>Both The Gosford Regional Gallery and Laycock Street Theatre will operate on Picnic Day.</p> <p>Gosford Regional Gallery will be open with the exception of Christmas Day, Boxing Day and New Year's Day</p> <p>Laycock St Theatre will be closed over the Christmas/New Year period.</p>
Visitor Information Centre, The Entrance	The Central Coast Visitor Centre will be open from 9.30am to 4.30pm with the exception of Christmas Day, Boxing Day and New Year's Day
Waste and Recycling Collections	<p>Bin collections will continue as normal.</p> <p>The Buttonderry and Woy Woy Waste Management facilities will be closed to the public Christmas Day and New Years Day and open all other days. Public holiday opening hours of 8am – 4pm apply on Boxing Day.</p>
Water and Sewer Services	<p>Water and Sewer services will continue with a reduced roster arrangement.</p> <p>Urgent water or sewer issues such as a spills, leaks, bubbling water, water decolourisation or no water pressure should be reported to Council by phoning 02 4306 7900 immediately so we can assess and respond as soon as possible.</p> <p>Any water service interruptions are listed on <a href="#">Council's website</a>.</p>

## **Consultation**

A report was presented to Council's Consultative Committee on 20 September 2023.

The October Rates Newsletter provides residents notice that Central Coast Council will be closed for Union Picnic Day on 1 December 2023 and during the Christmas closure from 25 December 2023 to 2 January 2024 inclusive.

Information will be placed on Council's website from 1 November 2023 and updates will continue to be provided via 'council news' at <https://www.centralcoast.nsw.gov.au/council/council-news>

Notifications will be placed at Central Coast Council offices, depots, and other facilities as 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.

There are no financial implications associated with this information 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**

During closure periods, emergency calls to (02) 4306 7900 will go through Council's After Hours Contractor.

During both periods of closure there will be a roster of staff, including on call staff, available to deliver essential services and respond to issues that may require immediate attention.

**Attachments**

*Nil.*



**Item No:** 2.10  
**Title:** Proposed Council Meeting Dates 2024  
**Department:** Corporate Services

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31 October 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15736086  
Author: Rachel Gibson, Team Leader Civic Support  
Manager: Edward Hock, Unit Manager Governance, Risk and Legal  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

***That Council adopts the proposed Ordinary Council Meeting dates for 2024.***

## **Report purpose**

To determine the Ordinary Council Meeting dates for 2024.

## **Executive Summary**

This report contains the proposed schedule of Council Meeting dates for 2024, in line with Council's Code of Meeting Practice and Section 365 of the [Local Government Act 1993](#)

This report proposes that Ordinary Meetings of Council will be held on the fourth Tuesday of the months of January to November inclusive and on the second Tuesday of the month of December at 2 Hely Street, Wyong commencing at 6.30pm (with no meeting held in September due to the Local Government Election).

It is noted and referenced in the schedule that, subject to registrations, a Public Forum will be held prior to each Council Meeting, as per Council's Public Forum Policy.

## **Background**

Council's Code of Meeting Practice states at Clause 3.1 in part

*Ordinary Meetings of Council will be held on the fourth Tuesday of the months of January to November inclusive and on the second Tuesday of the month of December...*

Section 365 of the *Local Government Act 1993* states that Council is required to meet at least 10 times each year, each time in a different month.

The proposed schedule meets the requirements of the Act.

### Variations to Schedule

Due to the Local Government election, scheduled for 14 September 2024, it is proposed that the September meeting is not held.

It is noted that an extraordinary meeting will occur following the declaration of polls after the Local Government election.

### Proposed Schedule

The schedule of proposed Ordinary Council Meetings for Central Coast Council for 2024 is as follows:

Date	Time / Location	Public Forum
23 January 2024	6.30pm 2 Hely Street, Wyong	Commences 6.00pm, subject to any registered speaker/s to items listed on the agenda, with confirmation to be published on Council's website.
27 February 2024	6.30pm 2 Hely Street, Wyong	Commences 6.00pm, subject to any registered speaker/s to items listed on the agenda, with confirmation to be published on Council's website.
26 March 2024	6.30pm 2 Hely Street, Wyong	Commences 6.00pm, subject to any registered speaker/s to items listed on the agenda, with confirmation to be published on Council's website.
23 April 2024	6.30pm 2 Hely Street, Wyong	Commences 6.00pm, subject to any registered speaker/s to items listed on the agenda, with confirmation to be published on Council's website.
28 May 2024	6.30pm 2 Hely Street, Wyong	Commences 6.00pm, subject to any registered speaker/s to items listed on the agenda, with confirmation to be published on Council's website.
25 June 2024	6.30pm 2 Hely Street, Wyong	Commences 6.00pm, subject to any registered speaker/s to items listed on the agenda, with confirmation to be published on Council's website.

Date	Time / Location	Public Forum
23 July 2024	6.30pm 2 Hely Street, Wyong	Commences 6.00pm, subject to any registered speaker/s to items listed on the agenda, with confirmation to be published on Council's website.
27 August 2024	6.30pm 2 Hely Street, Wyong	Commences 6.00pm, subject to any registered speaker/s to items listed on the agenda, with confirmation to be published on Council's website.
Due to the Local Government election being held on 14 September 2024, an ordinary meeting has not been scheduled in September.		The August Council meeting will fall within the caretaker period
8 October 2024	6:30pm 2 Hely Street, Wyong	Proposed Extraordinary meeting
22 October 2024	6.30pm 2 Hely Street, Wyong	Commences 6.00pm, subject to any registered speaker/s to items listed on the agenda, with confirmation to be published on Council's website.
26 November 2024	6.30pm 2 Hely Street, Wyong	Commences 6.00pm, subject to any registered speaker/s to items listed on the agenda, with confirmation to be published on Council's website.
10 December 2024	6.30pm 2 Hely Street, Wyong	Commences 6.00pm, subject to any registered speaker/s to items listed on the agenda, with confirmation to be published on Council's website.

### Local Government election 14 September 2024

Due to the Local Government election being held on 14 September 2024, an ordinary meeting has not been scheduled in September. The August Council meeting will fall within the caretaker period.

Council is to assume a 'caretaker' role in the 4 weeks before the election day, until election day. During this time, Council (other than a joint regional planning panel, a local planning

panel or Consultative meeting) must not:

- enter into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger).
- determine a "controversial development application", except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period.
- appoint or reappoint the council's general manager (except for temporary appointments).

### **First meeting of new term of Council**

The NSW Electoral Commission has advised that the election is expected to be declared in the first week of October. This timing is to allow for the receipt and counting of postal votes which close 13 days after the election.

In accordance with section 290 of the Act a council is required to undertake the election of a mayor by the councillors within 3 weeks after the election (being after the declaration of the election).

Given this, an extraordinary meeting is proposed for 8 October 2024 which will serve as the first meeting of the newly elected council. The first matters of business for a newly elected council will include taking oaths/affirmations of office, electing a mayor, deciding whether to elect a deputy mayor and determining the method by which any casual vacancies in the office of councillor are to be filled.

Council will resume ordinary business at the meeting proposed for 22 October 2024 in accordance with the meeting cycle.

### **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.  
Expenditure related to Council meeting operations is accounted for in Council's adopted budget.

### **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.

**Options**

- 1 Council resolves to adopt the 2024 Ordinary Council Meeting schedule as detailed in this report. **This is the recommended option.**
- 2 Council resolve to partially adopt or delay adoption of an Ordinary Council Meeting schedule for 2024. These options are less favourable as they reduce the capacity for forwarding planning. This is not the recommended option.

**Critical Dates or Timeframes**

A schedule of 2024 Ordinary Council Meeting dates should be adopted no later than December 2023 to enable finalisation of the Council meeting calendar for the upcoming year.

**Attachments**

Nil



**Item No:** 2.11  
**Title:** Recommendation from the 21 September 2023 Protection of the Environment Trust Committee (POET)  
**Department:** Corporate Services

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31 October 2023 Ordinary Council Meeting

Reference: F2018/00732-002 - D15889142  
Author: Rachel Gibson, Team Leader Civic Support  
Manager: Edward Hock, Unit Manager Governance, Risk and Legal  
Executive: Marissa Racomelara, Director Corporate Services

## Recommendation

***That Council accepts the recommendation of the Protection of the Environment Trust Management Committee to release funds totalling \$12,000.00 from the Protection of Environment Trust Fund to MacMasters Bushcare to undertake bush regeneration activities on the Council Bushcare Site and in accordance with Council's Bushcare Site Strategy.***

## Report purpose

To seek a resolution to release funds from the Protection of the Environment Trust for MacMasters Beach Bushcare group ('MBBC') per the amended agreement dated 4 September 2023 that was resolved at its meeting on 21 September 2023.

## Executive Summary

The [Protection of the Environment Trust \(PoET\) Committee met on 21 September 2023 and resolved to accept the amended agreement with MBBC for the release of funds from the Trust. A specific Council resolution is required to release funds from the Protection of the Environment Trust for the MBBC.](#)

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

## Background

At its meeting on 21 September 2023, the Protection of the Environment Trust Committee made the following 3 recommendations to Council in relation to the release of funds to MBBC:

- 1 To release funds held by the Trust to the MacMasters Beach Bush Care group.

## **2.11 Recommendation from the 21 September 2023 Protection of the Environment Trust Committee (POET) (contd)**

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- 2 *To note the updated arrangement for the release of funds to the MacMasters Beach Bush Care group.*
- 3 *To ensure the arrangement is endorsed each 4-year council term.*

### **Current Status**

A specific Council resolution is required to release funds from the Protection of the Environment Trust to MBBC supported by the Trust Committee and the agreement dated 04 September 2023.

### **Consultation**

The Protection of the Environment Trust Committee has considered the release of funds agreement.

### **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 proposed release of funds is consistent with the purpose of the Trust, and there are sufficient funds held by the Trust to facilitate this release.

### **Link to Community Strategic Plan**

Theme 3: Green

### **Goal E: Environmental resources for the future**

G-E1: Educate the community on the value and importance of natural areas and biodiversity, and encourage community involvement in caring for our natural environment.

### **Risk Management**

There is low risk associated with the release of funds from the Protection of the Environment Trust for small scale environmental projects delivered by incorporated community organisations.

**Critical Dates or Timeframes**

Allocation of the funding will allow the project works to commence as soon as practicable.

**Attachments**

<b>1</b>	Letter to MacMasters Beach Bushcare release of funds dated 04 September 2023.	Provided Under Separate Cover	D15850191
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**Item No:** 2.12  
**Title:** Recommendations from the Coastal Open Space System Committee regarding Council's revised draft Dogs in Open Space Action Plan  
**Department:** Environment and Planning

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31 October 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15852991  
Author: Luke Sulkowski, Unit Manager. Environmental Management  
Executive: Alice Howe, Director Environment and Planning

## **Recommendation**

### ***That Council:***

- 1 Notes the following recommendations of the COSS Advisory Committee regarding proposals in the revised Dogs in Open Space Action Plan to provide off leash exercise areas for dogs in Illoura Reserve, Pippi Point, Davistown:***
  - a. That the COSS Advisory Committee recommends the decommissioning of the Illoura Reserve Pippi Point, Davistown site as a dog off leash area.***
  - b. That the COSS Advisory Committee notes that the area has been identified as a threatened species habitat for the Eastern Curlew, Bush Stone Curlew, Pied Oystercatcher, Bar Tailed Godwit and Grey Headed Flying Fox.***
  - c. That the COSS Advisory Committee notes that the decommissioning is recommended because dog behaviour within the off-leash dog exercise area will impact on foraging time or foraging efficiency of shorebirds including these threatened species whilst also potentially impacting breeding cycles.***
- 2 That as Council's designated Advisory Committee on all matters relating to strategic biodiversity conservation land management for the Central Coast, the recommendations of the COSS Advisory Committee be considered as one of the submissions of the recent exhibition of the draft Dogs in Open Space Action Plan prior to final recommendations being made to Council.***

## **Report purpose**

To note the minutes of the Coastal Open Space System meeting held on 5 September 2023 and consider the recommendations made by the Advisory Group and staff comments on these recommendations.

## **2.12 Recommendations from the Coastal Open Space System Committee regarding Council's revised draft Dogs in Open Space Action Plan (contd)**

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### **Executive Summary**

The [Coastal Open Space System committee met on 5 September 2023](#). The minutes from that meeting are on Council's website and are hyperlinked above for the information of Council. It is noted the minutes will be confirmed by the group at their next meeting.

### **Background**

One of the items considered by the COSS Advisory Committee at this meeting was a presentation by Council staff on the recommendations of the independent Threatened Species Assessment undertaken by Future Ecology Pty Ltd in 2023 in relation to the dog off leash areas at Illoura Reserve "Pippi Point", Davistown, and recommendations of the revised draft Dogs in Open Space Action Plan regarding the proposed extension of the protected area at Illoura Reserve "Pippi Point" Davistown.

After consideration of the findings of the ecologist's report, the committee shared concerns about the continued conflict between use of the site as a dog off leash exercise area, and threatened species that were observed at the site by the ecologist.

To address these concerns, the committee resolved to present a definitive position to Council highlighting its concerns prior to the adoption of the Dogs in Open Space Action Plan.

### **Financial Considerations**

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

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

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

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

### **Link to Community Strategic Plan**

Theme 4: Responsible

**Goal G: Good governance and great partnerships**

**2.12 Recommendations from the Coastal Open Space System Committee regarding Council's revised draft Dogs in Open Space Action Plan (contd)**

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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**

Nil

**Item No:** 2.13  
**Title:** Community Development Grants Program - 2023-2024  
**Department:** Community and Recreation Services

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31 October 2023 Ordinary Council Meeting

Reference: F2018/01409 - D15565376  
Author: Belinda McRobie, Section Manager Community Development  
Manager: Glenn Cannard, Unit Manager Community and Culture  
Executive: Melanie Smith, Director Community and Recreation Services

## **Recommendation**

### ***That Council:***

- 1 Allocates \$299,666.76 (inclusive of GST where applicable) from the 2023-24 grants budget to the Community Development Grant Program as outlined below and in Attachment 1:**
  - a Peninsula Environment Group - Woy Woy Peninsula Community Garden - \$3,168.00**
  - b Police Citizens Youth Clubs NSW Limited - The Inclusive Abilities Program - \$6,000.00**
  - c Trustee of Roman Catholic Church for the Diocese of Broken Bay - Healthy Young Men Education Program - \$18,000.00**
  - d Young Men's Christian Association of Sydney - The Peer2Peer Project - \$17,615.00**
  - e Diamond Women Limited - Coast Life Perinatal and Antenatal Program - \$15,540.00**
  - f The Fathers Table Incorporated – Outreach - \$15,000.00**
  - g Youth off the Streets Limited - The Lakes College (TLC) Wellbeing Sessions - \$11,617.84**
  - h Zonta Club Central Coast Incorporated - Start-up linen sets for Women in Central Coast Refuges - \$10,000.00**
  - i Lifeline Direct Limited - Suicide Safer Central Coast - \$17,500.00**
  - j Gosford Regional Community Services Incorporated - Threads of Community - \$20,000.00**
  - k Central Coast Conservatorium of Music Incorporated - Instrument Festival (Coast Instrufest) - \$20,000.00**
  - l Central Coast Family Support Services Incorporated - GRAND Matters - \$9,044.00**
  - m Camp Breakaway Incorporated - Adults and Children living with a disability - \$16,000.00**
  - n Central Coast Domestic Violence Committee - The Walk Against Domestic and Family Violence - \$15,300.00**
  - o Central Coast ARAFMI - The Shed- Mending Minds - \$10,200.00**

- p The Entrance Food Hub Incorporated - Community Fun Hub - \$14,680.00*
- q Surf Life Saving Central Coast Incorporated - Remote Location Rescue Tubes - \$20,000.00*
- r Road Safety Education Limited- RYDA Road Safety Education - \$15,000.00*
- s Community Environment Network - Central Coast Platypus Watch - \$9,901.92*
- t The Trustee of The Salvation Army (NSW) Property Trust – BRAVE - \$17,000.00*
- u Erina Archery Club Incorporated - Erina Archery Club Relocation - \$8,100.00*
- v Mission Australia - Igniting Well-being in Social Housing Project - \$10,000.00*

**2 Declines applications as outlined below, for the reasons indicated below and in Attachment 1, and the applicants be advised and where relevant, directed to alternate funding sources:**

- a Tarragal Outrigger Canoe Club Incorporated - application is ineligible.*
- b Coast Opera Australia Central Coast Limited - application is ineligible.*
- c The Entrance Mens Shed Incorporated - recommended applicant re-apply in the Community Support Grant Program.*
- d Doyalson Wyee Soccer Club Incorporated - application is ineligible.*
- e Bundaleer Landcare Group - broader community benefit is not demonstrated.*
- f We Care Connect Limited - application is ineligible.*
- g Coastwide Child and Family Services Incorporated - limited funding available within the Community Development budget.*
- h Older Worker Empowerment Incorporated - broader community benefit is not demonstrated.*
- i Central Coast Outrigger Canoe Club Incorporated - broader community benefit is not demonstrated.*
- j Hammond Care - application is ineligible.*
- k Learning Links- application is ineligible.*
- l Sugandha Singh - application is ineligible.*
- m Royal Institute of Deaf and Blind Children - insufficient information provided to make an accurate assessment.*
- n Oz Harvest Limited - application is ineligible.*
- o Gosford and District Tennis Association Incorporated - application is ineligible.*
- p Community Defib Project - applicant to be directed to a more appropriate funding stream.*
- q Musicians Making a Difference - limited funding available within the Community Development budget.*
- r The Shepherd Centre- for Deaf Children - broader community benefit is not demonstrated.*

- s** *Naughty Noodle Fun Haus Incorporated – more suitable funding stream has been identified.*
- t** *Berkeley Vale Pre-School Kindergarten Incorporated - application is ineligible.*
- u** *Working Paws Dog Rescue Incorporated - application is ineligible.*
- v** *Curtain Bounce Incorporated - broader community benefit is not demonstrated.*
- w** *The Rotary Club of Gosford North Incorporated – project received funding through the Central Coast LGA ClubGrants program.*
- x** *Brisbane Water Historical Society Incorporated - application is ineligible.*
- y** *Avoca Beach Surf Life Saving Club Incorporated - broader community benefit is not demonstrated.*
- z** *Central Coast Mariners Foundation Limited – more suitable funding stream has been identified.*
- aa** *Avoca Beach Community Association - broader community benefit is not demonstrated.*
- bb** *Autism Spectrum Australia (ASPECT) - application is ineligible.*
- cc** *Central Coast Heart Incorporated - limited funding available within the Community Development budget.*
- dd** *EDSACC Croquet Club Incorporated – more suitable funding stream has been identified.*
- ee** *Films4Change Incorporated - insufficient information provided to make an accurate assessment.*
- ff** *Slippery Sirkus Incorporated - limited funding available within the Community Development budget.*
- gg** *Gosford City Brass Band Incorporated - broader community benefit is not demonstrated.*
- hh** *Claws n Paws Rescue Group Incorporated - broader community benefit is not demonstrated.*
- ii** *Killarney Vale Australia Football Club Incorporated - application is ineligible.*
- jj** *One Culture Limited - application is ineligible.*
- kk** *Terrigal Surf Life Saving Club Incorporated - application is ineligible.*
- ll** *SparkCC Incorporated - broader community benefit is not demonstrated.*
- mm** *Epilepsy Action Australia - application is ineligible.*
- nn** *Regional Academies of Sport Limited - application is ineligible.*

### **Report purpose**

To seek endorsement of the recommendations for the 2023-2024 Community Development Grant Program.

### **Executive Summary**

This report considers the applications and recommendations for the Community Development Grants Program.

The Community Development Grant Program is an annual program and opened for applications on 1 June 2023 and closed on 30 June 2023.

Funding of up to \$20,000 per project is available and provides funding to selected activities that are able to be completed within an eighteen (18) month timeframe from the date of funding.

### **Background**

#### *Community Grants*

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

Council's Community Grants Program includes:

- Community Development Grant Program
- Community Events and Place Activation Grant Program
- Community Support Grant Program

The Community Development Program applications and recommendations are being considered in this report.

The Community Development Grants Program aims to support local community organisations to implement specific projects and activities that provide community outcomes and enhance the quality of life of residents, as well as strengthening their ability to deliver projects and services that respond to the needs of the community.

The Community Development Grant Program provides a budget of \$300,000 annually as detailed in table 1 below.

**Table 1: Community Development Grant Program**

Program	Budget	Opening Period	2023-24 allocation to date	Recommended allocation within this report	Allocation plus Recommendation
Community Development Grant Program	\$300,000	1 June 2023 – 30 June 2023	\$0.00	<b>\$299,666.76</b>	<b>\$299,666.76</b>
<b>TOTAL</b>	<b>\$300,000</b>		<b>\$0.00</b>	<b>\$299,666.76</b>	<b>\$299,666.76</b>

**Current Status**

The 2023-2024 Community Development Grants Program opened for applications on 1 June 2023 and closed on 30 June 2023.

The Community Development Grant Program received a significant number of applications. This has resulted in the majority of applications not being recommended for funding due to the limited funding available. Applications in this round have been assessed based on the program criteria and prioritised based on programs/projects that have that have a high local need and a broad social impact.

**Assessment**

A total of 62 applications were received and assessed by 14 August 2023 with 22 applications recommended for funding in this Council report.

Forty applications were not recommended for funding. Of these, 18 were ineligible, two had insufficient information to make an accurate assessment, 11 did not demonstrate broader community benefit, five were not prioritised due to limited funding within the grant program and five were identified for a more suitable funding source. Applicants are advised to discuss their proposals further with Council's Grants Officers prior to resubmission in a future round.

Council's Unit Manager Community and Culture and the Community Grants Team assessed the Community Development Grant applications, against the Community Development 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 59 attendees and four grant information sessions with 116 attendees.

Additionally, Council staff also undertook two drop-in support sessions with three 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 2023/2024 Council Operational Expenditure original budget allocates \$300,000 to the Community Development Grant Program.

Expenditure is approved until the end of the 2023-2024 financial year. Unspent funds will lapse on 30 June 2024.

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 funding agreement 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**

- |          |   |                               |           |
|----------|---|-------------------------------|-----------|
| <b>1</b> | Community Development Grants Program - 2023-2024 -Recommended and Not Recommended | Provided Under Separate Cover | D15875664 |
|----------|---|-------------------------------|-----------|

**Item No:** 2.14  
**Title:** Community Support Grant Program - August 2023  
**Department:** Community and Recreation Services

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31 October 2023 Ordinary Council Meeting

Reference: F2017/02117-002 - D15565061  
Author: Belinda McRobie, Section Manager Community Development  
Manager: Glenn Cannard, Unit Manager. Community and Culture  
Executive: Melanie Smith, Director Community and Recreation Services

## **Recommendation**

### ***That Council:***

- 1     *Allocates \$29,808.00 (inclusive of GST where applicable) from the 2023/24 grants budget to the Community Support Grant program, as outlined below and in Attachment 1:***
  - a     NSW Wildlife Information Rescue and Education Service Incorporated. WIRES Central Coast Branch - Brushtail and Ringtail Possum Aviary \$2,185.00***
  - b     Tuggerah Lakes Christian Education Board Incorporated - F.U.S.E. Camp - \$1,325.00***
  - c     Tempo Terrific Inc - Support for Rental of Rehearsal Space - \$2,950.00***
  - d     Volunteer Marine Rescue NSW Tuggerah Lakes – Fuel Caddys - \$5000.00***
  - e     North Entrance Surf Life Saving Club - cool room efficiency improvements - \$5000***
  - f     Central Coast Domestic Violence Committee - DV bus wraps - CCDVC launch of the 16 days of Activism - \$5000.00***
  - g     Peninsula Chamber of Commerce - Brisbane Water Oyster Festival Street Banners - \$4,548.00***
  - h     The New South Wales Netball Association Limited - 2023 Netball NSW Social Masters - \$3,800.00***
- 2     *Declines 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     Umina Beach Men's Shed Inc - Safer parking - application is ineligible***

## **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, and 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 provides assistance for community activities that require:

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

**Table 1: Community Support Grant Program**

Program	Original Budget	Opening Period	2023/2024 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	\$94,801.93	\$29,808.00	\$124,609.93
<b>TOTAL</b>			<b>\$94,801.93</b>	<b>\$29,808.00</b>	<b>\$124,609.93</b>

### **Current Status**

Applications submitted from 1 – 31 August 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**

A total of nine applications were received and assessed by 11 September 2023, with eight applications recommended for funding in this Council report. One application is not recommended for funding.

The application not recommended for funding was ineligible. The applicant will be advised to discuss their proposal further with Council's Grants Officers prior to resubmission in a future round.

Council's Unit Manager Community and Culture and the Community Grants Team assessed the Community Support Grant program applications, 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 59 attendees and four grant information sessions with 116 attendees.

Additionally, Council staff also undertook two drop in support sessions with three 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 2023/2024 Council Operational Expenditure original budget allocates \$300,000 to the Community Support Grant Program.

Expenditure is approved until the end of the 2023-2024 financial year. Unspent funds will lapse on 30 June 2024.

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**

<b>1</b>	Community Support Grant Program - August 2023 -	Provided Under	D15873666
	Recommended and Not Recommended	Separate Cover	

**Item No:** 2.15  
**Title:** Community Events and Place Activation Grant Program -2023-2024  
**Department:** Community and Recreation Services

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31 October 2023 Ordinary Council Meeting

Reference: F2018/01409 - D15565390  
Author: Belinda McRobie, Section Manager Community Development  
Manager: Glenn Cannard, Unit Manager Community and Culture  
Executive: Melanie Smith, Director Community and Recreation Services

## **Recommendation**

### ***That Council:***

***1 Allocates \$297,375.09 (inclusive of GST where applicable) from the 2023-24 grants budget to the Community Events and Place Activation Grant Program as outlined below and in Attachment 1:***

- a Peninsula Chamber of Commerce Inc - Brisbane Water Oyster Festival - \$15,900***
- b Girrakool Blues Foundation Ltd - Girrakool Blues Festival 2024 - \$20,000.00***
- c Peninsula Environment Group (PEG) - Woytopia Sustainable Living Festival - \$13,325.00***
- d Words on the Waves - Writers Festival for 2024 - \$19,944.99***
- e Naughty Noodle Fun Haus Incorporated - Coastal Twist LGBTIQ Arts & Culture Festival 2024 - \$20,000.00***
- f Cranhill Pty Ltd – East Coast Beverages - Day on the Farm 2024 - \$15,030.00***
- g Davistown Putt Regatta and Wooden Boat Festival Inc- 2024 Festival - \$19,001.00***
- h Joanne Giles BROWSE Events - 2024 Central Coast Chili Festival - \$16,770.00***
- i Toowoona Bay Surf Lifesaving Club - 70th anniversary celebrations - \$19,000.00***
- j Central Coast ARAFMI- Connecting Community Mental Health Matters- \$9,240.00***
- k Terrigal Trotters Club- 2024 Bay to Bay Running Festival - \$11,843.00***
- l Max Adventure Pty Ltd- Bouddi Coastal Run - Trail Running Event - \$2,500.00***
- m C.L Perrin & T.A Spencer - Stars Festival - \$11,645.53***
- n Vegan NSW Inc - Alive Fest \$19,400.00***



- o The Rotary Club of Brisbane Water- Park After Dark - \$16,356.00*
- p 5 Lands Walk Incorporated- 5 Lands Walk Winter Festival 2024 - \$20,000.00*
- q Sport Central Coast - 2023 Sports Awards - \$6,969.57*
- r Surfing NSW Inc - Central Coast Pro - \$10,000.00*
- s Long Jetty Festival Pty Ltd- 2024 Festival - \$20,000.00*
- t Central Coast Kids Day Out Incorporated- The Earlier the better - \$7,000.00*
- u Elizabeth Nancy Hart - Bark Park - \$ 3,450.00*

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

- a Tarragal Outrigger Canoe Club - broader community benefit is not demonstrated.*
- b Youth In Performing Arts YIPA - Central Coast Incorporated –limited funding available within the Community Events and Place Activation budget (ticketed event)*
- c Central Coast Lapidary Club Incorporated - broader community benefit is not demonstrated.*
- d Killcare Surf Life Saving Club Inc. - broader community benefit is not demonstrated.*
- e Saratoga Sailing Club Inc.- application is ineligible.*
- f House to Grow Ltd - limited funding available within the Community Events and Place Activation budget*
- g Fixx Pty Ltd- application is ineligible*
- h Heritage Ventures Pty Ltd - limited funding available within the Community Events and Place Activation budget (ticketed event)*
- i World Water Ski Racing Association Inc- more suitable funding source has been identified.*
- j Kristy Patricia Austin - application is ineligible*
- k J.P Fyfe & D Williams - limited funding available within the Community Events and Place Activation budget*
- l Rotary Club of Kincumber Incorporated - application is ineligible*
- m Kingdom Sounds Pty Ltd - application is ineligible.*
- n Joanne Giles BROWSE events - application is ineligible.*
- o Northlakes United Rugby Union Club Inc - broader community benefit is not demonstrated.*
- p Lead By Story Pty Ltd - broader community benefit is not demonstrated.*

- 
- q Maria Eugenia Uran - Insufficient information provided to make an accurate assessment.**
  - r Gosford Race Club Limited - more suitable funding source has been identified.**
  - s Central Coast Conservatorium of Music Inc - application is ineligible.**
  - t Central Coast Soaring Incorporated - broader community benefit is not demonstrated.**
  - u Terrigal Collective Incorporated - Insufficient information provided to make an accurate assessment.**
  - v Australian Football Skool Pty Ltd - more suitable funding source has been identified**
  - w Central Coast Malayalee Association Inc - broader community benefit is not demonstrated.**
  - x Australian Football Skool Pty Ltd - more suitable funding source has been identified**
  - y Mackillop Catholic College - limited funding available within the Community Events and Place Activation budget**
  - z NSW Business Chamber Limited - limited funding available within the Community Events and Place Activation budget (ticketed event)**
  - aa AJ Events Pty. Ltd. - limited funding available within the Community Events and Place Activation budget (ticketed event)**

### **Report purpose**

To seek endorsement of the recommendations for the 2023-2024 Community Events and Place Activation Grant Program.

### **Executive Summary**

This report considers the applications and recommendations for the Community Events and Place Activation Grant Program.

The Community Events and Place Activation Grant Program is an annual program and opened for applications on 1 June 2023 and closed on 30 June 2023.

Funding of up to \$20,000 per project is available and provides funding to selected activities that are able to be completed within an eighteen (18) month timeframe from the date of funding.

## **Background**

### *Community Grants*

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

Council's Community Grants Program includes:

- Community Development Grant Program
- Community Events and Place Activation Grant Program
- Community Support Grant Program

The Community Events and Place Activation Program applications and recommendations are being considered in this report.

The Community Events and Place Activation Grants Program aims to support local organisations to deliver community events and activities that activate space and places to complement activity around town centres, foreshores, lakes and open spaces for families, community, and visitors.

The Community Events and Place Activation Grant Program provides a budget of \$300,000 annually as detailed in table 1 below.

<b>Program</b>	<b>Budget</b>	<b>Opening Period</b>	<b>2023-24 allocation to date</b>	<b>Recommended allocation within this report</b>	<b>Allocation plus Recommendation</b>
Community Events and Place Activation	\$300,000	1 June 2023 – 30 June 2023	\$0.00	\$297,375.09	\$297,375.09
<b>TOTAL</b>	<b>\$300,000</b>		<b>\$0.00</b>	<b>\$297,375.09</b>	<b>\$297,375.09</b>

## **Current Status**

The 2023-2024 Community Events and Place Activation Grants Program opened for applications on 1 June 2023 and closed on 30 June 2023.

The Community Events and Place Activation Grant Program received a significant number of applications. This has resulted in the majority of applications not being recommended due to the limited funding available. Applications in this round have been assessed based on the

program criteria and recommendations prioritised to support events that have free community access/entry and events that have a broad regional economic, cultural, and social impact.

### **Assessment**

A total of 48 applications were received and assessed by 14 August 2023 with 21 applications recommended for funding in this Council report.

Twenty-seven (27) applications were not recommended for funding and of these, seven were ineligible, two had insufficient information to make an accurate assessment, seven did not demonstrate broader community benefit, four were not prioritised due to being ticketed events, three were not prioritised due to limited funding within the grant program and four were identified for a more suitable funding source or had already received funding through another funding program. Applicants are advised to discuss their proposals further with Council's Grants Officers prior to resubmission in a future round.

Council's Unit Manager Community and Culture and the Community Grants Team assessed the Community Events and Place Activation Grant applications, against the Community Events and Place Activation 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 59 attendees and four grant information sessions with 116 attendees.

Additionally, Council staff also undertook two drop-in support sessions with three 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.

## 2.15 Community Events and Place Activation Grant Program -2023-2024 (contd)

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Council's 2023/2024 Council Operational Expenditure original budget allocates \$300,000 to the Community Events and Place Activation Grant Program.

Expenditure is approved until the end of the 2023-2024 financial year. Unspent funds will lapse on 30 June 2024.

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 funding agreement 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**

<b>1</b>	Community Events and Place Activation Grant	Provided Under	D15873394
	Program 2023-2024 - Recommended and Not Recommended	Separate Cover	

**Item No:** 2.16  
**Title:** Variations to Development Standards - July to September 2023  
**Department:** Environment and Planning

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31 October 2023 Ordinary Council Meeting

Reference: F2020/00039 - D15666620  
Author: Matthew Corradin, Unit Manager, Environmental Compliance Services  
Executive: Alice Howe, Director Environment and Planning

## **Recommendation**

***That Council notes the report on Variations to Development Standards – July to September 2023.***

## **Report purpose**

To inform Council of the development applications (DAs) determined between 1 July to 30 September 2023 where there has been a variation in relevant development standards under an applicable Environmental Planning Instrument. This is a quarterly requirement under the NSW Government's *Planning Circular PS 2-002 – 'Variation to Development Standards'*.

## **Executive Summary**

Between 1 July to 30 September 2023, 660 DAs were lodged with Council, with 549 of these determined. Of the 549 DAs determined, six had a variation to relevant development standards.

## **Variations to Development Standards**

The following consents were granted between 1 July to 30 September 2023 that included a variation to a development standard within the *Gosford Local Environmental Plan 2014* (GLEP 2014), *Wyong Local Environmental Plan 2013* (WLEP 2013), or *Central Coast Local Environmental Plan 2022* (CCLEP 2022):

- 6 Development Applications by Central Coast staff
- 0 Development Applications by the Central Coast Local Planning Panel
- 0 Development Applications by Hunter and Central Coast Regional Planning Panel
- 0 Development Application by Land and Environment Court

Provided as Attachment 1 to this report is the variation to the development standard register for the 1 July to 30 September 2023 period, which includes relevant justifications.

**Financial Considerations**

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

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

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

There are no material financial implications for Council associated with this report.

**Link to Community Strategic Plan**

Theme 4: Responsible

**Goal I: Balanced and sustainable development**

R-I3: 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**

There are no material risk implications for Council associated with this report.

**Attachments**

<b>1</b>	Variations to Development Standards Register – July to September 2023 Period	Provided Under Separate Cover	D15898521
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**Item No:** 2.17  
**Title:** Submission to Inquiry into the Performance of the Regional Investment Activation Fund and Regional Job Creation Fund  
**Department:** Environment and Planning

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31 October 2023 Ordinary Council Meeting

Reference: F2019/00121 - D15906728  
Author: Andrew Powrie, Business Economic Development Manager  
Manager: Jamie Barclay, Unit Manager Economic Development and Property  
Executive: Alice Howe, Director Environment and Planning

## **Recommendation**

***That Council authorise the CEO to make a formal Council Submission (Attachment 1) to the Inquiry into the Performance of the Regional Investment Activation Fund and Regional Job Creation Fund.***

## **Report purpose**

This report relates to a submission to the NSW Parliament Legislative Committee on Investment, Industry and Regional Development, which is conducting an Inquiry into the performance of the Regional Investment Activation Fund and the Regional Job Creation Fund.

## **Executive Summary**

On 30 August 2023 the Chair of the Legislative Assembly Committee on Investment, Industry and Regional Development, The Hon Roy Butler MP, wrote to Council extending an invitation to make a submission to the inquiry to share our insights into the performance of the Regional Investment Activation Fund and the Regional Job Creation Fund. This report proposes that Council make a submission to that Inquiry.

## **Background**

The Regional Job Creation Fund, managed by the Central Coast Department of Regional NSW team, has delivered several business funding outcomes for the Central Coast. In Round 1, 10 local businesses received funding across a range of industries, with aggregated funding over \$5.5 million with an estimated job creation of 268 FTE. In Round 2, four businesses received funding totalling \$1.7 million, with an estimated job creation of 112 FTE.

Central Coast businesses have not received any funding through the Regional Investment Activation Fund thus far.

## **2.17 Submission to Inquiry into the Performance of the Regional Investment Activation Fund and Regional Job Creation Fund (contd)**

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Central Coast Council is not involved in the allocation of either of these funding streams.

The Terms of Reference of the Inquiry into the Performance of the Regional Investment Activation Fund and the Regional Job Creation Fund include:

- a) The allocation and administration of the funds;
- b) The effectiveness of the funds in achieving their aims;
- c) Council and agency support for private investor enquiries and proposal in regional areas;
- d) impediments to growth in regional NSW, including challenges in the planning system;
- e) the effectiveness of the Business Concierge service and a comparison to other States' performance;
- f) opportunities for regional and metropolitan councils to work together to promote productivity and economic development; and
- g) any other related matters.

Council was invited by the Committee to make a submission to the inquiry by 27 October 2023, and has received an extension until 1 November 2023 to allow the proposed submission to be considered by Council.

### **Current Status**

A proposed submission has been drafted (Attachment 1) for Council consideration.

### **Report**

Council's submission to the Inquiry relates primarily to points c) and d) of the Inquiry's Terms of Reference, with feedback and comments under the following themes:

- 1. State Government Funding Programs Impact on Local Government
- 2. Local Government Resource Constraints
- 3. Overly Complex Planning Processes

### **Consultation**

Consultation has been held internally with Units that have been involved in assisting the Central Coast Department of Regional NSW team with enquiries about the Regional Investment Activation Fund and the Regional Job Creation Fund.

### **Financial Considerations**

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

## 2.17 Submission to Inquiry into the Performance of the Regional Investment Activation Fund and Regional Job Creation Fund (contd)

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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 that will arise from Council making a submission to the Inquiry. The submission was drafted with existing in-house resources.

### Link to Community Strategic Plan

Theme 1: Belonging

### Goal C: A growing and competitive region

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

### Risk Management

There are no material risks to Council making a submission to the Inquiry.

### Options

The options available to Council are to:

1. Make a submission to the inquiry on the Regional Investment Activation Fund and the Regional Job Creation Fund. **This is the recommended option.**
2. Not make a submission.
3. Amend the submission proposed by staff.

### Critical Dates or Timeframes

Council has received an extension to the closing date to make a submission to the Inquiry by 1 November 2023.

### Attachments

<b>1</b>	Council Submission into Regional Investment Activation Fund RIAF and Regional Job Creation Fund RJCF - September 2023	Provided Under Separate Cover	D15906737
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**Item No:** 2.18  
**Title:** Submission to Inquiry into the Impacts of Climate Change on the Environment and Communities  
**Department:** Environment and Planning

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31 October 2023 Ordinary Council Meeting

Reference: F2017/01558-003 - D15916725  
Author: Shannon Turkington, Unit Manager Strategic Planning  
Executive: Alice Howe, Director Environment and Planning

Due notice is given of this matter in accordance with Council's Code of Meeting Practice.

The report and any relevant attachments will be provided prior to the Ordinary Meeting of 31 October 2023.



**Item No:** 2.19  
**Title:** Disclosure of Interests Returns for the Period 1 July 2022 to 30 June 2023  
**Department:** Corporate Services

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31 October 2023 Ordinary Council Meeting

Reference: F2022/01293 - D15836978  
Author: Alysha Croussos, Senior Governance Officer, Governance  
Manager: Edward Hock, Unit Manager Governance, Risk and Legal  
Executive: Marissa Racomelara, Director Corporate Services

## Recommendation

***Council notes the tabling of the Disclosures by Designated Persons Returns for the period 1 July 2022 to 30 June 2023 and the Disclosures of Pecuniary Interests and Other Matters lodged by members of the Central Coast Local Planning Panel.***

## Report purpose

To table the disclosures of interests annual returns for Designated Persons, independent representatives of the Audit, Risk and Improvement Committee and members of the Central Coast Local Planning Panel (**CCLPP**) for the 2022/23 financial year in accordance with Council's Code of Conduct, the Local Planning Panel Code of Conduct (**LPP Code of Conduct**) and the *Local Government Act 1993* (**LG Act**).

## Executive Summary

This report tables disclosures by Designated Persons returns lodged for the period of 1 July 2023 to 30 June 2023.

## Background

To comply with Council's Code of Conduct, Councillors, designated persons and independent representatives of relevant committees must make a lodge a return, set out in the prescribed form, disclosing their interests within three months after 30 June each year, that being 30 September.

"Designated persons" are defined in the Code of Conduct as:

*(a) the Chief Executive Officer*

*(b) other senior staff of the council for the purposes of [section 332 of the LG Act](#)*

*(c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the*

*council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest*

*(d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.*

The returns are designed to promote openness and transparency in local government, and to avoid a conflict of interest on the part of Councillors and Council staff who exercise decision making functions.

The Code of Conduct requires that the Chief Executive Officer table the disclosures at the first Ordinary Council Meeting held after 30 September.

Under section 4.17 of the LPP Code of Conduct, members of the CCLPP are required to periodically lodge with the Panel Chair a Disclosures of Pecuniary Interests and Other Matters return disclosing their interests. The Panel Chair must provide the returns to the Chief Executive Officer who must in turn keep a register of the returns.

Under Schedule 2 of the LPP Code of Conduct, the Chief Executive Officer is required to table at a Council meeting all returns of CCLPP members lodged with the Panel Chair. The returns were previously tabled at the CCLPP meeting of 12 October 2023.

## **Report**

The process for the completion of written returns, for the period of 1 July 2022 to 30 June 2023, was undertaken in accordance with relevant legislation, regulation, Codes and Guidelines.

All persons identified as a Designated Person have lodged a return before the statutory date of 30 September 2023, with the exception of one Designated Person who left the employment of Council and failed to lodge a return, despite all reasonable attempts to have them do so.

All completed written returns have been filed in the relevant registers within Council's electronic document management system.

The *Government Information (Public Access) Act 2009 (GIPA Act)* and its associated Regulation defines the returns of the interests of councillors, designated persons and

## **2.19 Disclosure of Interests Returns for the Period 1 July 2022 to 30 June 2023 (contd)**

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delegates as open access information. [Section 6 of the GIPA Act](#) provides for the mandatory proactive release of open access information.

The GIPA Act also mandates that open access information is to be made publicly available free of charge on Council's website.

In accordance with both the GIPA Act and Guideline 1: For local councils on the disclosure of information contained in the returns disclosing the interests of Councillors and designated persons as published by the Information and Privacy Commissioner, the designated persons returns will be made publicly available on Council's website (with personal information redacted to ensure the protection of privacy).

### **Financial Considerations**

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

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

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

There are no financial implications associated with 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 tabling of returns supports Council's compliance with the relevant legislative requirements.

Further, maintaining a returns register helps maintain public confidence in the integrity of Council's decision-making functions and protects Council from the risk of complaints concerning possible breaches of pecuniary interest provisions of the Code of Conduct.

### **Options**


- 1            Council note the tabling of the returns of interest for designated persons for the 2022/23 financial year and the returns of the members of the Central Coast Local Planning Panel. **This is the recommended option.**
- 2            Council does not adopt the recommendation. The Code of Conduct require the returns to be tabled at a Council meeting. Failure to do so would constitute a breach of the Code. This is not the recommended option.

### **Critical Dates or Timeframes**

In accordance with the Code of Conduct, the disclosures by Councillors and designated persons must be tabled at the first meeting of Council held after the last date of lodgement, that being 30 September 2023. This is the first meeting that falls after that date.

In accordance with LPP Code of Conduct, the Chief Executive Officer is required to table at a Council meeting all returns of CCLPP members lodged with the Panel Chair. The returns were previously tabled at the CCLPP meeting of 12 October 2023. This is the first meeting that falls after that date.

### **Attachments**

- |          |   |                               |           |
|----------|---|-------------------------------|-----------|
| <b>1</b> | Combined Redacted Disclosure of Interest Returns                                    | Provided Under Separate Cover | D15915924 |
|          |  |                               |           |