



Central Coast Council  
Business Paper  
Ordinary Council Meeting  
**25 June 2024**





# COMMUNITY STRATEGIC PLAN 2018-2028

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

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

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

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

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

## RESPONSIBLE

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

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

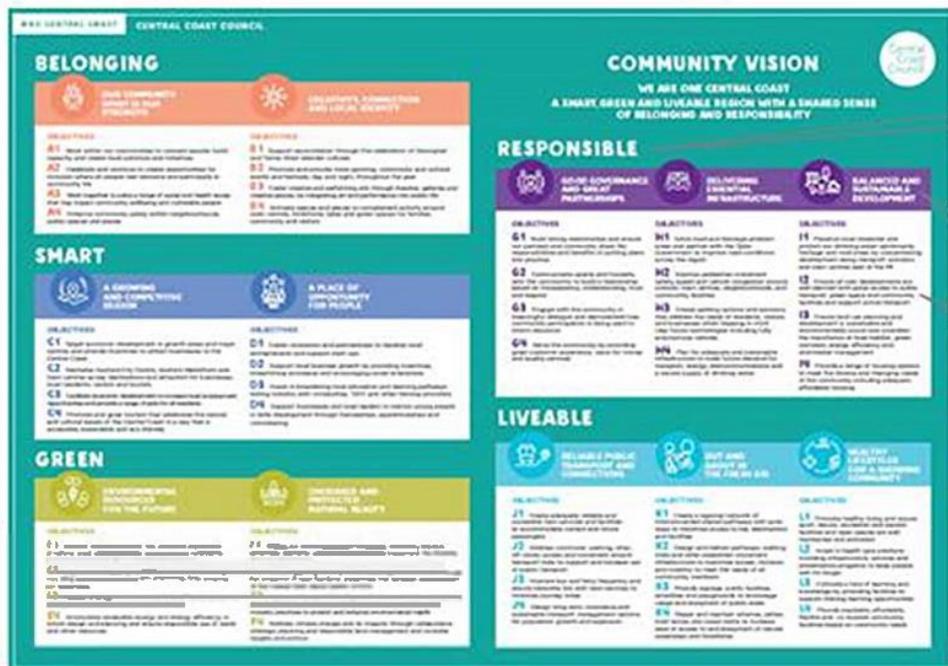
 **Good governance and great partnerships**

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

There are 5 themes, 12 focus areas and 48 objectives

### COMMUNITY STRATEGIC PLAN 2018-2028 FRAMEWORK

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



# Meeting Notice

**The Ordinary Council Meeting  
of Central Coast Council  
will be held in the Central Coast Council Chambers,  
2 Hely Street, Wyong  
on Tuesday 25 June 2024 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.....	4
1.2	Confirmation of Minutes of Previous Meeting.....	6
1.3	Notice of Intention to Deal with Matters in Confidential Session.....	7

## **2 Reports**

2.1	Monthly Finance Report May 2024.....	9
2.2	Monthly Investment Report May 2024.....	19
2.3	Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption.....	26
2.4	Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition.....	41
2.5	Debt Recovery 2023-24 - Update.....	68
2.6	Water and Sewer 2026-2031 IPART Pricing Submission Approach.....	76
2.7	Gosford Waterfront Revitalisation Progress Report.....	80
2.8	Gosford Regional Library Project Status Update.....	86
2.9	Outdoor Trading Specification - Outcomes of Public Exhibition.....	91
2.10	Draft Central Coast Council Engagement Strategy - For Public Exhibition.....	97
2.11	Planning Proposal to rezone 2 Woongarra Road, Woongarra.....	106
2.12	Draft Water and Sewer Developer Servicing Plans - For Public Exhibition.....	117
2.13	Council Policies - Revocation and Extension.....	125
2.14	Administrator Expenses and Facilities Report - 1 July 2023 to 31 December 2023.....	134
2.15	Community Support Grant Program - April 2024.....	138

David Farmer  
**Chief Executive Officer**



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

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25 June 2024 Ordinary Council Meeting

Reference: F2024/00015 - D16050645  
Author: Briony Stiles, Team Leader - Civic Support  
Manager: Teresa Chadwick, 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*

## 1.1 Disclosures of Interest (cont'd)

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

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



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

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25 June 2024 Ordinary Council Meeting

Reference: F2024/00015 - D16050641

### **Recommendation**

***That Council confirms the minutes of the Ordinary Meeting of Council held on 28 May 2024.***

### **Summary**

Confirmation of minutes of the Ordinary Meeting of Council held on 28 May 2024.

### **Attachments**

<b>1</b>	MINUTES - Council Meeting - 28 May 2024	Provided Under Separate Cover	D16221039
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**Item No:** 1.3  
**Title:** Notice of Intention to Deal with Matters in Confidential Session  
**Department:** Corporate Services



25 June 2024 Ordinary Council Meeting

Reference: F2024/00015 - D16050650

### **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,*

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

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

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

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

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

#### **Attachments**

Nil



**Item No:** 2.1  
**Title:** Monthly Finance Report May 2024  
**Department:** Corporate Services

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25 June 2024 Ordinary Council Meeting

Reference: F2020/03205 - D16194807  
Author: Garry Teesson, Section Manager Financial Planning and Business Support  
Manager: Emma Galea, Chief Financial Officer  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

***That Council receives the Monthly Financial Report – May 2024.***

### **Report purpose**

To present to Council the monthly financial report for May 2024.

### **Executive Summary**

This report presents the May 2024 monthly financial report.

For 2023-24 FY Council has budgeted, on a consolidated basis, an operating surplus before capital income of \$25.9M. As at 31 May 2024, Council has an operating surplus of \$44.5M, compared to a YTD budget of an operating surplus of \$16.8M. The budgeted net operating position will fluctuate throughout the financial year, reflecting income and expenditure timing.

It is further noted that Council has budgeted to receive the 2024-25 Financial Assistance Grant entitlement of \$23M in advance, in the 2023-24 financial year. The risk remains regarding the level of, if any, advance payment being received. The most recent correspondence on this matter, dated 6 June 2024, indicates that the government is intending to pay the Financial Assistance Grant in four equal quarterly instalments commencing August 2024, however have not ruled out a partial pre-payment. If the grant is paid as indicated then the reduced income of \$23M this financial year will have a direct impact on the budgeted operating surplus.

It is noted that the June 2024 monthly financial report will be a summary report based on indicative results at time of reporting. The 2023-24 FY results will be subject to change as end of year processes are undertaken to complete the 2023-24 FY Annual Financial Statements.

The July 2024 monthly financial report will also be a summary report as the focus of staff will be on the completion of the 2023-24 FY Annual Financial Statements to be submitted to Council for referral to audit.

### **Background**

The monthly financial reports have been prepared in accordance with the requirements of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021*, 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.

### **Stakeholder Engagement**

The preparation of the May 2024 monthly financial report included consultation with business units across Council to ensure all revenue and expenditure attributable to the 2023-24 FY is captured.

### **Financial Considerations**

This report presents the financial position of Council as at 31 May 2024. Variations from budgeted amounts are detailed and an explanation provided. For the reporting period, Council is performing better than budget. To date, there are no concerns regarding Council's financial performance for the remainder of the financial year.

### **Consolidated Operating Statement**

As at 31 May 2024, Council has a consolidated net operating surplus of \$44.5M, before capital income, which is favourable to YTD budget by \$27.7M. The variance is driven by a YTD favourable variance in operating income of \$12.8M, and a favourable variance in operating expenses, mostly in materials and services of \$14.9M.

The net operating surplus including capital income is \$122.6M which is favourable to YTD budget by \$40.3M.

<b>Consolidated Operating Statement</b>											
May 2024											
											
	CURRENT MONTH			YEAR TO DATE				FULL YEAR			
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Adopted Changes	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>											
Rates and Annual Charges	40,960	41,066	(106)	395,485	395,022	463	363,884	389,283	421,456	295	421,751
User Charges and Fees	13,483	12,824	659	153,535	151,181	2,354	147,338	164,977	163,782	(707)	163,075
Other Revenue	2,321	2,286	35	20,834	18,780	2,053	18,435	21,086	13,683	6,249	19,932
Interest	3,372	5,064	(1,692)	34,700	29,912	4,787	20,669	23,888	15,244	18,518	33,762
Grants and Contributions	1,350	1,292	58	22,859	20,693	2,166	23,269	56,621	49,880	1,707	51,587
Gain on Disposal	379	1,462	(1,084)	2,762	2,396	367	7,360	7,785	-	2,258	2,258
Other Income	894	890	4	9,267	8,747	520	8,796	9,754	8,775	749	9,524
Internal Revenue	5,321	2,482	2,840	51,383	51,310	73	55,752	61,923	60,701	(4,028)	56,673
<b>Total Income attributable to Operations</b>	<b>68,080</b>	<b>67,366</b>	<b>714</b>	<b>690,824</b>	<b>678,040</b>	<b>12,784</b>	<b>645,503</b>	<b>735,318</b>	<b>733,521</b>	<b>25,040</b>	<b>758,561</b>
<b>Operating Expenses</b>											
Employee Costs	18,633	19,366	734	173,752	177,970	4,219	156,133	184,873	195,069	1,417	196,486
Borrowing Costs	938	980	42	8,755	8,568	(187)	9,517	13,073	13,746	(1,088)	12,659
Materials and Services	19,984	17,879	(2,305)	194,801	206,288	11,487	189,525	216,095	237,509	(8,544)	228,965
Depreciation and Amortisation	16,657	16,335	(322)	178,931	178,031	(901)	159,282	174,925	192,226	3,619	195,845
Other Expenses	4,523	5,709	1,186	40,014	41,605	1,591	38,567	44,044	44,523	1,007	45,530
Loss on Disposal	658	1,734	1,076	5,743	5,174	(569)	4,354	17,193	-	5,175	5,175
Internal Expenses	4,968	2,898	(2,070)	44,329	43,574	(755)	44,991	50,087	47,634	342	47,976
Overheads	(0)	(0)	-	0	0	-	(0)	(0)	(0)	-	(0)
<b>Total Expenses attributable to Operations</b>	<b>66,360</b>	<b>64,701</b>	<b>(1,660)</b>	<b>646,326</b>	<b>661,211</b>	<b>14,885</b>	<b>602,369</b>	<b>700,290</b>	<b>730,708</b>	<b>1,928</b>	<b>732,636</b>
<b>Operating Result after Overheads and before Capital Amounts</b>	<b>1,720</b>	<b>2,665</b>	<b>(945)</b>	<b>44,498</b>	<b>16,830</b>	<b>27,669</b>	<b>43,134</b>	<b>35,028</b>	<b>2,813</b>	<b>23,112</b>	<b>25,925</b>
Capital Grants	3,531	10,653	(7,122)	47,708	45,611	2,097	31,700	48,684	59,854	(1,675)	58,179
Capital Contributions	2,134	1,029	1,105	30,421	19,868	10,553	34,882	63,141	17,500	7,899	25,399
Grants and Contributions Capital Received	5,664	11,682	(6,018)	78,129	65,479	12,650	66,582	111,824	77,354	6,224	83,578
<b>Net Operating Result</b>	<b>7,384</b>	<b>14,347</b>	<b>(6,963)</b>	<b>122,627</b>	<b>82,308</b>	<b>40,319</b>	<b>109,716</b>	<b>146,852</b>	<b>80,167</b>	<b>29,335</b>	<b>109,502</b>

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

### **Operating Revenue – \$12.8M favourable to YTD Budget**

- **Rates and Annual Charges +\$0.5M**
  - Minor variance compared to budget.
- **User Fees and Charges \$2.3M**
  - \$0.6M favourable variance from statutory and regulatory function fees.
  - \$0.4M favourable variance on tourist park fees.
  - \$0.4M favourable variance from CCB childcare fee relief.
  - Balance is made up of variances across many business units and fee types.
- **Other revenue +\$2.1M**
  - \$1.0M favourable variance in fines income.
  - \$0.7M favourable variance in stadium income.
  - \$0.6M favourable variance in unrealised gain on investments, floating rate notes and bonds.

## 2.1 Monthly Finance Report May 2024 (cont'd)

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- **Interest +\$4.8M**  
Favourable variance predominantly from an increased interest rate environment, hence receiving more interest on investments than budgeted.
- **Operating Grants and Contributions +\$2.1M**  
Favourable, timing only difference relating to:
  - \$1.0M in Financial Assistance Grant top up payment (total grant to be received in 23/24 is still unknown).
  - \$0.8M in operating grants relating to environmental programs.
  - \$0.3M in operating grants relating to bushfire and emergency services.
  - \$0.3M in operating grants relating to Roads and bridges funding.
  - \$0.3M in contributions slightly under YTD budget.
- **Gain on Disposal +\$0.4M**
  - \$0.4M favourable variance from disposals of plant & equipment.
- **Other Income +\$0.5M**
  - \$0.3M favourable variance in commercial rental income.
  - \$0.2M favourable variance in facilities hire income.
- **Internal revenue +\$0.1M**
  - \$0.8M favourable internal plant and fleet revenue.
  - \$0.7M unfavourable internal tipping fees revenue.All internal revenue items are offset by internal operating and capital expenditure.

### **Operating Expenses – \$14.9M favourable to YTD Budget**

- **Employee costs + \$4.2M**
  - \$4.2M favourable variance due to staff vacancies trending higher than budgeted.
- **Borrowing costs (\$0.2M)**
  - Minor variance.
- **Materials and services +\$11.5M**
  - \$8.2M favourable variance in contracts and consultants.
  - \$0.8M favourable variance in legal expenses.
  - \$0.7M favourable variance in computer software expenses.
  - \$0.6M favourable variance in training costs.
  - \$0.5M favourable variance in materials and consumables.
  - \$0.5M favourable variance in agency hire contracts.

## 2.1 Monthly Finance Report May 2024 (cont'd)

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- \$1.0M unfavourable variance in waste management contracts.  
Other variances are spread across expense categories and delivery units of Council. Some of these variances are timing differences only.
- **Depreciation (\$0.9M)**
  - Minor variance.
- **Other expenses + \$1.6M**
  - \$0.8M favourable variance in EPA waste levy.
  - \$0.7M favourable variance in bad debts (timing only).
  - \$0.2M favourable variance in levy payable on Crown land.
  - \$0.3M unfavourable variance in unrealised decrements in investments. Net unrealised gain of \$4.2M April YTD.
- **Loss on Disposal (\$0.6M)**
  - Minor unfavourable variance due to asset values having minor residual values at time of disposal due to earlier than anticipated replacement due to various factors. This includes roads, bridges, water and sewer networks, and buildings.
- **Internal expenses (\$0.8M)**
  - \$0.8M unfavourable variance in Plant and Fleet Permanent Hire.

### Capital Items – \$25.3M favourable to YTD Budget

- **Capital Grants +\$2.1M**  
Timing differences due to alignment of recognition of income with capital delivery and payment milestones. All expenditure and income remain on track.
  - \$3.9M favourable in parks, gardens and beaches grants.
  - \$2.4M favourable in Roads to Recovery grants.
  - \$3.2M favourable in environmental programs grants.
  - \$0.8M favourable in community centres grants.
  - \$0.7M favourable in Water & Sewer grants.
  - \$2.1M unfavourable in RMS grants.
  - \$5.6M unfavourable other grants across multiple projects and units.
- **Capital Contributions +\$10.6M**  
Favourable timing only differences relating to:
  - \$4.5M in non-cash contributions in roads works, roads land, open space works, community facilities works and other works.
  - \$1.4M in s7.12 capital contributions.

## 2.1 Monthly Finance Report May 2024 (cont'd)

- \$1.4M in community facilities.
- \$1.3M of open space.
- \$1.0M of donated assets.
- \$0.9M of road works.
- \$0.5M of water quality works.

### Financial Performance by Fund

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

<b>Total General (+Drainage &amp; Waste) Fund</b>											
<b>Operating Statement</b>											
May 2024											
	CURRENT MONTH			YEAR TO DATE				FULL YEAR			
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Adopted Changes	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>											
Rates and Annual Charges	26,876	26,893	(17)	289,437	289,149	287	278,510	302,073	312,872	660	313,533
User Charges and Fees	5,855	5,213	642	70,208	67,543	2,665	69,680	79,306	72,227	993	73,220
Other Revenue	2,173	1,106	1,067	19,477	17,600	1,877	17,291	19,957	13,683	5,069	18,752
Interest	2,431	3,381	(951)	25,876	22,002	3,874	15,810	18,149	12,336	13,048	25,384
Grants and Contributions	1,343	1,220	123	22,627	20,451	2,176	23,014	56,253	49,880	1,448	51,328
Gain on Disposal	379	860	(482)	2,160	1,793	367	7,360	7,785	-	1,656	1,656
Other Income	894	890	4	9,267	8,747	520	8,794	9,752	8,763	761	9,524
Internal Revenue	4,935	2,224	2,711	48,730	48,872	(143)	53,479	59,248	58,030	(4,098)	53,932
<b>Total Income attributable to Operations</b>	<b>44,886</b>	<b>41,788</b>	<b>3,098</b>	<b>487,781</b>	<b>476,159</b>	<b>11,622</b>	<b>473,938</b>	<b>552,521</b>	<b>527,792</b>	<b>19,537</b>	<b>547,329</b>
<b>Operating Expenses</b>											
Employee Costs	14,955	15,202	247	142,751	147,407	4,657	133,223	156,491	163,347	(1,083)	162,264
Borrowing Costs	135	58	77	1,781	1,599	(182)	2,279	5,280	5,358	(409)	4,949
Materials and Services	16,174	14,921	(1,252)	158,441	168,223	9,782	158,640	181,380	190,650	(4,833)	186,017
Depreciation and Amortisation	9,825	9,579	(246)	107,089	106,287	(802)	94,050	102,748	113,759	3,274	117,032
Other Expenses	4,523	5,510	987	39,804	41,406	1,602	38,101	43,291	44,523	809	45,331
Loss on Disposal	387	520	133	4,259	3,961	(298)	4,141	15,015	-	3,961	3,961
Internal Expenses	3,677	2,186	(1,491)	32,679	31,972	(707)	34,097	37,851	35,857	(826)	35,030
Overheads	(2,067)	(2,067)	-	(22,734)	(22,734)	-	(20,772)	(20,067)	(24,801)	-	(24,801)
<b>Total Expenses attributable to Operations</b>	<b>47,608</b>	<b>45,909</b>	<b>(1,699)</b>	<b>464,070</b>	<b>478,101</b>	<b>14,031</b>	<b>443,758</b>	<b>521,989</b>	<b>528,692</b>	<b>1,092</b>	<b>529,785</b>
<b>Operating Result after Overheads and before Capital Amounts</b>	<b>(2,722)</b>	<b>(4,121)</b>	<b>1,399</b>	<b>23,711</b>	<b>(1,942)</b>	<b>25,654</b>	<b>30,179</b>	<b>30,533</b>	<b>(900)</b>	<b>18,445</b>	<b>17,544</b>
Capital Grants	2,602	10,327	(7,725)	38,000	36,619	1,380	16,643	30,264	35,318	12,884	48,202
Capital Contributions	1,741	338	1,402	24,356	14,128	10,229	27,879	54,647	10,964	8,254	19,218
<b>Grants and Contributions Capital Received</b>	<b>4,343</b>	<b>10,665</b>	<b>(6,323)</b>	<b>62,356</b>	<b>50,747</b>	<b>11,609</b>	<b>44,522</b>	<b>84,911</b>	<b>46,282</b>	<b>21,138</b>	<b>67,420</b>
<b>Net Operating Result</b>	<b>1,620</b>	<b>6,544</b>	<b>(4,924)</b>	<b>86,067</b>	<b>48,804</b>	<b>37,263</b>	<b>74,701</b>	<b>115,443</b>	<b>45,381</b>	<b>39,582</b>	<b>84,964</b>

<b>Total Water &amp; Sewer Fund</b>											
<b>Operating Statement</b>											
May 2024											
	CURRENT MONTH			YEAR TO DATE				FULL YEAR			
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Adopted Changes	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>											
Rates and Annual Charges	14,084	14,172	(89)	106,048	105,873	175	85,374	87,209	108,584	(366)	108,218
User Charges and Fees	7,628	7,611	17	83,327	83,638	(311)	77,658	85,672	91,555	(1,700)	89,855
Other Revenue	148	1,180	(1,032)	1,357	1,180	177	1,144	1,130	-	1,180	1,180
Interest	941	1,683	(742)	8,824	7,910	914	4,859	5,739	2,908	5,470	8,378
Grants and Contributions	7	71	(64)	232	241	(9)	255	368	-	258	258
Gain on Disposal	-	602	(602)	602	602	(0)	-	-	-	602	602
Other Income	-	-	-	-	-	-	2	2	12	(12)	-
Internal Revenue	387	258	129	2,854	2,438	216	2,273	2,676	2,671	70	2,741
<b>Total Income attributable to Operations</b>	<b>23,194</b>	<b>25,578</b>	<b>(2,384)</b>	<b>203,043</b>	<b>201,882</b>	<b>1,162</b>	<b>171,565</b>	<b>182,796</b>	<b>205,729</b>	<b>5,503</b>	<b>211,232</b>
<b>Operating Expenses</b>											
Employee Costs	3,677	4,164	487	31,001	30,563	(438)	22,910	28,383	31,722	2,500	34,222
Borrowing Costs	803	922	119	6,975	6,970	(5)	7,238	7,794	8,389	(679)	7,710
Materials and Services	3,810	2,758	(1,053)	36,360	38,065	1,704	30,886	34,716	46,859	(3,911)	42,848
Depreciation and Amortisation	6,832	6,756	(76)	71,842	71,764	(78)	65,232	72,177	78,468	345	78,813
Other Expenses	-	199	199	210	199	(11)	487	752	-	199	199
Loss on Disposal	271	1,214	943	1,485	1,214	(271)	213	2,178	-	1,214	1,214
Internal Expenses	1,291	712	(579)	11,650	11,603	(48)	10,893	12,236	11,777	1,168	12,945
Overheads	2,067	2,067	-	22,734	22,734	-	20,772	20,067	24,801	-	24,801
<b>Total Expenses attributable to Operations</b>	<b>18,752</b>	<b>18,791</b>	<b>39</b>	<b>182,256</b>	<b>183,110</b>	<b>853</b>	<b>158,611</b>	<b>178,301</b>	<b>202,015</b>	<b>836</b>	<b>202,851</b>
<b>Operating Result after Overheads and before Capital Amounts</b>	<b>4,442</b>	<b>6,787</b>	<b>(2,344)</b>	<b>20,787</b>	<b>18,772</b>	<b>2,015</b>	<b>12,954</b>	<b>4,495</b>	<b>3,713</b>	<b>4,667</b>	<b>8,381</b>
Capital Grants	929	326	603	9,708	8,992	717	15,057	18,420	24,537	(14,559)	9,978
Capital Contributions	393	690	(297)	6,065	5,740	325	7,004	8,494	6,536	(355)	6,181
<b>Grants and Contributions Capital Received</b>	<b>1,322</b>	<b>1,017</b>	<b>305</b>	<b>15,773</b>	<b>14,732</b>	<b>1,041</b>	<b>22,061</b>	<b>26,913</b>	<b>31,072</b>	<b>(14,914)</b>	<b>16,158</b>
<b>Net Operating Result</b>	<b>5,764</b>	<b>7,803</b>	<b>(2,039)</b>	<b>36,560</b>	<b>33,504</b>	<b>3,056</b>	<b>35,015</b>	<b>31,409</b>	<b>34,786</b>	<b>(10,247)</b>	<b>24,539</b>

## Financial Performance Benchmarks

Below is a summary of Council's performance, on a consolidated basis against main industry financial performance benchmarks set by the Office of Local Government.

Financial Performance Ratio	Industry Benchmark	Ratio as at 31/05/24
Operating Performance Ratio	> 0%	<b>7.7%</b>
Own Source operating Revenue Ratio	> 60%	<b>85.8%</b>
Unrestricted Current Ratio	> 1.5x	<b>4.0 x</b>
Cash Expense Cover Ratio	> 3 months	<b>7.1 months</b>
Buildings and Infrastructure Renewals Ratio	> = 100% (at end of year)	<b>86.8%</b> (year to date)

As at the end of the May 2024, on a consolidated basis, Council exceeded the mandated benchmark for the operating performance ratio, achieving 7.7%.

Council has also performed favourably against the unrestricted current ratio, achieving 4.0x against a benchmark of > 1.5x. This ratio considers all assets and liabilities, including cash. Council maintained positive performance regarding the cash expense cover. Council is in a strong liquidity position.

## 2.1 Monthly Finance Report May 2024 (cont'd)

As at 31 May 2024, some works have been delayed due to factors outside Council's control, including ongoing severe adverse weather. This impacts the building and infrastructure renewals as at the reporting period.

### Cash and Investments

Details on cash and investments as at May 2024 are included in the Monthly Investment Report May 2024, included as a separate report in this business paper.

### Restricted Funds

A summary of restricted and unrestricted funds is as follows:

<b>Fund</b>	<b>General Fund</b>	<b>Drainage Fund</b>	<b>Consolidated General Fund</b>	<b>Water Fund</b>	<b>Sewer Fund</b>	<b>Domestic Waste Fund</b>
	<b>(\$'000)</b>	<b>(\$'000)</b>	<b>(\$'000)</b>	<b>(\$'000)</b>	<b>(\$'000)</b>	<b>(\$'000)</b>
External Restricted Funds	233,075	39,209	272,284	18,495	29,378	105,479
Internal Restricted Funds	118,152	68	118,220	974	935	45
<b>Total Restricted Funds</b>	<b>351,227</b>	<b>39,277</b>	<b>390,504</b>	<b>19,469</b>	<b>30,313</b>	<b>105,524</b>
Unrestricted Funds	103,845	(33,137)	70,708	16,056	136,067	14,881
<b>Total funds by Fund</b>	<b>455,072</b>	<b>6,140</b>	<b>461,212</b>	<b>35,525</b>	<b>166,380</b>	<b>120,405</b>

Details on Council's restriction balances as at May 2024 is included in the Monthly Investment Report May 2024, included as a separate report in this business paper.

### Emergency Loans

In 2020 Council obtained emergency loans totalling \$150M. These loans were required to finance Council's working capital, cash reserves, maturing debt facilities and capital expenditure.

In December 2023, the \$100M Emergency Loan was settled and repaid in full, extinguishing the requirement to refinance any amount.

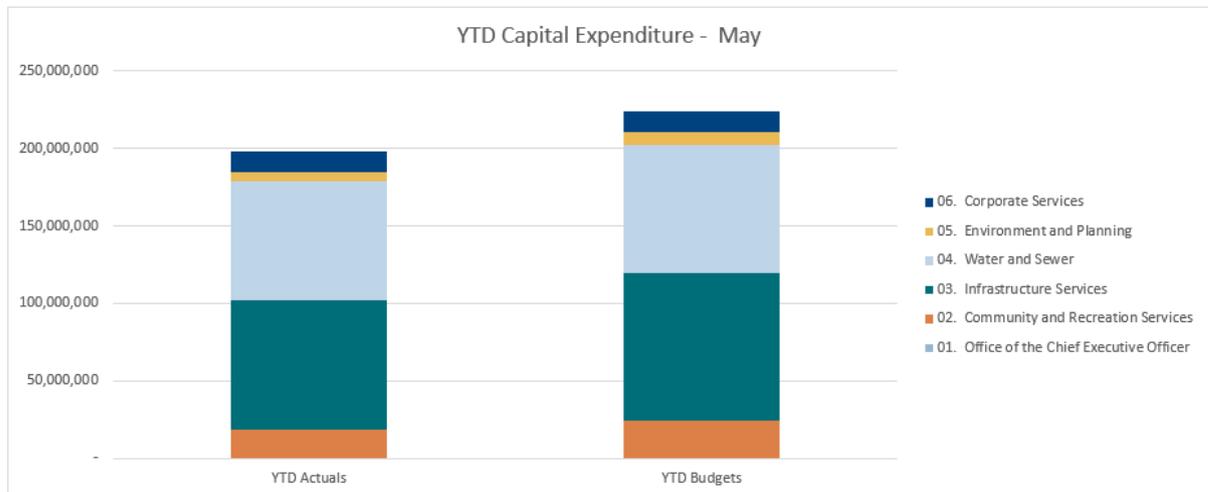
## 2.1 Monthly Finance Report May 2024 (cont'd)

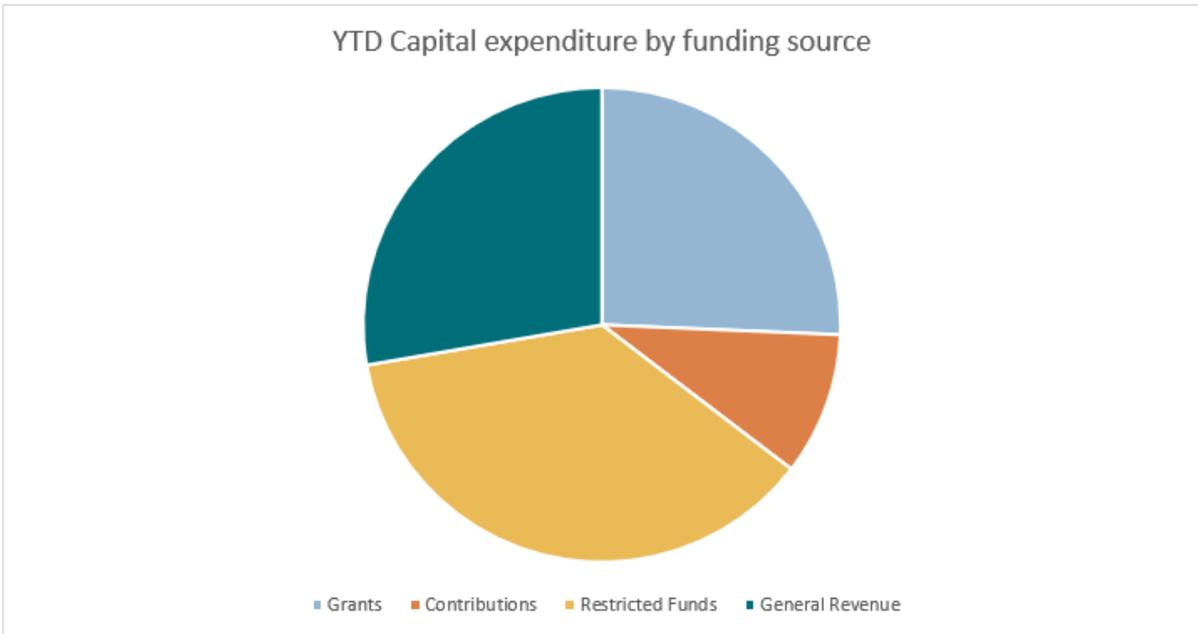
Council will continue to internally restrict funds with the aim of settling the remaining \$50M in November 2025, without the need to refinance any amount. The interest rates environment will be monitored and the timing and amount of any repayment or extinguishment of the loan will be optimised accordingly.

### Capital Works

As at 31 May 2024 capital expenditure is \$198.2M against a YTD budget of \$224.1M for the same period, and a 2023-24 FY budget of \$263.6M. As at 31 May 2024, some works have been delayed due to factors outside Council's control, including ongoing severe adverse weather, resulting in some expenditure continuing into the 2024-25FY.

Department	YTD Actuals	YTD Budgets	YTD Variance	YTD Variance	Full Year Approved Budget
	000 S	000 S	000 S	%	000 S
01. Office of the Chief Executive Officer	-	-	-		-
02. Community and Recreation Services	18,095	24,161	6,066	25.1%	26,037
03. Infrastructure Services	83,718	95,716	11,997	12.5%	110,248
04. Water and Sewer	77,374	82,376	5,003	6.1%	98,143
05. Environment and Planning	5,452	8,295	2,843	34.3%	10,769
06. Corporate Services	13,550	13,530	(21)	-0.2%	18,383
<b>Total</b>	<b>198,190</b>	<b>224,077</b>	<b>25,888</b>	<b>11.6%</b>	<b>263,580</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:** Monthly Investment Report May 2024  
**Department:** Corporate Services

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25 June 2024 Ordinary Council Meeting

Reference: F2004/06604 - D16194800  
Author: Michelle Best, Section Manager Financial Accounting and Assets  
Manager: Emma Galea, Chief Financial Officer  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

***That Council notes the Investment Report for May 2024 and allocates the required unrestricted funds available in the General Fund to meet its May 2024 unrestricted funds deficit of \$33.14M in the Drainage Fund.***

## **Report purpose**

To present the monthly Investment Report in accordance with cl. 212 of the *Local Government (General) Regulation 2021* which states as follows:

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

## **Executive Summary**

This report details Council's investments as at 31 May 2024.

**Background**

Council's investments are made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2021, 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 \$783.52M as at 31 May 2024. A summary of investments as at 31 May 2024 is attached as Attachment 1 to this report.

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

Type	Value (\$'000)
Investment Portfolio	\$668,915
Transactional accounts and cash in hand	\$114,607
<b>Total</b>	<b>\$783,522</b>

During May 2024, Council's total cash and investments increased by \$15.45M from \$768.07M to \$783.52M. Council's cash inflows including investment maturities have been used to manage outflows with maturities during the month 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:

<b>Fund</b>	<b>General Fund</b>	<b>Drainage Fund</b>	<b>Consolidated General Fund</b>	<b>Water Fund</b>	<b>Sewer Fund</b>	<b>Domestic Waste Fund</b>
	<b>(\$'000)</b>	<b>(\$'000)</b>	<b>(\$'000)</b>	<b>(\$'000)</b>	<b>(\$'000)</b>	<b>(\$'000)</b>
External Restricted Funds	233,075	39,209	272,284	18,495	29,378	105,479
Internal Restricted Funds	118,152	68	118,220	974	935	45
<b>Total Restricted Funds</b>	<b>351,227</b>	<b>39,277</b>	<b>390,504</b>	<b>19,469</b>	<b>30,313</b>	<b>105,524</b>
Unrestricted Funds	103,845	(33,137)	70,708	16,056	136,067	14,881
<b>Total funds by Fund</b>	<b>455,072</b>	<b>6,140</b>	<b>461,212</b>	<b>35,525</b>	<b>166,380</b>	<b>120,405</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.

Council is setting aside funds to enable extinguishment of the remaining emergency loan in November 2025 restricting \$1.4M each month for this purpose.

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 \$33.14M. 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 \$33.14M in the Drainage Fund is proposed to be funded through the General Fund’s available unrestricted cash balance as at 31 May 2024 of \$103.85M.

### **Portfolio Management**

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

## 2.2 Monthly Investment Report May 2024 (cont'd)

The total value of Council's investment portfolio as at 31 May 2024 is outlined in Table 3 below. Total net return on the portfolio for Council in May 2024, comprising entirely of interest earned, was \$3.12M.

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

Description	2022-23	Jul-Sep Qtr	Oct-Dec Qtr	Jan-Mar Qtr	Apr-24	May-24	FYTD
	Financial Year \$'000	2023/24 \$'000	2023/24 \$'000	2023/24 \$'000	2023/24 \$'000	2023/24 \$'000	2023/24 \$'000
<b>Opening Balance</b>	<b>628,005</b>	<b>707,301</b>	<b>745,827</b>	<b>696,817</b>	<b>663,227</b>	<b>633,268</b>	<b>707,301</b>
movement in cash at call, additions and disposals	76,828	37,117	-50,368	-35,114	-29,915	35,080	-43,200
Movement in Market Value	2,468	1,409	1,358	1,524	-44	568	4,814
<b>Closing Balance</b>	<b>707,301</b>	<b>745,827</b>	<b>696,817</b>	<b>663,227</b>	<b>633,268</b>	<b>668,915</b>	<b>668,915</b>
Interest earnings	22,168	8,346	9,204	8,736	2,795	3,120	32,201

The market value of Council's investment portfolio, excluding interest, as at 31 May 2024 is \$668.92M.

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 is presented in Table 4 below.

**Table 4 - Investment Maturities**

Time Horizon	Percentage Holdings	Maturity on or before	Value \$'000
<b>At Call</b>	6.32%	Immediate	42,287
<b>Investments</b>			
0 - 3 months	11.99%	Aug-2024	80,217
4 - 6 months	10.58%	Nov-2024	70,792
7 - 12 months	10.68%	May-2025	71,417
1 - 2 years	28.38%	May-2026	189,860
2 - 3 years	29.18%	May-2027	195,188
3 - 4 years	0.75%	May-2028	5,036
4 - 5 years	2.11%	May-2029	14,118
<b>Total Investments</b>	<b>93.68%</b>		<b>626,628</b>
<b>Total Portfolio</b>	<b>100.00%</b>		<b>668,915</b>
<b>Interest Accrued to May 2024 (Excluding Interest on call accounts)</b>			5,337
<b>Market Value of Investment per Portfolio Valuation Report (Attachment 5)</b>			<b>674,252</b>

The investment portfolio is concentrated in AA (18.77%), A (41.50%), and BBB (39.74%).

Council monitors and manages the portfolio taking into consideration credit ratings of financial institutions, interest rates offered for the maturity dates required and counterparty exposure. In this regard, all of Council's investments were within policy guidelines as at 31 May 2024.

The current spread of investments and counterparty exposure for May 2024 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 in Attachment 1 and are highlighted in green.

Council currently holds 2.40% or \$16.07M in ESG investments as at 31 May 2024.

### **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 4.30%. Changes in economic conditions have led to the Reserve Bank of Australia (RBA) maintaining the cash rate at 4.35% at its meeting in May 2024. The next RBA meeting is scheduled for 17-18 June 2024. BBSW has also followed cash rate trends and has been increasing steadily. Comparative interest rates are shown in the table below.

**Table 5 – Interest Rate Increases**

Month	RBA Cash Rate	1 Month Bank Accepted Bills
February 2023	3.35%	3.28%
May 2023	3.60%	3.54%
May 2023	3.60%	3.60%
May 2023	3.85%	3.81%
June 2023	4.10%	4.07%
July 2023	.10%	4.10%
August 2023	4.10%	4.05%
September 2023	4.10%	4.05%
October 2023	4.10%	4.08%
November 2023	4.35%	4.26%
December 2023	4.35%	4.29%
January 2024	4.35%	4.31%
February 2024	4.35%	4.30%
March 2024	4.35%	4.30%
April 2024	4.35%	4.30%
May 2024	4.35%	4.30%

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

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

The weighted running yield for May 2024 is 4.67%. 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

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

### 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-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

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

### Options

Not applicable

### Attachments

	<b>1</b> Summary of Investment as at 31 May 2024	Provided Under Separate Cover	D16247876
	<b>2</b> Restrictions as at 31 May 2024	Provided Under Separate Cover	D16248345
	<b>3</b> Investment Report Graphs and Table for May 2024	Provided Under Separate Cover	D16247892
	<b>4</b> Trading Limits Reports as at 31 May 2024	Provided Under Separate Cover	D16247902
	<b>5</b> Portfolio Valuation Report as at 31 May 2024	Provided Under Separate Cover	D16247924



**Item No:** 2.3  
**Title:** Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption  
**Department:** Environment and Planning and Corporate Services

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25 June 2024 Ordinary Council Meeting

Reference: F2024/00101 - D16204154  
Author: Sharon McLaren, Section Manager Corporate Planning and Reporting  
Vivienne Louie, Senior Financial Project Coordinator Finance  
Priya Pratap, Section Manager, Financial Operations  
Manager: Emma Galea, Chief Financial Officer  
Shannon Turkington, Unit Manager Strategic Planning  
Executive: Marissa Racomelara, Director Corporate Services  
Luke Sulkowski, Director Environment and Planning (Acting)

## **Recommendation**

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

- 1 Notes that the Draft Operational Plan 2024-25 and Draft Fees and Charges 2024-25 were publicly exhibited from Monday 29 April to Monday 27 May 2024.***
- 2 Considers the submissions received during the public exhibition, as per Attachment 3 and advises those who made submissions of Council's decision.***
- 3 Notes the amendments to the Draft Operational Plan 2024-25, Draft Capital Works Program, and Draft Fees and Charges 2024-25 as outlined in this report and as per Attachments 4, 5, 6 and 7.***
- 4 Adopts the final Operational Plan 2024-25 (Attachment 1) and Fees and Charges 2024-25 (Attachment 2), in accordance with the Local Government Act 1993.***
- 5 Authorises the Chief Executive Officer, subject to resolution 4, to make final editorial amendments to the Operational Plan 2024-25 and Fees and Charges 2024-25, to ensure correctness and clarity.***
- 6 Applies land valuations, with a base date 1 July 2022, for rating purposes in the 2024-25 rating and financial year.***
- 7 Adopts the overdue rates and charges maximum interest rate of 10.5% in accordance with s566(3) of the Local Government Act 1993.***

2.3 Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption (cont'd)

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- 8 ***Adopts the overdue rates and charges maximum interest rate of 10.3% in accordance with s356 of the Water Management Act 2000 for the period from 1 July 2024 to 31 December 2024. The maximum rate of interest payable on overdue charges for the period from 1 January 2025 to 30 June 2025 will be based on the RBA cash rate for December 2025 plus 6.0%.***
- 9 ***Resolves to levy rates and charges for the 2024-25 rating year, in accordance with the Local Government Act 1993 and Local Government (General) Regulations 2021. The following rates are to be levied for the 2024-25 financial year:***
- a) ***Residential Rates***
    - i) ***In the case of all rateable land within the Central Coast Council which is categorised as Residential land, and which will be known as Residential, an Ordinary Rate of zero point zero zero two one six two nine seven (0.00216297) in the dollar upon the Land Value.***
    - ii) ***The minimum amount of the rate which shall be payable for the year for any individual parcel of such rateable land shall be six hundred and eighteen dollars and ninety seven cents \$618.97).***
  - b) ***Business Rates***
    - i) ***In the case of all rateable land within the Central Coast Council which is categorized as Business land, and which will be known as Business, an Ordinary Rate of zero point zero zero four three one four seven nine (0.00431479) in the dollar upon the Land Value.***
    - ii) ***The minimum amount of the rate which shall be payable for the year for any individual parcel of such rateable land shall be six hundred and eighteen dollars and ninety seven cents \$618.97).***
  - c) ***Business Major***
    - i) ***In the case of all rateable land within the Central Coast Council which is categorised as Business land and is within the sub-category of "Business Major", an Ordinary Rate of zero point zero one one zero five six one six (0.01105616) in the dollar upon the Land Value.***
  - d) ***Business Local***
    - i) ***In the case of all rateable land within the Central Coast Council which is categorised as Business land and is within the sub-category of "Business Local", an Ordinary Rate of zero point zero zero five two seven eight six seven (0.00527867) in the dollar upon the Land Value.***
    - ii) ***The minimum amount of the rate which shall be payable for the year for any individual parcel of such rateable land shall be six hundred and eighteen dollars and ninety seven cents \$618.97).***
  - e) ***Farmland***
    - i) ***In the case of all rateable land within the Central Coast Council which is categorized as Farmland and which will be known as***

- Farmland, an Ordinary Rate of zero point zero zero one two five five three four (0.00125534) in the dollar upon the Land Value.*
- ii) The minimum amount of the rate which shall be payable for the year for any individual parcel of such rateable land shall be six hundred and eighteen dollars and ninety seven cents \$618.97).*
- f) Mining**
- i) In the case of all rateable land within the Central Coast Council which is categorized as Mining, and which will be known as Mining, an Ordinary Rate of zero point three two five three nine nine three one (0.32539931) in the dollar upon the Land Value.*
- g) Special Rates Gosford Parking**
- i) In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate Gosford Parking, provides funding for the operation of the Baker Street Parking Station. This special rate will consist of an ad valorem amount that will be calculated at a rate of zero point zero zero zero nine three nine nine seven (0.00093997) in the dollar upon the Land Value.*
- h) Special Rates CBD Improvement**
- i) In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate CBD Improvement Rate, provides funding for works to enhance the Central Business District and benefit business properties in that area. This special rate will consist of an ad valorem amount that will be calculated at a rate of zero point zero zero two four seven seven six one (0.00247761) in the dollar upon the Land Value.*
- i) Special Rate Business / Tourism Development**
- i) Special Rate Business / Tourism Development funds Business/tourism works across the former Gosford Local Government Area. This special rate will consist of an ad valorem amount calculated at a rate of zero point zero zero zero three four zero one six (0.00034016) in the dollar upon the Land Value.*
- j) Special Rate The Entrance**
- i) In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate The Entrance, funds economic development in The Entrance area. This includes promoting The Entrance area market, organizing and managing promotional events within and around the area, and improving market penetration for traders in The Entrance area. This special rate will consist of an ad valorem amount calculated at a rate of zero point zero zero two nine three two zero three (0.00293203) in the dollar upon the Land Value.*
- k) Special Rate Toukley**
- i) In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate Toukley, provides funding to the Toukley area to market and promote the economic development of the Toukley area within which this special rate applies. This special*

*rate will consist of an ad valorem amount calculated at a rate of zero point zero zero two two zero six three nine (0.00220639) in the dollar upon the Land Value.*

**l) Special Rate Wyong**

*i) In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate Wyong, provides funding to the Wyong area to promote the economic development of the Wyong area to which this special rate applies. This special rate will consist of an ad valorem amount calculated at a rate of zero point zero zero zero eight three nine seven one (0.00083971) in the dollar upon the Land Value.*

**m) Waste Management Annual Charges for 2024-25**

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

<b>Name</b>	<b>Charge Amount</b>
<b>Domestic Waste Management - Availability Charge</b>	<b>\$78.00</b>
<b>Domestic Waste Management Service – Eastern Area</b>	<b>\$551.00</b>
<b>Domestic Waste Management Service – Western Area</b>	<b>\$489.00</b>
<b>Domestic Waste Management Service – 140 litre to 240 litre Waste Upgrade</b>	<b>\$156.00</b>
<b>Domestic Waste Management Service – 140 litre to 360 litre Waste Upgrade</b>	<b>\$311.00</b>
<b>Domestic Waste Management Service – Additional 140 litre Waste Bin Service</b>	<b>\$309.00</b>
<b>Domestic Waste Management Service – Additional 240 litre Waste Bin Service</b>	<b>\$466.00</b>
<b>Domestic Waste Management Service – Additional 360 litre Waste Bin Service</b>	<b>\$622.00</b>
<b>Domestic Waste Management Service – 240 litre to 360 litre Recycling Bin Upgrade</b>	<b>\$41.00</b>
<b>Domestic Waste Management Service – Additional 240 litre Recycling Bin Service</b>	<b>\$117.00</b>
<b>Domestic Waste Management Service – Additional 360 litre Recycling Bin Service</b>	<b>\$156.00</b>
<b>Domestic Waste Management Service – Additional 240 litre Vegetation Bin Service</b>	<b>\$126.00</b>
<b>Domestic Waste Management Service – Additional Short Term Extra Service – 140 litre Waste Bin - price per service</b>	<b>\$21.00</b>
<b>Domestic Waste Management Service – Additional Short Term Extra Service – 240 litre Waste Bin - price per service</b>	<b>\$22.00</b>
<b>Domestic Waste Management Service – Additional Short Term Extra Service – 360 litre Waste Bin - price per service</b>	<b>\$23.00</b>

<b>Name</b>	<b>Charge Amount</b>
<b>Domestic Waste Management Service – Additional Short Term Extra Service – 660 litre Waste Bin - price per service</b>	<b>\$42.00</b>
<b>Domestic Waste Management Service – Additional Short Term Extra Service – 1.1 cubic meter Waste Bin - price per service</b>	<b>\$70.00</b>
<b>Domestic Waste Management Service – Additional Short Term Extra Service – 1.5 cubic meter Waste Bin - price per service</b>	<b>\$96.00</b>
<b>Domestic Waste Management Service – Additional Short Term Extra Service – 240 litre Recycling Bin - price per service</b>	<b>\$22.00</b>
<b>Domestic Waste Management Service – Additional Short Term Extra Service – 360 litre Recycling Bin - price per service</b>	<b>\$23.00</b>
<b>Domestic Waste Management Service – Additional Short Term Extra Service – 660 litre Recycling Bin - price per service</b>	<b>\$42.00</b>
<b>Domestic Waste Management Service – Additional Short Term Extra Service – 1.1 cubic meter Recycling Bin - price per service</b>	<b>\$70.00</b>
<b>Domestic Waste Management Service – Additional Short Term Extra Service – 1.5 cubic meter Recycling Bin - price per service</b>	<b>\$96.00</b>
<b>Domestic Waste Management Service – Additional Short Term Extra Service – 240 litre Vegetation Bin - price per service</b>	<b>\$22.00</b>

- (i) ***That Council provides domestic waste management services only to parcels of land which have current Council consent or approval for a residential building.***
- (ii) ***That Council resolve to make, the changes set out in the adopted Delivery Program and Operational Plan for the 2024-25 financial year including but not limited to the following waste management charges for the 2023-24 rating and financial year, pursuant to s501 and s535 of the Local Government Act 1993:***

<b>Name</b>	<b>Charge Amount</b>
<b>Waste Management Service – 140 litre Waste Bin Service</b>	<b>\$438.00</b>
<b>Waste Management Service – 240 litre Waste Bin Service</b>	<b>\$583.00</b>
<b>Waste Management Service - 360 litre Waste Bin Service</b>	<b>\$726.00</b>
<b>Waste Management Service - 660 litre Waste Bin Service</b>	<b>\$2,491.00</b>
<b>Waste Management Service - 1.1 cubic metre Waste Bin Service</b>	<b>\$3,479.00</b>
<b>Waste Management Service - 1.5 cubic metre Waste Bin Service</b>	<b>\$4,685.00</b>
<b>Waste Management Service – 240 litre Recycling Bin Service</b>	<b>\$118.00</b>

**2.3 Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption (cont'd)**

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<b>Name</b>	<b>Charge Amount</b>
<b>Waste Management Service – 360 litre Recycling Bin Service</b>	<b>\$157.00</b>
<b>Waste Management Service – 660 litre Recycling Bin Service</b>	<b>\$323.00</b>
<b>Waste Management Service – 1.1 cubic meter Recycling Bin Service</b>	<b>\$536.00</b>
<b>Waste Management Service – 1.5 cubic meter Recycling Bin Service</b>	<b>\$732.00</b>
<b>Waste Management Service –240 litre Vegetation Bin Service</b>	<b>\$126.00</b>

***(iii) That Council apply, a proportional charge adjustment, calculated on a daily basis, where domestic waste management services or waste management services commence or cease during the 2024-25 rating year.***

**10 Notes the Long Term Financial Plan 2024-25 to 2033-34 as contained in Attachment 9.**

**Report purpose**

The purpose of this report is to:

- Consider submissions received during public exhibition of the Draft Operational Plan 2024-25 and Draft Fees and Charges 2024-25;
- Detail the amendments that have occurred as a result of submissions or for other reasons;
- Recommend the adoption of the final Operational Plan 2024-25 and Fees and Charges 2024-25; and
- Making and fixing of Ordinary Rates, Special Rates and Waste Management Annual Charges for the 2024-25 rating and financial year.

**Executive Summary**

The Draft Operational Plan and Draft Fees and Charges for the 2024-25 financial year was publicly exhibited for a period of 29 days from Monday 29 April to Monday 27 May 2024. Council received a total of 407 submissions (refer to Attachment 3), which covered several matters including:

- 283 submissions on the coastal protections works at Wamberal, with the community providing statements that were both in favour of and against the project
- 14 submissions on the Kibble Park project and objection to the demolition of the existing Gosford Library
- 92 submissions focussed on:

## 2.3 Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption (cont'd)

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- Questions or comments on existing road and drainage works or requests for new works
- Requests for new pathway / cycleway works
- Support for existing playspace works, requests for new works, questions or comments on existing playspaces
- Questions or comments on existing sport and recreation infrastructure or request for new works
- Questions or comments on existing water and sewer works
- 18 submissions focussed on inclusion of information in the documents and other matters such as revitalisation of Gosford, Community Strategic Plan, Long Term Financial Plan, development and housing etc.

Amendments that have been made to the Operational Plan and Fees and Charges for 2024-25 are a result of submissions, changed circumstances or new information following internal review. A summary of these include:

- Budget 2024-25:
  - Adjustment to interest income to reflect the continuation of a high interest rate environment;
  - Adjustment to resourcing allocation, inclusive of implementation of a Development Assessment Improvement Plan to improve the Development Assessment service;
  - Adjustment to contract costs;
  - Adjustments to reflect contributions to other levels of government based on recent advice; and
  - Other adjustment to reflect more current projections.
- Operational Plan actions and indicators 2024-25 (refer to Attachment 6):
  - Amendments to existing actions and indicators; and
  - Addition of a new action
- Capital works 2024-25 (refer to Attachment 5):
  - Changes to project budgets;
  - Additional priority asset renewal works; and
  - Changes to the timing of delivery of multi-year projects.
- Fees and Charges 2024-25 (refer to Attachment 6 and 7):
  - Statutory amendments to companion animal fees, internment services levy for cemeteries, planning certificate fees, waste levy component of waste disposal fees set by the NSW Environment Protection Authority, water and sewer fees in line with IPART's final determination (as adopted at the Council meeting in May 2024); and
  - Administrative amendments such typographical changes, editorial corrections and clarifications that do not require re-exhibition.

The overall projected consolidated operating surplus of \$10.7M as exhibited remains unchanged as unfavourable impacts were offset with favourable adjustments. The capital

## 2.3 Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption (cont'd)

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works program is \$308.5 million. The pending grant funded projects have been updated to \$28.5 million.

Ordinary and special rate ad valorem amounts are reflective of a 4.8% rate peg increase approved by IPART. The proposed ordinary and special rates reflect the latest land values and rating information.

### Background

At its Ordinary Meeting on 23 April 2024, Council resolved the following:

*That Council:*

92/24 *Endorses the following documents for the purposes of public exhibition from Monday 29 April to Monday 27 May 2024 and invite public submissions in accordance with the Local Government Act 1993:*

- a) Draft Operational Plan 2024-25 – Attachment 1*
- b) Draft Fees and Charges 2024-25 – Attachment 2*
- c) Fees and Charges Comparison Table – Attachment 3*
- d) Draft Four Year Works Program 2024-25 to 2027-28 – Attachment 4*

93/24 *Authorises the Chief Executive Officer to make appropriate amendments to the draft documents to correct identified numerical, grammatical or typographical error prior to formal public exhibition.*

94/24 *Adds the adopted Long-term Financial Plan and Financial Strategy to the supporting documents section of the public exhibition of the Draft Operational Plan and Budget 2024-2025 on Council's community engagement website [www.yourvoiceourcoast.com](http://www.yourvoiceourcoast.com).*

As per Council's resolution, Council has completed exhibition and is now required to consider submissions received and provide details of amendments, prior to adopting final documents before the commencement of the 2024-25 financial year.

### Current Status

This report recommends Council considers submissions, note the amendments, and adopt the final Operational Plan 2024-25 and Fees and Charges 2024-25, as presented in Attachments 1 and 2.

## 2.3 Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption (cont'd)

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### Report

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

<b>Operational Plan 2024-25</b>	<b>Summary of changes made</b>
<b>Introduction</b>	This section has been updated with the Administrator and CEO messages.
<b>Financial Information</b>	This section has been updated to reflect the changes to operating income and expenditure and amendments in the capital works program. Attachment 4 details those amendments to capital works program for 2024-25.
<b>Operational Plan 2024-25</b>	This section has been updated to reflect changes made as a result of submissions, changed circumstances or where more up to date information has come to light. The projects actions and indicators that have been removed, amended or added are outlined in Attachments 4 and 5. Details of the projects Council will engage the community on in 2024-25 has also been added.
<b>Statement of Revenue</b>	<p>This section has been updated to reflect the Water, Wastewater (Sewerage) and Stormwater Drainage price indexation following the release of CPI data by the Australian Bureau of Statistics. These fees and charges were adopted by Council on 28 May 2024.</p> <p>The proposed ordinary and special rates reflect the latest land values and rating information.</p>
<b>Fees and Charges (under separate cover)</b>	This section has been updated to reflect Water, Wastewater (Sewerage) and Stormwater Drainage price indexation, changes in statutory fees, and administrative amendments including clarification of the fee, change in Unit of Measurement, and GST. Attachment 6 and 7 details these changes.
<b>Four Year Works Program 2024-25 to 2027-28 (under separate cover)</b>	This section has been updated based on the latest asset condition information and cost estimates. The projects and budgets in the outer financial years are proposed only and subject to change based on priorities, funding and

## 2.3 Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption (cont'd)

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### Operational Plan 2024-25

### Summary of changes made

resourcing availability. The Four Year Works Program is provided in Attachment 8.

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### Delivering Capital Projects

#### *Continuing Projects*

For the 2023-24 financial year Council adopted an original budget for capital projects totalling \$202.1M. During the year the budget was further adjusted by \$61.4M, being a further 30% of the amount originally planned, to allow for grants received and other changes to capital projects to be delivered.

As at the end of May 2024 Council delivered just under \$200M and is on track to exceed the amount originally budgeted to be delivered in the financial year, as well as achieving substantial progress in delivering projects added throughout the year and bring some works forward. Projects that are included in the 2023-24 full year adopted capital works budget will continue to be delivered into the 2024-25 financial year. The associated unspent funds as at 30 June 2024 will be added to the adopted 2024-25 budget. Where applicable, additional budget required for these projects in 2024-25 has been included in the attached capital works program.

Some project delivery was able to be brought forward into the current financial year, and this is reflected in the changes to the capital works during the exhibition period.

#### *Planned Projects*

Projects included in the infrastructure pipeline of works are prioritised using many factors and timed for delivery over ten years, subject to funding availability. The Four Year Works Program projects, provided in Attachment 8 will progress with greater detail and planning each year in preparation for the year the project is scheduled to be delivered in.

Council will continually assess the progress of projects against planned milestones, and if required adjust planned expenditure during the financial year. Unforeseen circumstances may impact the timing of delivery of projects. Some of these risks include:

- Above average rainfall periods or other adverse weather conditions,
- Material supply delays due to ongoing global manufacturing and distribution constraints,
- Availability of suitable contractors to undertake projects,
- Availability of consultants providing specialist advice to projects,
- Unforeseen geotechnical issues.

Some capital project budgets may also be subject to change due to cost escalations, design changes and ongoing negotiations with the relevant grant funding bodies. Specifically,

## **2.3 Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption (cont'd)**

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projects that have been identified as pending grants may be subject to change. These changes may impact some of the projects included in the attached Operational Plan.

Any changes required to planned expenditure for the 2024-25 financial year due to reasons outlined above will be included in the relevant Quarterly Budget Review throughout the financial year or be subject to a specific Council Report if required.

### **Updated Long Term Financial Plan 2024-25 to 2033-34**

In November 2023 Council adopted a Financial Sustainability Strategy supported by a Long Term Financial Plan. The Plan outlined four scenarios, with Scenario 3 being used as the basis for the development of the Draft Operational Plan 2024-25 and the associated Budget.

During the development of the Budget, income and expenditure assumptions were refined to reflect more current predictions and observed trends. During the exhibition period further changes were made to reflect information becoming available during this time. The adjustments required were able to be offset to maintain the overall operating surplus the same as exhibited. Assumptions in the Long Term Financial Plan for outer years have also been updated to reflect current information. The Long Term Financial Plan has been updated accordingly.

The updated Long Term Financial Plan, Scenario 3 results in a small operating surplus in the order of \$5M each year being maintained in the General Fund. From the 2026-27 financial year all expenditure associated with the Drainage Fund will become part of the General Fund. The Plan assumes that all revenue currently generated through the drainage charge as determined by IPART will be retained and become part of Council's rating income from 2026-27. The Plan also assumes that the current rating income base is retained in the outer years.

The implementation of the Plan and achievement of the projected operating position will require actions to increase operating revenue from Council's activities, and to achieve operating expenditure reductions through efficiencies and optimisation of services provided to the community.

Capital expenditure included in the Plan reflects the pipeline of works planned over the next ten years. As Council continues to improve its asset management planning processes and data, it will continue to refine the pipeline of works in the outer years to ensure the Long-Term Financial Plan can continue to support the required investment in asset renewal and new assets to support growth in the region.

The Plan maintains positive unrestricted cash in the General Fund throughout the period of the Plan.

The consolidated Long-Term Financial Plan includes the impact of the Domestic Waste, Water and Sewer, and Drainage (up to 2025-26) Funds.

## 2.3 Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption (cont'd)

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It is noted that the Long-Term Financial Plan will be updated again as part of the development of the Integrated Planning and Reporting documents by the incoming Council. The Plan will form part of the Resourcing Strategy and will be exhibited accordingly.

Council's Long-Term Plan will continue to be updated on an ongoing basis to ensure it remains current. Each year the Plan will be reviewed as part of developing the annual Budget, and from the 2025-26 financial year, the updated Plan will be exhibited as part of the public exhibition of the annual Operational Plan.

The Long Term Financial Plan 2024-25 to 2033-34 is provided in Attachment 9.

### Consultation

Council fulfilled its exhibition requirements and publicly exhibited the Draft Operational Plan 2024-25 and Draft Fees and Charges 2024-25, from Monday 29 April 2024 to Monday 27 May 2024 for a total 29 days.

During this time the documents were available to view online at [www.yourvoiceourcoast.com](http://www.yourvoiceourcoast.com) and hard copies were available at Council's Wyong administration building and the Gosford Customer Service Centre.

Promotion and advertisement of the exhibition was carried out via media releases and Council's social media accounts. As a result, there were 8,117 page views, 1,431 document downloads and a total of 407 submissions received via the Your Voice Our Coast engagement hub, email, or in writing.

Submissions are an important part of the process and provide Council with community insight on proposed projects and consideration of future projects. While due consideration is given to submissions, it should be noted that consideration must be balanced between other criterion such as current project delivery, legislative need, safety, strategic direction, expert technical recommendations, funding availability, resourcing availability etc. The process can also highlight where Council needs to improve its communication to the community and allows opportunity to do this through its responses. A summary of these submissions and Council's response to each is detailed in Attachment 3.

### Financial Considerations

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

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

**2.3 Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption (cont'd)**

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

The table below is an extract from the final Operational Plan 2024-25 and provides a summary of the final budget of Council for 2023-24 and proposed budget for 2024-25.

<b>Financial Summary</b>	<b>2023-24</b>	<b>2024-25</b>
	<b>\$ 000's</b>	<b>\$ 000's</b>
Operating Income	672,820	727,573
Operating Expenditure*	(670,007)	(716,873)
<b>Net Operating Result (excluding Capital Grants and Contributions)</b>	<b>2,813</b>	<b>10,700</b>
Capital Grants and Contributions	77,354	109,592
<b>Net Operating Result (including Capital Grant and Contributions)</b>	<b>80,167</b>	<b>120,292</b>
<b>Capital Works Program</b>	<b>202,092</b>	<b>308,527</b>

\* Includes net internal revenue and expense  
 NB: Figures are subject to rounding

As referred to earlier in the report, the Long-Term Financial Plan has been updated to reflect the 2024-25 Budget as the base year, and to reflect updated assumptions. The updated Plan is based on maintaining a minor surplus of approximately \$5M each year in the General Fund, after considering projected income and expenditure, and the capital works pipeline of works over the period of the Plan.

It is considered that the Long Term Financial Plan, as updated following the development of the 2024-25 Draft Budget and updated assumptions, and based on Scenario 3, reflects a financially sustainable position for the Council.

It is important that all decisions that have a financial impact continue to be considered within the context of the Long-Term Financial Plan.

**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.

## 2.3 Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption (cont'd)

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### Risk Management

The exhibition of the Draft Operational Plan and Draft Fees and Charges for 2024-25 financial year has complied with the requirements of the *Local Government Act 1993* and the relevant Integrated Planning and Reporting (IP&R) Guidelines. Submissions received during exhibition have been considered, with any amendments detailed in Attachments 4, 5, 6 and 7.

It is considered that the final Operational Plan 2024-25 (Attachment 1), ensures a financially sustainable position and is in the best interest of the Central Coast community. It is noted that as things evolve and change, Council will continue to provide updates through its usual quarterly reporting process.

The final Fees and Charges 2024-25 (Attachment 2) have been carefully considered and based on benchmarking, service levels and other relevant factors are deemed to be reasonable.

### Options

- 1 Adopt the final Operational Plan 2024-25 as set out in Attachment 1 and adopt the final Fees and Charges 2024-25 as set out in Attachment 2. These documents have been publicly exhibited, with submissions considered and a number of amendments have been made as a result, as well as other necessary amendments. The final Operational Plan 2024-25 is a responsible and fair plan, that will continue to deliver a range of projects, programs and actions to the community. The final Fees and Charges 2024-25 is reasonable and has been carefully considered based on benchmarking, service levels and other relevant factors. **(This is the recommended option).**
- 2 Resolve not to adopt the final Operational Plan 2024-25 and final Fees and Charges 2024-25. Failure to adopt an Operational Plan by 30 June 2024 will be a breach of s405 of the *Local Government Act 1993*. The absence of an Operational Plan would leave Council without funds to operate or result in possible consequences imposed by the Minister for Local Government. (This is not the recommended option).

### Critical Dates or Timeframes

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

## 2.3 Operational Plan 2024-25, Rates and Annual Charges - Submissions and Adoption (cont'd)

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### Attachments

<b>1</b>	Final Operational Plan 2024-25	Provided Under	D16254617
		Separate Cover	
<b>2</b>	Final Fees and Charges 2024-25	Provided Under	D16254380
		Separate Cover	
<b>3</b>	Summary of Submissions 2024-25	Provided Under	D16254614
		Separate Cover	
<b>4</b>	Amendments to Operational Actions and Indicators 2024-25	Provided Under	D16254613
		Separate Cover	
<b>5</b>	Amendments to Capital Works Program 2024-25	Provided Under	D16254619
		Separate Cover	
<b>6</b>	Statutory Amendments to Fees and Charges 2024-25	Provided Under	D16254386
		Separate Cover	
<b>7</b>	Administrative Amendments to Fees and Charges 2024-25	Provided Under	D16254389
		Separate Cover	
<b>8</b>	Four Year Works Program 2024-25 to 2027-28	Provided Under	D16254618
		Separate Cover	
<b>9</b>	Long Term Financial Plan (2024-25 to 2033-34)	Provided Under	D16256646
		Separate Cover	



**Item No:** 2.4  
**Title:** Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition  
**Department:** Environment and Planning

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25 June 2024 Ordinary Council Meeting

Reference: RZ/3/2023 - D16132366  
Author: Rachelle Hardaker, Senior Strategic Planner  
Manager: Scott Duncan, Section Manager. Local Planning and Policy  
Executive: Luke Sulkowski, Director Environment and Planning (Acting)

## Recommendation

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

- 1 Endorses finalisation of the Planning Proposal for Reclassification of Council land - multiple sites – from community land to operational land (RZ/3/2023).***
- 2 Requests the Minister for Planning and Public Spaces to proceed with the steps for drafting and making of the amendment to Central Coast Local Environment Plan 2022 and State Environmental Planning Policy (Precincts-Regional) 2021.***
- 3 Endorses the amendments recommended by Council and the Department of Planning, Housing and Infrastructure, being:***
  - a) change the reclassification area of 50W Parraweena Road, Gwandalan to only include the area zoned E1 Local Centre,***
  - b) rezone from RE1 to SP2 the site at 6W Kemira Road, Lake Munmorah,***
  - c) rezone from RE1 Public Recreation to RE2 Private Recreation the sites at 48W Wallarah Road, Gorokan, 191 Wallarah Road, Kanwal and Part 2-4 Park Road, The Entrance, and***
  - d) change the listing of 13 Yaralla Road, Toukley from Schedule 4, Part 1 of the Central Coast Local Environment Plan 2022 (no interests changed) to Schedule 4, Part 2 of the Central Coast Local Environment Plan 2022 (interests changed).***
- 4 Advises all those who made submissions during public exhibition or attended the public hearing of Council's decision.***

## Report purpose

The purpose of this report is to consider the outcomes of public exhibition and public hearing of a Planning Proposal for the Reclassification of Council land and finalise the

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

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reclassification of the following sites from community land to operational land under Section 30 of the *Local Government Act 1993*. The sites include:

- 18 Dane Drive, Gosford (Lot 2 DP 1011876)
- 48W Wallarah Road, Gorokan (Lot 2 DP 733448)
- 191 Wallarah Road, Kanwal (Lot 21 DP 813270)
- 75 Bungary Road, Norah Head (Lot 5 Sec 24 DP 758779 and Lot 1 DP 860696)
- Part 2-4 Park Road, The Entrance NSW (part Lot 10 DP 1285833 and part Lot 1 DP 406038)
- 13 and 15 Yaralla Road, Toukley (Lot 78 DP 20493 and Lot 79 DP 20493)
- 49-51 Mann Street, Gosford (Lot 1 DP 251476)
- 50W Parraweena Rd, Gwandalan (Lot 1 DP 1043151)
- Part 6W Kemira Road, Lake Munmorah (part Lot 79 DP 217918)
- Part 20 Summerland Road Summerland Point Lot (part 4 DP 263812)

As per the Gateway Determination, Council is required to finalise the amendment on or before 28 August 2024.

### Executive Summary

Council has prepared a Planning Proposal for the Reclassification of Council owned land for 10 sites (13 lots, 4 being part lots). The Planning Proposal seeks to reclassify the sites from community land to operational land as per Council resolutions.

Following a review of Council's assets, multiple sites were identified to be either surplus to Council's needs or have potential to benefit from long term leasing opportunities. Council is seeking to reclassify the land to operational land in order to facilitate potential sale, the dedication of roads, or for commercial leasing arrangements. Council resolved at its meeting of 23 August 2023 to proceed with the reclassification of seven sites as proposed as part of previous Council resolutions and included four additional sites.

Council then initiated agency consultation and public exhibition of the Planning Proposal between 20 February 2024 and 18 March 2024. Two public hearings were held at the Erina Centre on 8 May 2024 and at Wyong Golf Club Auditorium on 9 May 2024.

Outcomes of the public hearing and public exhibition were recorded and are summarised in this report, specific to each site.

There was significant community interest in the property at 18 Dane Drive, Gosford which is the Gosford Bowling Club site, which generated majority of the submission objections received during public exhibition, and attendance at the public hearing on 8 May 2024.

## **2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)**

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Following legal due diligence, further site investigations and consultation, there have been minor amendments to the Planning Proposal which are detailed in the recommendations and Council report.

### **Background**

Following a review of Council's assets, multiple sites were identified to be either surplus to Council's needs or have potential to benefit from long term leasing opportunities. Council undertook a Planning Proposal process seeking to reclassify 10 sites (13 lots) from community land to operational land to facilitate potential sale, commercial leasing arrangements or the dedication of roads.

At the Ordinary Council Meeting of 22 August 2023 Council resolved:

*137/23*

*That Council:*

- 2. Commence the reclassification of the following four lots from community land to operational land in accordance with Section 34 of the Local Government Act 1993 (Attachment 2):*
  - a. Land facing Henry Parry Drive that provides access to the former Council Chambers at 49-51 Mann St GOSFORD, being Lot 1 in DP 251476;*
  - b. Land abutting Kanangra Drive to the east known as 50W Parraweena Drive GWANDALAN, being Lot 1 in DP 1043151;*
  - c. Land being part of 6W Kemira Road LAKE MUNMORAH; being part of Lot 79 in DP 217918; and*
  - d. Land at 20 Summerland Road SUMMERLAND POINT known as Summerland Sporties, and currently leased to Doyalson-Wyee RSL Club, being part of Lot 4 in DP 263812.*
- 3. Progress the subdivision of land to facilitate reclassification of part of 6W Kemira Road LAKE MUNMORAH and part of 20 Summerland Road SUMMERLAND POINT.*
- 4. Note Council's intention to progress resolutions 52/21 of 22 March 2022 and 202/21/8-13 of 27 July 2021 to reclassify the following seven sites from community to operational land:*
  - a. 18 Dane Street, GOSFORD, being Lot 2 DP 1011876;*
  - b. 48W Wallarah Road, GOROKAN, being Lot 2 DP 733448;*
  - c. 191 Wallarah Road, KANWAL, being Lot 21 DP 813270;*
  - d. 75 Bungary Road, NORAH HEAD, being Lot 5 Sec 24 DP 758779 and Lot 1 DP 860696;*

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

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- e. *Part 2-4 Park Road, THE ENTRANCE, being Lot 10 DP 1285833 (part only) and Lot 1 DP 406038 (part only);*
- f. *13 and 15 Yaralla Road, TOUKLEY, being Lot 78 DP 20493 and Lot 79 DP 20493; and*
- g. *Car park and curtilage, Austin Butler Access, WOY WOY, being Lot 19 DP 235385 (part only).*

The site Austin Butler Access, Woy Woy (part only) was originally included in the reclassification process, however at the Ordinary Council Meeting of 26 September 2023, it was resolved the site was to be removed from the process and further community feedback was to be sought. Community feedback was reported to Council on 28 November 2023.

Further to the resolution above, at the Ordinary Council Meeting of the 26 September 2023, it was resolved:

157/23

*That Council:*

- 1 *Notes advice provided by the Local Planning Panel and confirms that no rezoning is proposed as part of the Planning Proposal to reclassify Council land identified in Attachment 1.*
- 2 *Requests a Gateway Determination from the Minister for Planning and Public Spaces in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979, in relation to the Planning Proposal in Attachment 1, with the exception of Austin Butler Access, WOY WOY (Lot 9 DP 235385 [part only]).*
- 3 *Undertakes community and public authority consultation in accordance with the Gateway Determination requirements.*
- 4 *Receives a report to further consider the Planning Proposal following public consultation.*
- 5 *Note Part 1 of resolved Administrator's Minute being:*  
  
*Remove Austin Butler Access, WOY WOY (Lot 9 DP 235385 [part only]) from the current bulk reclassification of land process.*

A Gateway Determination was received from the Department of Planning, Housing and Infrastructure on 15 November 2023 subject to conditions, which included amending the Planning Proposal prior to public exhibition to seek to rezone from RE1 Public Recreation to RE2 Private Recreation the sites at 48W Wallarah Road, Gorokan, 191 Wallarah Road, Kanwal and Part 2-4 Park Road, The Entrance. The Gateway Determination also required the Planning Proposal to be finalised on or before 28 August 2024.

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

Council then initiated agency consultation and public exhibition of the Planning Proposal between 20 February 2024 and 18 March 2024. In accordance with Section 29 of the *Local Government Act 1993*, two public hearings were held at Erina on 8 May 2024 and Wyong on 9 May 2024.

During the public exhibition period 30 submissions were received either via Council's Your Voice Our Coast webpage, email or post. Two submissions were in support of the reclassification, two did not provide comments, and 26 were objecting to the reclassification. A further four objections were received post exhibition.

The public hearings were led by an independent facilitator, the facilitator's report on the public hearings is provided in Attachment 2 and 3. At the public hearing of 8 May 2024, there were 58 members of the public in attendance and 18 registered speakers. At the second public hearing of 9 May 2024, there were 12 members of the public in attendance and one registered speaker.

### Current Status

The Planning Proposal is currently at the stage in the Local Environment Plan Amendment Process shown in Figure 1. The reclassification process has been undertaken in accordance with Part 6 Section 2 of the *Local Government Act 1993* and the Department of Planning, Housing and Infrastructure's *LEP Practice Note 16-001 – Classification and reclassification of public land through a local environmental plan*.

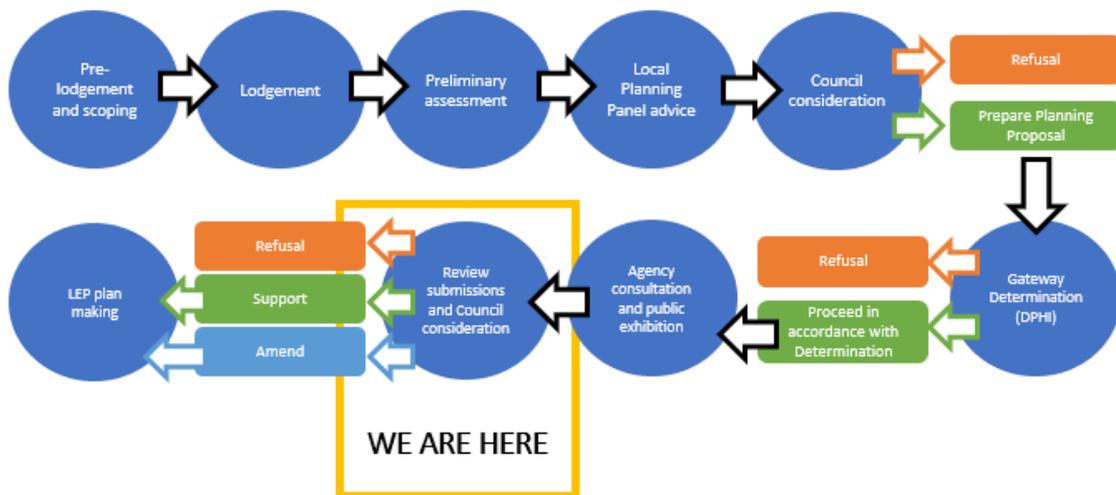


Figure 1: LEP Amendment / Planning Proposal process

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

### Local Environmental Plan Amendment

#### Explanation of provisions

The outcome will be facilitated by an amendment to *the State Environmental Planning Policy (Precincts – Regional) 2021 (Gosford sites) and the Central Coast Local Environmental Plan 2022 (all other sites)* which involves the following:

- Amend Schedule 4, Part 2 of *Central Coast Local Environmental Plan 2022 (interests changed)*
- Amend Schedule 8, Part 2 of *State Environmental Planning Policy (Precincts – Regional) 2021 (interests changed)*
- Update/include relevant sites on the Land Reclassification (part lots) Map.

Table 1: Schedule of Amendments

Schedule to be Amended	Property Details
Amend Schedule 4, Part 2 of <i>Central Coast Local Environmental Plan 2022 (interests changed)</i>	<ul style="list-style-type: none"> <li>• Lot 2 DP733448, 48w Wallarah Road Gorokan 2263 NSW</li> <li>• Lot 21 DP 813270, 191 Wallarah Road Kanwal 2259 NSW</li> <li>• Part Lot 10 DP 1285833, Part 2-4 Park Road The Entrance 2259 NSW</li> <li>• Part of Lot 1 DP 406038, Part 2-4 Park Road The Entrance 2259 NSW</li> <li>• Lot 5 Sec 24 DP 758779, 75 Bungarry Road, Norah Head 2263 NSW</li> <li>• Lot 1 DP 860696, 75 Bungarry Road, Norah Head 2263 NSW</li> <li>• Lot 79 DP 20493, 15 Yaralla Rd Toukley 2263 NSW</li> <li>• Lot 78 DP 20493, 13 Yaralla Rd Toukley 2263 NSW</li> <li>• Part Lot 79 DP 217918, Part 6W Kemira Road Lake Munmorah</li> <li>• Lot 4 DP 263812, Part 20 Summerland Road Summerland Point</li> <li>• Part Lot 1 DP 1043151, Part 50W Parraweena Road Gwandalan 2259 NSW</li> </ul>
Amend Schedule 8, Part 2 of <i>State Environmental Planning Policy (Precincts – Regional) 2021 (interests changed)</i>	<ul style="list-style-type: none"> <li>• Lot 2 DP 1011876, 18 Dane Drive Gosford</li> <li>• Lot 1 DP 251476, 49-51 Mann Street Gosford 2250 NSW</li> </ul>

#### Amendments to schedules

Following legal due diligence undertaken for all sites included in the Planning Proposal, it was since identified that the property 13 Yaralla Road, Toukley may be subject to a trust. As such

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

Council seeks to amend the listed schedule to include 13 Yaralla Road, Toukley (Lot 78 DP 20493) in Schedule 4 Part 2 (interests changed) of the CCLEP 2022.

### Zone changes for some lots

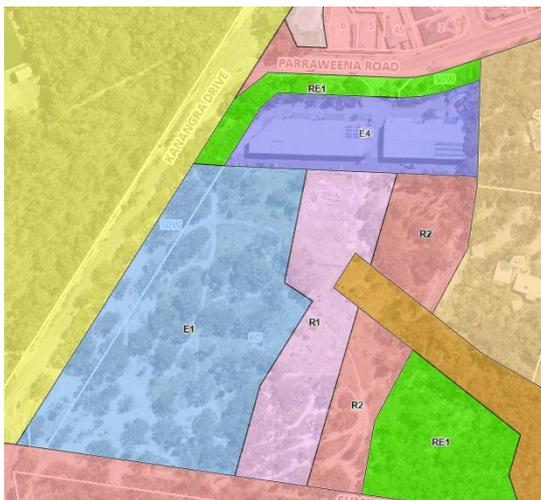
In the Gateway Determination received by the Department of Planning, Housing and Infrastructure on the 15 November 2023 which required an amendment to the Planning Proposal to rezone from RE1 Public Recreation to RE2 Private Recreation the following sites:

- 48W Wallarah Road Gorokan 2263 NSW (Lot 2 DP733448)
- 191 Wallarah Road Kanwal 2259 NSW (Lot 21 DP 813270)
- Part 2-4 Park Road The Entrance 2259 NSW (part Lot 10 DP 1285833 and Part of Lot 1 DP 406038)

In addition to the above-mentioned sites, the position of the SP2 – Infrastructure area at 6W Kemira Road, Lake Munmorah will be slightly extended to accommodate and align with the required road configuration and widening. This approach has previously been discussed between Council and the Department of Planning, Housing and Infrastructure.

### Reclassification area adjustment at 50W Parraweena Road Gwandalan

Following public exhibition and public hearings it came to Council's attention that the inclusion of the entire lot in the reclassification process was unnecessary and had the potential to impact on existing recreational space fronting the business park on Parraweena Road. As such the reclassification area is amended as outlined in Figure 3 to include only the E1 - Local Centre portion of the lot and exclude the RE1 – Public Recreation area. The updated part lot mapping will be provided to the Department of Planning, Housing and Infrastructure for LEP finalisation.



Legend	
	C2 – Environmental Conservation
	E1 – Local Centre
	E4 – General Industrial
	R1 – General Residential
	R2 – Low Density Residential

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

Figure 2: Existing zoning of 50W Parraweena Road, Gwandalan



Exhibited Version

Updated Mapping for LEP Finalisation

Figure 3: Part 50W Parraweena Road, Gwandalan – proposed change post exhibition

### Public reserve status

- 48W Wallarah Road, Gorokan – land is described as Public Reserve on Deposited Plan 733448 but not on Certificate of Title. There is a covenant on the Certificate of Title, but this relates to erection of fences.
- Part 20 Summerland Road, Summerland Point - Lot 4 in DP 263812 is notated as a Public Reserve on deposited plan 263812. There is caveat on the certificate of title for Lot 4 in DP 263812 from the Registrar General forbidding “the registration of any title upon which this caveat is entered of an instrument not authorised by the provisions of the former Local Government Act 1919, relating to public reserves.” There was no mention of a Public reserve on the Certificate of Title.
- 75 Bungary Road, Norah Head - Vested in Council by the Crown under s37AAA Crown Lands Consolidation Act 1913 (gazetted 16 July 1976) both parcels declared to be public reserve in the gazettal. Before the vesting, Lot 5 was a former Crown reserve for the purpose of a Hall, and Lot 1 was Crown Road closure land. There was no mention of a Public reserve on Certificate of Title.

### Trusts and interests

The table below details Council’s trusts and interests in the lots included in this reclassification process.

Table 2: Proposed Change of Interest

Address	Lot and DP	Interests in Land	Proposed Change of Interests
49-51 Mann Street	Lot 1 DP 251476	Crown Grant	Retain
		AQ747893 Pursuant to S.111 Real property Act. 1900	Retain

## 2.4

**Planning Proposal for Reclassification of Council land (multiple sites) -  
Outcomes of Public Exhibition (cont'd)**

Gosford 2250 NSW		Public Trust (conveyed for a Public Purpose)	Extinguish for whole Lot
48w Wallarah Road Gorokan 2263 NSW	Lot 2 DP733448	Crown Grant	Retain
		C318671 Land Excludes Minerals	Retain
		C842889 Covenant Affecting Part Land	Extinguish via a separate process
		G584564 Easement For Drainage	Retain
		DP733448 Right Of Way	Retain
		Public Trust (conveyed for a public purpose)	Extinguish for whole Lot
191 Wallarah Road Kanwal 2259 NSW	Lot 21 DP 813270	Crown Grant	Retain
		A486355 Land Excludes Minerals	Retain
		DP266960 Right Of Carriageway	Retain
		Public Trust (conveyed for a public purpose)	Extinguish for whole Lot
Part 2-4 Park Road The Entrance 2259 NSW	Part Lot 10 DP 1285833	Crown Grant	Retain
		B580478 Caveat By The Registrar General	Extinguish for part Lot
		DP1285777 Easement for encroaching structure	Retain
		DP1285777 Easement for overhang	Retain
		DP1290370 Right of way and easement for carparking	Retain
		DP1290369 Easement for encroaching structure	Retain
		DP1290369 Right of way and easement for carparking	Retain
		DP806508 Plan For Lease Purposes	Retain
		DP867209 Plan For Lease Purposes	Retain
		Public Trust (conveyed for a public purpose)	Extinguish for part Lot
Part 2-4 Park Road The Entrance 2259 NSW	Part of Lot 1 DP 406038	Crown Grant	Retain
		DP1285777 Easement for encroaching structure	Retain
		DP1285777 Easement for overhang	Retain
		DP1290369 Easement for encroaching structure	Retain
		DP1290369 Right of way and easement for carparking	Retain

## 2.4

**Planning Proposal for Reclassification of Council land (multiple sites) -  
Outcomes of Public Exhibition (cont'd)**

		DP1290369 Positive covenant affecting the whole of the land	Retain
		DP806508 Plan For Lease Purposes	Retain
		Public Trust (conveyed for a public purpose)	Extinguish for whole Lot
75 Bungarry Road, Norah Head 2263 NSW	Lot 5 Sec 24 DP 758779	Land Excludes Minerals	Retain
		Excepting Land Below A Depth From The Surface Of 20 Metres	Retain
		Public Trust (conveyed for a public purpose)	Extinguish for whole Lot
75 Bungarry Road, Norah Head 2263 NSW	Lot 1 DP 860696	Land Excludes Minerals	Retain
		Excepting Land Below A Depth From The Surface Of 20 Metres	Retain
		Public Trust (conveyed for a public purpose)	Extinguish for whole Lot
13 Yaralla Rd Toukley 2263 NSW	Lot 78 DP 20493	Crown Grant	Retain
		Public Trust (conveyed for a public purpose)	Extinguish for whole Lot
15 Yaralla Rd Toukley 2263 NSW	Lot 79 DP 20493	Crown Grant	Retain
		Public Trust (conveyed for a public purpose)	Extinguish for whole Lot
Part 6W Kemira Road Lake Munmorah	Part Lot 79 DP 217918	Land Excludes Minerals	Retain
		Registered Proprietor Holds Subject To Section 340a Local Government Act, 1919	Retain
		Excepting Land Below A Depth From The Surface Of 15.24 Metres	Retain
		Public Trust (conveyed for a public purpose)	Extinguish for part Lot
18 Dane Drive Gosford	Lot 2 DP 1011876	Crown Grant	Retain
		DP1011876 Right Of Carriageway And Easement (A)	Retain
		DP1011876 Easement For Services Variable Width (C)	Retain

## 2.4

**Planning Proposal for Reclassification of Council land (multiple sites) -  
Outcomes of Public Exhibition (cont'd)**

		DP1011876 Easement For Services Variable Width (B) Appurtenant To The Land	Retain
		DP1011876 Easement For Support Variable Width (C)	Retain
		DP1011876 Easement For Support Variable Width (C) Appurtenant To The Land	Retain
		Dp1011876 Easement For Air Duct 1 Wide (D)	Retain
		DP1011876 Easement To Occupy Airspace Variable Width (E)	Retain
		DP1011876 Easement To Occupy Airspace Variable Width (E) Appurtenant To The Land	Retain
		AB891211 Lease To Central Coast Leagues Club	Retain
		Public Trust (conveyed for a public purpose)	Extinguish for whole Lot
Part 50W Parraweena Road Gwandalan 2259 NSW	Lot 1 DP 1043151	Crown Grant	Retain
		Land Excludes Minerals	Retain
		DP 740701 Restriction(s) On The Use Of Land	Retain
		Public Trust (conveyed for a public purpose)	Extinguish for part Lot
Part 20 Summerland Road Summerland Point 2259 NSW	Part Lot 4 DP 263812	Crown Grant	Retain
		Land Excludes Minerals By G817877	Retain
		K200000P Caveat By The Registrar General Forbidding Unauthorised Dealings With Public Reserves	Extinguish for part Lot via separate process
		Public Trust (conveyed for a public purpose)	Extinguish for part Lot
		Noted as a public reserve on deposited plan	Extinguish for part Lot

**Public Exhibition and Public Hearings**

The Planning Proposal was publicly exhibited between 20 February 2024 and 18 March 2024 in accordance with the Department of Planning, Housing and Infrastructure's *Guide to Preparing Local Environment Plans* and the Gateway Determination. Submissions were received via Council's Your Voice Our Coast webpage, email and post.

## **2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)**

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During the public exhibition period 30 submissions were received; a further 5 submissions were received as late submissions. Thirty submissions object to the reclassification, 2 were impartial and 3 were in support.

Two public hearings were held, one on 8 May 2024 at the Erina Centre focusing on the following sites:

- Dane Drive, Gosford (Lot 2 DP 1011876)
- 49-51 Mann Street, Gosford (Lot 1 DP 251476)
- Part 2-4 Park Road, The Entrance (part Lot 10 DP 1285833 and part Lot 1 DP 406038)

The second public hearing was held on 9 May 2024 at Wyong Golf Club Auditorium, focusing on the following sites:

- 48W Wallarah Road, Gorokan (Lot 2 DP 733448)
- 191 Wallarah Road, Kanwal (Lot 21 DP 813270)
- 75 Bungary Road, Norah Head (Lot 5 Sec 24 DP 758779 and Lot 1 DP 860696)
- 13 and 15 Yaralla Road, Toukley (Lot 78 DP 20493 and Lot 79 DP 20493)
- 50W Parraweena Rd, Gwandalan (Lot 1 DP 1043151)
- Part 6W Kemira Road, Lake Munmorah (part Lot 79 DP 217918)
- Part 20 Summerland Road Summerland Point Lot (part Lot 4 DP 263812)

The main concerns raised via online submissions and at the public hearing are outlined below, broken down by each site. A more detailed summary is provided in Attachment 1.

### ***18 Dane Drive, Gosford (Lot 2 DP 1011876)***

The site at 18 Dane Drive, Gosford is currently leased to the Central Coast Leagues Club and the Gosford Bowling Club provided access to this site by the Club. Council initiated reclassification of the site to support the Gosford waterfront and stadium revitalisation initiative, which would increase flexibility and potential future uses.

During public exhibition 26 submissions were received objecting the reclassification of the site. At the public hearing on the 8 May 2024 at the Erina Centre, 20 speakers spoke objecting to the reclassification of 18 Dane Drive, Gosford.



## **2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)**

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### Council staff response:

Council acknowledges the community significance of the Gosford Bowling Club and the benefits and programs that are offered at the site provide a range of activities to bowlers of all abilities which make lawn bowls a more inclusive form of recreation. Council encourages all sporting and community clubs both in the Central Coast and elsewhere to make their recreational facilities available to all sectors of the community.

Council acknowledges that the future use of the site occupied by Gosford Bowling Club may change in the future. This could occur irrespective of whether the classification of the land changes. However, changing the classification of the land will allow a broader range of options for management of the site to be considered in the future.

The site (currently zoned RE1 Public Recreation) is not proposed to be rezoned, only reclassified from Community to Operational land. If the reclassification progresses, the site will remain RE1 Public Recreation, where the permitted uses are limited to recreation facilities (and other similar uses as detailed in the SEPP). If Council decides to sell the site for uses other than recreation, it would need to be rezoned (either by Council or the purchaser) and a separate Planning Proposal process (including community consultation) would be required.

The reclassification of the bowling club site from community land to operational land will not lead to any change in the short term, as Council has already indicated its intention to offer another lease over this site so that it can be used as a bowling club for up to another 5 years.

Reclassification from community land to operational land will allow for renewal of a lease to Central Coast Leagues Club to be expedited.

When Council commenced the Planning Proposal process, a Gateway Determination was issued from the Department of Planning, Housing and Infrastructure, which requires the Planning Proposal to be completed on or before 28 August 2024.

### ***49-51 Mann Street, Gosford (Lot 1 DP 251476)***

The small sliver of land is currently part of the Administration building landholding. The land was inadvertently omitted from the recent reclassification of land to support sale of the former Council chambers at Gosford to TAFE.

During public exhibition there was one submission received objecting to the reclassification of all Gosford sites, including 49-51 Mann Street and 18 Dane Drive, Gosford. There was one speaker at the public hearing on 8 May 2024 at the Erina Centre, who objected to the reclassification of all sites, including 49-51 Mann Street, Gosford. The speaker raised the following issues:

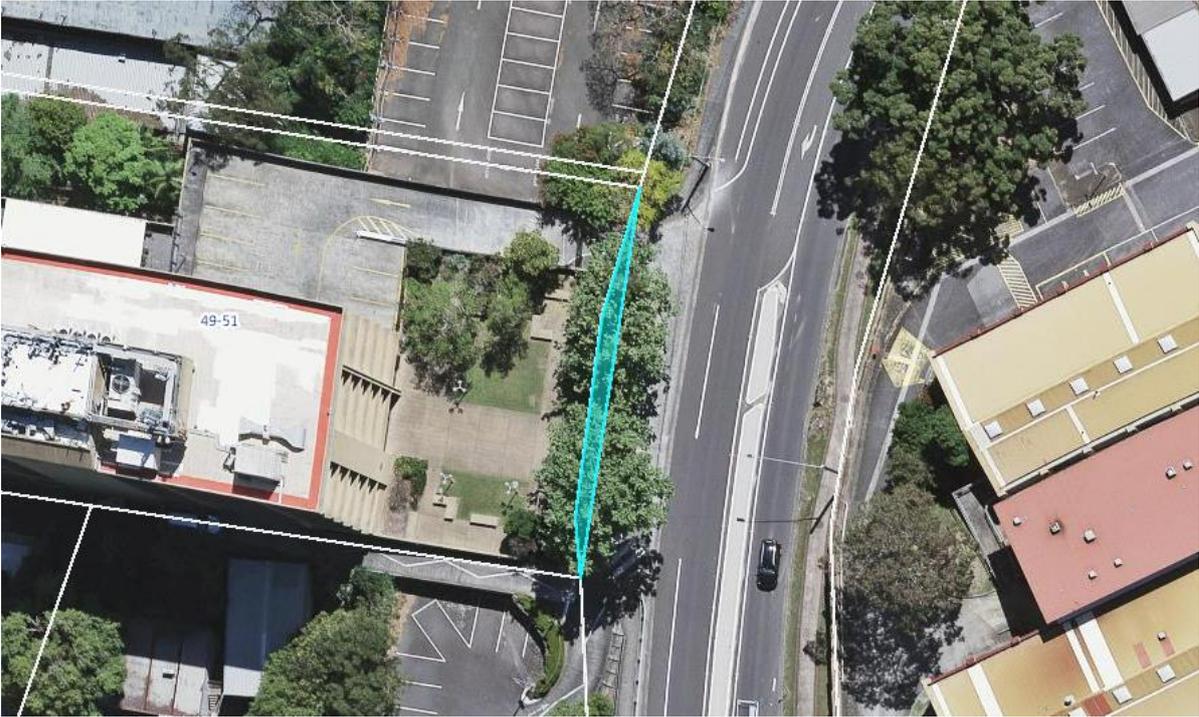


Figure 5: 49-51 Mann Street, Gosford

#### Intent of reclassification unclear

There is a lack of transparency surrounding the land. The long strip parallel to Henry Perry Drive prevents the sale of the Gosford Council Chambers which is why Council wants to sell it.

#### Timing of reclassification

Council is rushing the Planning Proposal and should wait for the elected Councillors to return before considering the reclassification further.

#### Council staff response:

Council has been transparent that this small sliver of land was inadvertently omitted from the recent reclassification of land to support sale of the former Council chambers at Gosford to TAFE.

The Planning Proposal has followed the same process with Council under administration as it would have with an elected Council in place. The process of identifying sites for reclassification has been ongoing for several years, with sites being identified for reclassification in Council resolutions in 2021 and 2022. The LEP amendment process for reclassifications from community land to operational land is time intensive and therefore Council opted to undertake a 'bulk' reclassification process for several sites.

When Council commenced the Planning Proposal process, a Gateway Determination was issued from the Department of Planning, Housing and Infrastructure, which requires the Planning Proposal to be completed on or before 28 August 2024.

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

### **Part 2-4 Park Road, The Entrance (part Lot 10 DP 1285833 and part Lot 1 DP 406038)**

The site proposed to be reclassified is only part of Taylor Park, and includes the most southern part of the lot, including the bowling greens and associated facilities. The site is wholly occupied by the Entrance Bowling Club (The Greens). Facilities are currently undergoing rebuild by Mingara Group, following a fire and subsequent demolition. The reason for reclassification is to enable rebuilding and reopening of The Greens Bowling Club, either via sale or long term lease.

One submission was received during public exhibition which supported the reclassification of Part 2-4 Park Road, The Entrance. There was one speaker at the public hearing of 8 May 2024 at the Erina Centre, who objected to the reclassification of all sites, including Part 2-4 Park Road, The Entrance. The following summarises responses received in relation to this site:



Figure 6: 2-4 Park Road, The Entrance

#### Support the rebuild of The Greens Bowling Club

The redevelopment of The Entrance Bowling Club will provide improved and upgraded bowling facilities, shade structures and synthetic greens which the local community have shown strong support for.

#### Concern for land sale

It was raised that any potential sale or lease of the land should be sold at a premium price, as this is in the best interests of the residents.

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

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### Council staff response:

The reclassification of the site will provide benefits to the community through the reopening of a community facility.

The reclassification of Part 2-4 Park Road, The Entrance will enable either the sale or long-term lease of the site. In the case of direct land sales with a proposed buyer, properties are sold for no less than the market value, which is determined by an independent valuer in accordance with Council's Land Transaction Policy.

### **48W Wallarah Road, Gorokan (Lot 2 DP733448)**

The land is currently licenced and maintained by the Wallarah Bay Recreation Club. The reason for reclassification of the land is to rationalise use of the land by the Wallarah Bay Recreation Club, either via sale or long-term lease.

No submissions were received during public exhibition and there were no objections to reclassification during the public hearings.



Figure 7: 48W Wallarah Road, Gorokan

### **191 Wallarah Road, Kanwal (Lot 21 DP 813270)**

The site is currently licenced by the Wyong Leagues Club and use the lower level for storage. The reason for reclassification is to rationalise use of the land by the adjoining club, either via sale or long-term lease.

**2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)**

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No submissions were received during public exhibition and there were no objections to reclassification during the public hearings.



Figure 8: 191 Wallarah Road, Kanwal

**75 Bungary Road, Norah Head (Lot 5 Sec 24 DP 758779 and Lot 1 DP 860696)**

The site was used for the old Norah Head Community Hall, but is now dilapidated and beyond repair. A new Community Hall has since been built located on the village green, along Soldiers Point Drive. The reason for reclassification is to sell the sites via a competitive open market process. The sale of the site at Bungary Road will part fund the new Community Hall.

Two submissions were received during public exhibition, one of which was an interested buyer. During the public hearing of 9 May 2024 at the Wyong Golf Club Auditorium, there were no objections to the reclassification of the site. The matters raised in the submissions are summarised as follows:

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)



Figure 9: 75 Bungary Road, Norah Head

### Retain as community land

Whilst the site needs upgrading, it should remain as community land.

### Council staff response:

The site was used for the old Norah Head Community Hall, but is now dilapidated and beyond repair. A new Community Hall along Soldiers Point Drive has since been built. The site is now surplus to Council's needs.

### **13 and 15 Yaralla Road, Toukley (Lot 78 DP 20493 and Lot 79 DP 20493)**

A small residential cottage is located on the Council land at 15 Yaralla Road, the land at 13 Yaralla Road is used for informal car parking. Both sites have been identified by Community & Culture staff as a potential affordable housing location. The reason for reclassification is to enable both sites to be include in Council's affordable housing sites portfolio

No submissions were received during public exhibition and there were no objections to reclassification during the public hearings.

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)



Figure 10: 13 and 15 Yaralla Road, Toukley

### **50W Parraweena Rd, Gwandalan (Lot 1 DP 1043151)**

The site is vacant land bordering Parraweena Road and Kanangra Drive. Reclassification will allow the land to be available for dedication as public road reserve providing access to the future Gwandalan Local Centre.

Two late submissions were received post exhibition. There was one speaker objecting to the reclassification at the public hearing of 9 May 2024.

As part of this report Council seeks to amend the Planning Proposal to reduce the area of 50W Parraweena Road, Gwandalan (Lot 1 DP 1043151) to be a Part lot reclassification, only including the area zoned E1 Local Centre. The adjusted land area is shown in Figure above, for the purpose of reporting on consultation, the former area is shown below. The matters identified from the exhibition are summarised below:

#### Inclusion of buffer zone in front of industrial estate

The lot is used as a buffer zone off the road for Kanangra Drive and Parraweena Road and has been planted and maintained for several years by Tidy Towns. The area in front of the business park is used by the business park for recreation and is zoned RE1.

#### Traffic and access

Access to the future local centre can be provided via the extension of Summerland Road, and the access of Kanangra Drive is not necessary. If the intention is to use the lot to widen the road to dual lane this should be shared with the community.

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

### Council staff response:

Following the public hearing Council determined that the inclusion of the northern part of the site (currently zoned RE1) did not require reclassification. As such Council seeks to amend the Planning Proposal to remove the buffer fronting the established business park from the reclassification process.

The site specific Development Control Plan requires all development at the Local Centre site to be setback 10m from Kanangra Drive. Detailed design of the Local Centre site has not been completed and a development application is yet to be lodged with Council. A detailed traffic impact assessment and traffic modelling will be required which will determine what access points are required.



Figure 11: 50W Parraweena Road, Gwandalan\*

*\* Note area to be reclassified is to be amended as per Figure 3 above.*

### **Part 20 Summerland Road Summerland Point (part Lot 4 DP 263812)**

Doyalson-Wyee RSL Club has held the lease on part of Lot 4 DP 263812 since 2012 when the site was rebranded as Summerland Sporties. The lease area includes 4 tennis courts, clubhouse, car parking and outdoor seating. It is intended that the land currently under the lease (being part of the lot) should be offered to the owner of Summerland Sporties on a long-term operational lease on suitable commercial terms, providing opportunity for substantial upgrades and modernisation of facilities on-site.

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

One late submission was received objecting the reclassification. At the public hearing on 9 May 2024 at the Wyong Golf Club Auditorium there was one speaker who objected to the reclassification. The details of objections are identified below:



Figure 12: Part 20 Summerland Road, Summerland Point

### Concern for future development over bushland

It was unclear to some community members if the reclassification applied to the whole or part of the lot covered by the Summerland Sporties lease. Reclassification of the whole site makes the bushland vulnerable to future clearing and development which is not supported. There was also concern the reclassification would impact the heritage walkway which is important to the local community. Significant investments into community education about local ecology and botany is provided along the Heritage Walkway.

### Council staff response:

The reclassification applies to the Summerland Sporties lease area only, which is part of the lot on the south-western corner. The remainder of the site will remain Community Land and will be managed by Council under a Plan of Management. The Heritage Walkway will not be impacted as part of the reclassification process and no part of the Heritage Walkway is within the Sporties lease area being reclassified.

**2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)**

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***Part 6W Kemira Road, Lake Munmorah (part Lot 79 DP 217918)***

The area included in the reclassification is a vacant strip of land, with a Council vehicle gate on the eastern boundary of Kemira Road. Reclassification will allow the land to be available for dedication as public road reserve that would extend Chisolm Avenue and connect to a future housing estate. The area is already zoned SP2 for the purpose of the road, this reclassification seeks to slightly adjust the SP2 boundary to align with the reclassification area and required road extent. This site is not proposed to be sold.

Two submissions were received during public exhibition, one in support and one objection. There were no objections at the public hearings. The details of the submissions are summarised below:



*Figure 13: 6W Kemira Road, Lake Munmorah*

Support connection to future housing

The reclassification will facilitate release of approximately 300 residential lots, assisting in the housing supply crisis. The collector road will provide an important east-west connection from Tall Timbers Road to the local school precinct. The construction will facilitate the required drainage and stormwater works.

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

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### Impact on traffic

The extension of the road is not supported given it would not be wide enough for the increased traffic that would be generated. The lot is also subject to flooding and drainage issues.

### Council staff response:

Reclassification will allow the land to be available for dedication as a public road reserve, which will facilitate the extension of Chisolm Avenue. The road will connect the site to a future housing development which was subject to a separate Planning Proposal process in 2022. The construction of the road will be required to meet road design standards and will be engineered to facilitate drainage and stormwater works.

### **Agency Consultation**

The Planning Proposal was referred to NSW Rural Fire Service (RFS), and the Biodiversity and Conservation Division (BCD) of the NSW Department of Climate Change, Energy, the Environment and Water.

RFS raised no concerns with the proposed rezonings but noted future development on bushfire prone land be required to address relevant requirements of the *Planning for Bush Fire Protection 2019* (or equivalent). BCD raised no objection to the Planning Proposal, provided it does not raise development potential on parcels that are of high biodiversity value, flood prone or mapped coastal zones.

### **Financial Considerations**

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

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

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

Adoption of the staff recommendation has no budget implications for Council. The costs to complete the reclassification and the proposed future sale transaction will be undertaken through existing allocations within the adopted budget.

Funds from any sale of land or lease will enable Council to continue to deliver a range of services and infrastructure to benefit the community.

Not all sites will be sold. However, for transparency, in the case of any sale, the future use of funds for relevant sites are included in Table 2.

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

Table 3: Future use of funds

Address	Lot and DP	Future use of funds
18 Dane Drive Gosford	Lot 2 DP 1011876	Funds from any future sale of the land will be directed in part towards the promotion of the Gosford waterfront masterplan and revitalisation of the Gosford City Centre.
49-51 Mann Street Gosford 2250 NSW	Lot 1 DP 251476	Funds from the sale of the land will be directed in part towards the promotion of the Gosford waterfront masterplan and revitalisation of the Gosford City Centre.
48w Wallarah Road Gorokan 2263 NSW	Lot 2 DP733448	If the land is sold net funds from the sale of the land will be directed towards Council's operational budget with the proceeds of any asset sales that were originally purchased using restricted funds to be returned to restricted funds.
191 Wallarah Road Kanwal 2259 NSW	Lot 21 DP 813270	If the land is sold, net funds from the sale of the land will be directed towards Council's operational budget with the proceeds of any asset sales that were originally purchased using restricted funds to be returned to restricted funds.
Part 2-4 Park Road The Entrance 2259 NSW	Part Lot 10 DP 1285833	If the land is sold, net funds from the sale of the land will be directed towards Council's operational budget with the proceeds of any asset sales that were originally purchased using restricted funds to be returned to restricted funds.
	Part of Lot 1 DP 406038	
75 Bungary Road, Norah Head 2263 NSW	Lot 5 Sec 24 DP 758779	Funds will be used to recoup the costs of the new community centre in a different location. Proceeds of any asset sales that were originally purchased using restricted funds to be returned to restricted funds
	Lot 1 DP 860696	
13 Yaralla Rd Toukley 2263 NSW	Lot 78 DP 20493	If the land is sold, net funds from the sale of the land will be directed towards Council's operational budget with the proceeds of any asset sales that were originally purchased using restricted funds to be returned to restricted funds
15 Yaralla Rd Toukley 2263 NSW	Lot 79 DP 20493	If the land is sold, net funds from the sale of the land will be directed towards Council's operational budget with the proceeds of any asset sales that were originally purchased using restricted funds to be returned to restricted funds.
Part 6W Kemira Road Lake Munmorah	Part Lot 79 DP 217918	The land is to be dedicated as public road and is not required to be sold.

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

50W Parraweena Road Gwandalan 2259 NSW	Lot 1 DP 1043151	Part of the land is to be dedicated as public road and is not required to be sold.
Part 20 Summerland Road Summerland Point 2259 NSW	Part Lot 4 DP 263812	The site is not proposed to be sold; it will be offered on a long-term lease to the owner of Sporties.

### 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.

Theme 5: Liveable

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

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

### Risk Management

The Planning Proposal, community consultation and public hearings have been prepared and undertaken to comply with the provisions of the *Local Government Act 1993*, *Environmental Planning and Assessment Act 1979*, *LEP Practice Note 16-001 - Classification and reclassification of public land through a local environmental plan* and the Gateway Determination issued by the Department of Planning, Housing and Infrastructure.

Compliance with relevant legislation and Department of Planning, Housing and Infrastructure requirements ensures there are not risks associated with the Planning Proposal.

### Options

1. Proceed with the reclassification.

This approach enables greater flexibility in the use of the sites, including commercial leasing arrangements and facilitation of potential sales, consistent with Council's previous resolutions. **(This is the recommended option).**

## 2.4 Planning Proposal for Reclassification of Council land (multiple sites) - Outcomes of Public Exhibition (cont'd)

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2. Do not proceed with the proposed reclassification.

There is a Council resolution to reclassify the sites included in the Planning Proposal. If the reclassification does not proceed, Council's resolution of August 2023 and September 2023 cannot be implemented, and the land will remain as community land. This will pose inherent limitations on the future uses of the sites. (This is not the recommended option).

### Critical Dates or Timeframes

The Gateway Determination issued 15 November 2023 requires the proposal to be completed on or before 28 August 2024. This timeframe can be met, and it is expected that the Planning Proposal will be notified within six weeks of Council's decision.

### Attachments

<b>1</b>	Submissions and Responses - Public Exhibition and Agency Consultation	Provided Under Separate Cover	D16238079
<b>2</b>	Public Hearing Report 1 (Erina, 8th of May 2024)	Provided Under Separate Cover	D16236372
<b>3</b>	Public Hearing Report 2 (Wyong, 9th of May 2024)	Provided Under Separate Cover	D16236375



**Item No:** 2.5  
**Title:** Debt Recovery 2023-24 - Update  
**Department:** Corporate Services

25 June 2024 Ordinary Council Meeting

Reference: F2023/00021 - D16195778  
 Author: Priya Pratap, Section Manager, Financial Operations  
 Manager: Emma Galea, Chief Financial Officer  
 Executive: Marissa Racemelara, Director Corporate Services

**Recommendation**

**That Council:**

- 1 Approves the Write Off of rates and charges that remain unrecoverable following the 2023/24 Sale of Land for Unpaid Rates process, totalling \$71,964.08, in accordance with Clause 131 of the Local Government (General) Regulation 2021 as follows:**

Assessment	Amount
76877.0	\$28,068.17
304438.5	\$12,003.92
304441.9	\$11,322.33
304442.7	\$11,458.14
305245.3	\$9,111.52
<b>Total</b>	<b>\$71,964.08</b>

- 2 Approves the Write Off of Sundry Debtor accounts greater than \$5,000 and totalling \$444,069.91 in accordance with Clause 213 of the Local Government (General) Regulation 2021, as follows:**

3 Debtor Name	Debtor No.	Total Amount	Type	Category
Sharpe Bros Aust Pty Ltd	426359	\$129,983.14	Roads	Legal exhausted
Central Coast Waves Basketball Assoc Inc	418336	\$83,440.25	Leisure	Liquidated
Ellenbe Pty Ltd	416602	\$68,989.68	Property Rent	Liquidated
Bitova Pty Ltd	407024	\$30,048.37	Property Rent	Stat Barred
Toukley District Tennis Association	100003	\$25,488.36	Property Rent	Liquidated
Adelaide Wreck Dive Adventures Pty Ltd	416780	\$24,006.73	Property Rent	Liquidated
Sharp Bros Pty Ltd	423214	\$15,608.00	General	Legal exhausted
Centennial Mannering Pty Ltd - Doyalson	407975	\$15,329.06	Water & Sewer	Stat Barred

## 2.5 Debt Recovery 2023-24 - Update (cont'd)

Privium Group	431824	\$10,318.67	Water & Sewer	Liquidated
Cater Group Pty Ltd	417564	\$9,500.40	Licensing	Liquidated
Mr S Pitty	408936	\$9,277.34	General	Legal exhausted
Poongothai Pty Ltd	421853	\$5,824.00	Licensing	ABN cancelled
J K Atherton	424628	\$5,680.73	General	ABN cancelled
Total Focus Australia	426725	\$5,115.83	Leisure	Legal exhausted
La Casa Di Vino Pty Ltd	427883	\$5,459.35	Licensing	Gosford Council Journals (no original invoice data (ex Authority)
<b>Total</b>		<b>\$444,069.91</b>		

### Report purpose

To seek the Council's approval to write off rates and charges where the sale proceeds from the 2023-24 sale of land for unpaid rates and charges are insufficient to cover monies owed to the Council, and to write off sundry debts that are not deemed economical to pursue further, for the financial year ending 30 June 2024.

### Executive Summary

Council has reviewed the outstanding rates and charges, and sundry debtors, that are deemed irrecoverable or uneconomical to pursue further.

Council is required to write off rates and charges that remain unrecoverable after all debt recovery avenues have been exhausted. After undertaking all debt recovery actions, including sale of land for unpaid rates and charges, an amount of \$71,964.08 is required to be written off in accordance with Clause 131 of the Local Government (General) Regulation 2021.

For sundry debts, in line with Council's Hardship and Debt Recovery Policy, sundry debts under \$,5000 can be written off under delegation. An amount of \$ 540,991.89 has been written off under delegation. Any debts exceeding \$5,000 require the Council's approval. Sundry debts exceeding \$5,000 and totalling \$444,069.91 are required to be written off in accordance with Clause 213 of the Local Government (General) Regulation 2021.

The annual review of outstanding amounts is an important component of the end of financial year process. This is to ensure that amounts reported as receivable can be recovered, and that adequate provision for the likelihood of recovery is made for amounts remaining outstanding as at the end of the financial year.

Council had not undertaken an annual review of amounts outstanding for several years. Consequently, the review undertaken in 2023-24 has resulted in a significant amount being required to be written off. As Council continues to implement improved debt recovery processes, and an annual process is undertaken to write off irrecoverable or uneconomical to pursue debts, it is anticipated that the annual amount written off will be significantly lower in future years.

The financial impact of \$985,061.80 arising from sundry debts amounts written off under delegation and as proposed in this report, and \$71,964.08 regarding rates and charges to be written off, is allowed for in the 2024-25 adopted Operational Plan.

### **Background**

At its Council meeting on 27 February 2024, the Council adopted a Hardship and Debt Recovery Policy. The Policy outlines the process for recovering outstanding rates and charges and sundry debtors.

#### Write Off of Rates and Charges

Council had not, at least since 2016, when Central Coast Council was formed, pursued the recovery of unpaid rates and charges by way of the sale of land, as outlined in the Council's adopted Policy.

At its Ordinary Meeting held on 26 April 2023, the Council resolved to undertake legal action by way of the sale of land for unpaid rates and charges under the provisions of Sections 713 to 726 of the Local Government Act 1993 for properties meeting the criteria.

The Council resolution, affected 42 properties with arrears amounting to \$992,000. Council actively worked with the impacted ratepayers in partnership with the appointed debt recovery agent. The aim was to settle the outstanding amounts prior to the sale of the land, with late-stage interventions such as property visits, phone calls, notification letters, and property searches and certificates.

The above actions resulted in only 18 properties progressing to be sold via auction. Fewer properties were auctioned due to owners settling their debt with the Council before the auction date. As a result of these efforts, the Council successfully recovered \$771,000 of the outstanding amount. Some properties with outstanding amounts totalling \$149,000 were withdrawn from sale due to specific sensitive circumstances.

The process resulted in \$71,964.08 remaining unrecoverable due to the proceeds from sale of some of the impacted properties being less than the amount owed to Council.

Write Off of Sundry Debtor Accounts

The current debt recovery process includes several steps. A statement is sent to the debtor after 30 days, followed by another after 60 days. At 90 days, the account is referred to Revenue NSW. Approximately 500 accounts per month, along with older debts that exceed 12 months, are referred to Revenue NSW.

An assessment of practice to date has concluded that clearing bad debts on annual basis has not been carried out for several years, including the years prior to amalgamation in 2016.

An intensive review of aged debts has now been undertaken. The nature and age of certain sundry debts have resulted in these debts becoming uneconomical and difficult to pursue further.

**Report**

Write Off of Rates and Charges

In accordance with Clause 131 of the Local Government (General) Regulation 2021, the Council is required to write off outstanding debts where the sale proceeds from the 2023-24 sale of land for unpaid rates and charges are insufficient to cover monies owed to the Council. The full details of each outstanding debt have previously been tabled at the Council meeting of 26 April, 2023.

Table 1 below details the amounts that are required to be written off due to the proceeds from sale of rates being insufficient to cover the amounts outstanding.

**Table 1 – Rates and Charges to be written off**

<b>Assessment</b>	<b>Amount</b>
76877.0	\$28,068.17
304438.5	\$12,003.92
304441.9	\$11,322.33
304442.7	\$11,458.14
305245.3	\$9,111.52

**\$71,964.08**

## 2.5 Debt Recovery 2023-24 - Update (cont'd)

### Writing Off of Sundry Debtor Accounts

A total amount of \$985,061.80 has been identified to be written off as bad debts. Where possible, these debts have been subject to recovery actions, and all avenues have been exhausted to recover these debts with no success.

A total of \$540,991.89 has been written off under delegated authority, as the individual account outstanding amount was less than \$5,000.

Table 2 details the type of debts and the number of debtors accounts within each category that has been written off.

**Table 2 - Debtor Accounts less than \$5,000 written off under delegated authority.**

Type	Total for Type	Volume
Business Enterprise	\$ 2,827.37	57
Certification	\$ 4,596.10	1
Default	\$ 44,526.98	51
Digital Information	\$ 331.00	1
General	\$ 178,672.90	313
Leisure	\$ 1,381.24	8
Licensing	\$ 249,804.52	557
Pathway Bookings	\$ 33,640.43	149
Property Rent	\$ 2,646.30	18
Roads	\$ 714.58	3
Staff	\$ 157.40	3
Waste Management	\$ 6,260.80	17
Water and Sewer	\$ 15,432.27	26
	<b>\$ 540,991.89</b>	<b>1204</b>

An additional total of \$444,069.91 is required to be written off by Council resolution, as the individual account outstanding amount is more than \$5,000.

Table 3 details the debtor account, type of debt and the category applicable to each debt being proposed to be written off.

## 2.5 Debt Recovery 2023-24 - Update (cont'd)

**Table 3 - Debtor Accounts more than \$5,000, to be written off by Council resolution**

Debtor Name	Debtor No.	Total Amount	Type	Category
Sharpe Bros Aust Pty Ltd	426359	\$129,983.14	Roads	Legal exhausted
Central Coast Waves Basketball Assoc Inc	418336	\$83,440.25	Leisure	Liquidated
Ellenbe Pty Ltd	416602	\$68,989.68	Property Rent	Liquidated
Bitova Pty Ltd	407024	\$30,048.37	Property Rent	Stat Barred
Toukley District Tennis Association	100003	\$25,488.36	Property Rent	Liquidated
Adelaide Wreck Dive Adventures Pty Ltd	416780	\$24,006.73	Property Rent	Liquidated
Sharp Bros Pty Ltd	423214	\$15,608.00	General	Legal exhausted
Centennial Mannering Pty Ltd - Doyalson	407975	\$15,329.06	Water & Sewer	Stat Barred
Privium Group	431824	\$10,318.67	Water & Sewer	Liquidated
Cater Group Pty Ltd	417564	\$9,500.40	Licensing	Liquidated
Mr S Pitty	408936	\$9,277.34	General	Legal exhausted
Poongothai Pty Ltd	421853	\$5,824.00	Licensing	ABN cancelled
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Total Focus Australia	426725	\$5,115.83	Leisure	Legal exhausted
La Casa Di Vino Pty Ltd	427883	\$5,459.35	Licensing	Invoice Data not available
<b>Total</b>		<b>\$444,069.91</b>		

### Consultation

The write-off of rates and charges is being recommended to the Council as per legislative requirements. There is no requirement to engage with any stakeholders in this regard.

Regarding the write-off of sundry debtors, engagement with relevant business Units associated with the debts was undertaken where applicable. This included multiple phone calls and meetings to recover the debt. The identified debts have been identified as uneconomical to pressure.

### Financial Considerations

The amounts to be written off, as detailed in this report, result in operating expenses totaling \$71,964.08 for rates and charges and \$985,061.80 for sundry debtors, respectively, in the 2023/24 financial year. This amount will also reduce the Council's future cash flow estimate by the same amount.

Each financial year, the Council must make provision for amounts likely to remain unpaid and become bad debts. To inform this process, it is good practice to review the outstanding sundry amounts each year and write off any amounts that are determined as irrecoverable or uneconomic to pursue after all debt recovery actions have been exhausted.

The amount required to be maintained in the Provision as of June 2024 will be calculated based on the outstanding debts after the write-offs in this report are processed. The calculation must be undertaken after the end of the 2023-24 financial year to determine the exact movement that will be required, however, the movement is anticipated to have a positive impact due to a reduction in the amount required to be maintained.

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

Theme 4: Responsible

### **Choose Focus Area**

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 write-off of amounts detailed in this report will eliminate the risk of the Council's debtor's asset amount being overstated on the Council's Balance Sheet. To reduce the risk of significant amount being required to be written off each year, Council continues to review its debt recovery process as follows:

- The review of aged debts and the write-off process, as described above, for both rates and charges and sundry debtors will be an annual process.
- For rates and charges, the sale of land for unpaid rates will commence in July each year to allow for the write-off of any unrecovered amounts, which will be included in the Council report to write off debts for the financial year in May each year.
- For sundry debtors, the debt recovery process is being reviewed to ensure timely action is undertaken to reduce the risk of debts becoming unrecoverable.

### **Critical Dates or Timeframes**

The amounts to be written off must be processed in the 2023-24 financial year.

**Attachments**

Nil



**Item No:** 2.6  
**Title:** Water and Sewer 2026-2031 IPART Pricing Submission Approach  
**Department:** Water and Sewer

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25 June 2024 Ordinary Council Meeting

Reference: F2004/06782 - D16106265  
Author: Krystie Bryant, Section Manager Asset Security and Reliance  
Manager: Jamie Loader, Director Water and Sewer  
Executive: Jamie Loader, Director Water and Sewer

## Recommendation

***That Council endorses the adoption of a "Standard" submission approach for the Water and Sewer 2026 – 2031 IPART pricing submission.***

## Report Purpose

To outline and seek endorsement of the submission approach for the Water and Sewer 2026 – 2031 IPART pricing submission, aligned to the new IPART's 3C's framework.

## Executive Summary

Council has commenced preparatory work in readiness for the 2026 – 2031 IPART pricing submission. This document marks an important step in confirming the direction of the submission and setting the tone for the work ahead.

The purpose of the Water and Sewer IPART Submission Approach is to provide a single definitive source that describes the approach in response to the 3C's regulatory framework, focusing on a **standard** submission. It outlines the focus principles, placing emphasis on **customer centricity** and **robust costs** and provides an overview of the new framework and what it means for Council. The document outlines the key timelines for both the organisation and IPART in the submission process and describes the governance and reporting put in place to ensure delivery.

Importantly, it also provides an overview of the initial engagement to ensure that customers are at the centre of decision making and highlights at a high level the resourcing required to prepare the submission.

## **Background**

Councils' submission for the 2026 – 2031 IPART pricing determination will be the first to align to IPART's new regulatory framework that was implemented in July 2023. It must comply with the focus areas of the 3Cs framework of Customer, Cost and Credibility.

IPART's proposed changes to the regulatory framework are centred around the customer in relation to identifying and achieving outcomes and measuring performance against these outcomes. They involve:

- Ongoing engagements with customers
- Creating a two-way transparent dialogue which includes education
- Engaging customers on long term issues
- Understanding vulnerability in relation to pricing
- Understanding what customers expect in relation to services delivered.

The new framework references the OFWAT's (Office of Water in UK) framework and that of the Victorian Essential Services Commission (ESC) PREMO model. It focuses on ensuring that efficiency is not achieved at the expense of quality and submissions are aligned to customer's needs, and protection of the environment.

Council's submission needs to select two focus principles, one relating to Customer and the other to Cost. In addition, the business can select a 'standard', 'advanced', or 'leading' submission.

## **Report**

In considering the 3C's framework as well as the performance and trajectory of the Water and Sewer business, CCC Water and Sewer's submission approach will be **standard**. The business is on a path to improvement and that pathway best aligns with an approach that is achievable and looks to stabilise for the 2026-2031 determination. This approach has been selected not only giving consideration to the current improvement path of the business, but based on the needs and preferences of our community, expressed as part of the 2023 engagement. Their feedback was reflective of a standard service, demonstrating that our customers also understand the improvement required and the time it will take to realise those improvements. For this reason, an **Advanced** or a **Leading** submission would not be reflective of the capacity of the business nor the preferences of our customers. This approach will be continually reinforced as part of our ongoing engagement with the community, ultimately informing the 2032 IPART submission in line with 10-year planning. This will allow Council to continually consider and evaluate maturity growth, customer preferences and affordability, recognising that a higher-level submission may come at a higher cost. In the spirit of the 3C's framework, our approach must be informed by our customers, and this will

## 2.6 Water and Sewer 2026-2031 IPART Pricing Submission Approach (cont'd)

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remain at the centre of decision making when considering future submissions.

In addition to setting the standard approach to the submission, Water and Sewer's focus principles are:

1. **Customer** - Principle 1 Customer centricity
2. **Cost** – Principle 7 Robust costs

These focus principles were arrived at after giving consideration to the extensive community engagement in 2023 where customers were at the centre of our planning and clearly told us what mattered in terms of community values. Our customers used terms such as:

- Consistency
- Responding to faults quickly
- Sustainable and reliable
- Cost efficient
- Fair allocation of costs
- Keeping bills consistent
- Providing clear, easy to understand information
- Providing good communication and engagement
- Raising community awareness
- Transparency of pricing and costs

IPART will assess pricing submissions against the 12 principles in the 3Cs framework to grade the quality and ambition of a pricing submission. These are the same principles that are applied when making organisational self-assessments and IPART's assessment will in effect act to affirm or challenge CCC's self-assessments.

Water and Sewer's two focus principles will be given greater emphasis in our assessment; however, every principle plays an integral part in the 3C's framework and robust self-assessment against all 12 principles will occur.

### Stakeholder Engagement

Engagement has occurred with the Executive Leadership team and the Water and Sewer Leadership team via workshops and briefings. This engagement together with broad education and awareness building with the wider Water and Sewer directorate and key Corporate Services partners has been used to help arrive at the recommended approach.

Additionally, the focus principles discussed within the document were arrived at after considering the community engagement undertaken in 2023. In an effort to remain responsive to our customers, it is recognised that these focus principles may change in line with our communities needs and preferences also changing.

### Financial Considerations

Costs associated with the IPART submission have already been considered as part of the annual budgeting process.

### 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

Robust governance and reporting have been established in order to ensure that risks identified and associated with this work have been appropriately mitigated and that any new risks are also identified and controlled.

### Options

1. Endorse the submission approach for the Water and Sewer 2026 – 2031 IPART pricing submission, as outlined in the attachment. **(This is the recommended option).**
2. Resolve not to endorse the submission approach for the Water and Sewer 2026 – 2031 IPART pricing submission. (This is not recommended).

### Attachments

<b>1</b>	Water and Sewer 2026 - 2031 IPART Submission Approach	Provided Under Separate Cover	D16249468
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**Item No:** 2.7  
**Title:** Gosford Waterfront Revitalisation Progress Report  
**Department:** Environment and Planning

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25 June 2024 Ordinary Council Meeting

Reference: F2022/02375 - D16212766  
Author: Alice Howe, Executive Project Advisor, Office of the CEO  
Breelle Varman, Property Development Manager  
Manager: Jamie Barclay, Unit Manager Economic Development and Property  
Executive: Luke Sulkowski, Director Environment and Planning (Acting)

## **Recommendation**

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

- 1 Notes that the Hunter and Central Coast Development Corporation has been appointed by the NSW Government to progress its \$8.5 million election commitment to fund a business case for revitalisation of the Gosford waterfront.***
- 2 Notes that Council has sought reimbursement from the NSW Government of \$1,054,876 expended by Council to progress this next stage of the Gosford waterfront revitalisation initiative.***
- 3 Nominates the Chief Executive Officer as Council's representative on the proposed Gosford waterfront revitalisation executive steering committee.***
- 4 Authorises the Chief Executive Officer to enter a Memorandum of Understanding with Hunter and Central Coast Development Corporation to collaborate on the development of the Gosford waterfront revitalisation business case.***

## **Report purpose**

This report seeks a resolution of Council to participate in Hunter and Central Coast Development Corporation's (HCCDC's) work to support revitalisation of the Gosford waterfront.

## **Executive Summary**

HCCDC has been appointed by the NSW Government to progress the Government's election commitment to develop a business case to support revitalisation of the Gosford

waterfront. This work builds on the concept plan adopted by Council on 27 September 2022 and Council's subsequent baseline investigations to support a business case for investment by the NSW Government.

Council endorsement is sought for Council's Chief Executive Officer (CEO) to be appointed as Council's representative on the executive steering committee and to enter into a Memorandum of Understanding (MoU) with HCCDC about how Council and HCCDC will work together to support this stage of the project.

## Background

Council and the NSW Government have identified the potential of Gosford to be a world-class waterfront city that is resilient, connected, vibrant and where local identity is showcased. A key priority for both levels of government has been to undertake and integrate precinct planning for Gosford City to fulfil its role as the capital of the Central Coast with a revitalised waterfront, arts and entertainment precinct that connects the city core, railway, education, and hospital precinct.

Over the last 20 years, many proposals have been put forward to embrace the Gosford waterfront's potential. Several contemporary local and state government strategic documents have identified the Gosford waterfront as having significant potential as a regional attractor and providing additional key public open infrastructure.

To progress revitalisation of the Gosford waterfront, Council officers undertook preliminary due diligence on a range of proposals received over the last decade. On 27 April 2021, Council resolved to assess three distinct options for the Gosford waterfront and on 27 September 2022, resolved to:

### *Minute 157/22*

- 1. Adopt Option 1 (Attachment 1) as the preferred Gosford Waterfront and Stadium Concept Plan on which to develop a draft Waterfront Masterplan.*
- 2. Adopt the revised Gosford Waterfront Renewal Framework (Attachment 2) to progress feasibility analysis of the waterfront revitalisation proposal.*
- 3. Seek community feedback to inform development of a draft Waterfront Masterplan, based on the adopted Gosford Waterfront and Stadium Concept Plan.*
- 4. Seek funding from the NSW Government to progress a business case for the adopted Gosford Waterfront and Stadium Concept Plan to inform a potential NSW Government investment decision.*

In December 2022, Council received a preliminary consultation summary, which identified significant community support for the concept plan. At its 28 February 2023 meeting, Council resolved to:

*Minute 35/23*

- 1 Endorse the draft Gosford Waterfront Revitalisation (Concept Plan) Consultation Report (Attachment 1).*
- 2 Based on the favourable feedback received through the consultation period, continue to progress the waterfront revitalisation project, as amended by consultation feedback, to support a NSW Government investment decision.*
- 3 Allocate \$2,218,000 to the waterfront project, funded from Council's Land Development Reserve.*
- 4 Continue to advocate to the NSW Government for funding to progress the waterfront revitalisation project.*

Council officers commenced baseline investigations to identify site constraints and integrate community feedback on the concept plan. In February 2023 Council resolved to allocate funding and progress these initial baseline investigations that included consultation with key NSW Government agencies that have an interest in the waterfront, including HCCDC.

During the NSW 2023 election campaign the now NSW Government committed to invest \$8.5 million, as requested by Council, to fund the next stage of the waterfront revitalisation initiative, which is to develop a feasibility analysis and business case to support further investment. This commitment was subsequently confirmed in the September 2023 NSW Budget.

On 20 February 2024, Council received advice from HCCDC that it had been tasked by the NSW Government with responsibility for delivering the 2023 election commitment.

### **Current Status**

Council staff have been meeting with HCCDC over the last few months to provide background information and handover project-related documentation. With consideration of the NSW Government September 2023 budget commitment, Council staff have also written to HCCDC seeking reimbursement of funds expended to date to undertake baseline investigations to support the current phase of the waterfront revitalisation initiative.

### **Report**

This report seeks to delegate to Council's Chief Executive Officer authority to represent Council on the executive steering committee HCCDC proposes to establish to oversee this next phase of the Gosford waterfront revitalisation initiative. It is anticipated that Council staff will also be involved in the project as members of HCCDC's project control group and to provide relevant expert advice.

HCCDC proposes to enter a MoU with Council that establishes project governance arrangements. It is proposed that authority to enter the MoU be delegated to the CEO.

### **Stakeholder Engagement**

There has been extensive consultation undertaken to date on the Gosford waterfront revitalisation initiative, including internal consultation to develop the 2022 concept plan, extensive community consultation on the revitalisation concept, and with NSW Government agencies and members of the NSW parliament to achieve and progress the project.

Further collaboration will be undertaken by Council with HCCDC and other key stakeholders as the project progresses. With confirmation that HCCDC is now tasked with the development of the Gosford Waterfront Business case, HCCDC will lead community engagement as the project advances through future milestones.

### **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 to participate in the development of the Gosford waterfront revitalisation feasibility analysis and business case. Council's contribution will be staff time, which is included in current and proposed budgets.

Council authorised expenditure of \$2,218,000 to progress the waterfront project, funded from Council's Land Development Reserve. To date, \$1,054,876 has been expended and no further expenditure is proposed as the project has been handed over to HCCDC. Council staff have requested reimbursement of this expenditure, as it is a component of the work identified in Council's funding request of \$8.5 million.

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

Theme 2: Smart

**Goal C: A growing and competitive region**

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

**Goal C: A growing and competitive region**

S-C2: Revitalise Gosford City Centre, Gosford Waterfront and town centres as key destinations and attractors for business, local residents, visitors and tourists.

**Goal C: A growing and competitive region**

S-C3: Facilitate economic development to increase local employment opportunities and provide a range of jobs for all residents.

Theme 4: Responsible

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

R-G1: Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

**Risk Management**

This resolution will allow de-risking of the project and further progression of the revitalisation of the Gosford waterfront in line with previous resolutions of Council.

HCCDC will take on key project risks, as the project lead with responsibility to the NSW Government for project delivery. Council will have less influence over the direction of the project; however, this risk is mitigated by the proposed collaborative project delivery model to be underpinned by a formal MoU between HCCDC and Council.

**Options**

Options available to Council are to:

1. Resolve to continue to participate in the next stage of the Gosford waterfront revitalisation project as proposed. **(This is the recommended option).**

2. Identify an alternative approach to participation. (This is not recommended).
3. Not participate in this stage of the project. (This is not recommended).

**Attachments**

*Nil.*



**Item No:** 2.8  
**Title:** Gosford Regional Library Project Status Update  
**Department:** Infrastructure Services

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25 June 2024 Ordinary Council Meeting

Reference: CPA/3691 - D16179407  
Author: Mark Butterfield, Project Manager  
Manager: Beth Burgess, Unit Manager Libraries and Education  
Michael Ross, Unit Manager Procurement and Project Management  
Executive: Melanie Smith, Director Community and Recreation Services

## Recommendation

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

- 1 Notes the progress on the Gosford Regional Library outlined in this report.***
- 2 Endorses the sources of funds being accessed for the budget of \$32,700,000 as those listed in Table 2 of this report.***

## Report purpose

To inform Council on the progress of the Gosford Regional Library project and confirm the funding sources that make up the budget of \$32.7M.

## Executive Summary

This report provides an update on the progress of the Gosford Regional Library project for the last quarter, to 31 May 2024 and confirms the funding sources that make up the budget of \$32.7M.

## Background

At the 26 September 2023 Ordinary Council Meeting, the following was resolved:

*158/23 Resolved*

- 1 That Council notes that a contract for the Design Development and Construction of Gosford Regional Library has been entered into with North Construction & Building Pty Ltd, in accordance with Resolution 104/23.***

- 2 *That Council notes Attachment 1, which details progress on the Gosford Regional Library project.*
- 3 *That Council notes that, in accordance with the Office of Local Government, further reports will be provided to Council every quarter to inform Council on the following items for the Regional Library project:*
  - *The project's progress.*
  - *Costs and budget variances*
  - *Any issue that may have an adverse impact on the project, both monetary and non-monetary*

This report contains detail on the progress made last quarter on the construction of Gosford Regional Library (Library).

### **Current Status**

Project expenditure is \$8,503,593 as of 31 May 2024, against a total budget of \$32.7M.

Construction works started in early March. Foundation piling works were effectively completed by 31 May 2024.

The Practical Completion date for the CPA/3691 drives the projected opening date for the Library. The current projected timeframe for opening the Library is Mid 2025.

Project risks are being controlled using a Risk Management Plan and Risk Register.

The reporting milestones for the Community Development Grants Programme grant for the library project have been updated for the Library's delivery timeline and accepted by the Federal Funding Body.

The progress report for the next quarter will be reported to Council in late 2024.

### **Progress of Works**

North completed the following works as of 31 May 2024:

- Start and completion of foundation piling activities
- Excavation and pouring of lift shaft base
- Start of early works (in-ground stormwater and sewage pipework installation)

North plans the following works for next quarter:

- Complete construction of lift shaft base and start construction of lift shaft
- Start and complete construction of Onsite Stormwater Detention tank
- Complete in-ground stormwater and sewage pipework installation
- Start and complete construction of foundation and ground floor columns and walls

## 2.8 Gosford Regional Library Project Status Update (cont'd)

- Start construction of upper floor slabs and supporting columns and walls
- Start construction and placement of exterior precast wall panels

### Current Open Contracts

The following contracts are open for the Library project:

- CPA/3691 – Design Development and Construction of Gosford Regional Library

### 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 project will continue into the 2025 financial year and committed funds will be carried over. Current performance against project budget is shown in *Table 1*.

*Table 1: Financial Performance to 31 May 2024*

Central Coast Council*									
Natural Account Details									
For Period May 24									
May 24 Actuals									
Natural Account	2023/24 This Period Actuals	2023/24 This Period Budgets	2023/24 This Period Variance	2023/24 YTD Actuals	2023/24 YTD Budgets	2023/24 YTD Variance	2023/24 Full Year Budget	2023/24 Current Encumbrance	YTD Act % YTD Bud
<b>24215. Gosford Regional Library and Innovation Hub</b>									
270002. WIP Labour	16,317	0	(16,317)	136,616	0	(136,616)	0	0	
270003. WIP Labour Hire	0	0	0	0		0		0	
270004. WIP Internal Expense - Plant and Fleet Hire	0	0	0	0	0	0	0	0	
270007. WIP Materials and Contracts	934,682	1,880,000	945,318	5,721,438	8,173,003	2,451,565	8,495,253	25,097,375	
270011. WIP Labour - Overtime	0	0	0	1,207		(1,207)			
270012. WIP Oncost - Leave and Super	9,146	0	(9,146)	55,460	0	(55,460)	0	0	
<b>Total 24215. Gosford Regional Library and Innovation Hub</b>	<b>960,146</b>	<b>1,880,000</b>	<b>919,854</b>	<b>5,914,720</b>	<b>8,173,003</b>	<b>2,258,283</b>	<b>8,495,253</b>	<b>25,097,375</b>	<b>72.4%</b>
<b>Grant Revenue</b>									
760020. Capital Grants - Library	0	0	0	(1,050,000)	(1,050,000)	0	(2,800,000)	0	<b>0.0%</b>
<b>Actuals for 19-20, 20-21, 21-22, 22-23 &amp; 23-24 at 31st May 24</b>									
Natural Account	2019/20 Full Year Actuals	2020/21 Full Year Actuals	2021/22 Full Year Actuals	2022/23 Full Year Actuals	2023/24 YTD Actuals	Total Cost as at 31 May 24			
<b>24215. Gosford Regional Library and Innovation Hub</b>									
270002. WIP Labour	30,401	81,108	65,518	62,805	136,616	376,448			
270003. WIP Labour Hire			294	0	0	294			
270004. WIP Internal Expense - Plant and Fleet Hire		17	0	0	0	17			
270007. WIP Materials and Contracts	140,930	588,783	681,375	908,924	5,721,438	8,041,450			
270011. WIP Labour - Overtime				1,151	1,207	2,357			
270012. WIP Oncost - Leave and Super	0	0	5,271	22,296	55,460	83,026			
<b>Total 24215. Gosford Regional Library and Innovation Hub</b>	<b>171,331</b>	<b>669,908</b>	<b>752,458</b>	<b>995,175.58</b>	<b>5,914,720</b>	<b>8,503,593</b>			

The library is partially funded from Department of Infrastructure, Transport, Regional Development and Communications through a Community Development Grants programme

## 2.8 Gosford Regional Library Project Status Update (cont'd)

grant of \$7M. The funding agreement for this grant requires regular reporting as detailed in the funding deed. Funding sources for the budget of \$32.7M are outlined in *Table 2*.

*Table 2: Funding Sources for Gosford Regional Library Building*

<b>Funding Sources</b>	<b>Amount</b>	<b>Restriction Type</b>
Council Special Rate Variation	11,569,666	131025 Internal Restrictions (Regional Library)
Federal Government Grant	7,000,000	
Developer Contributions	9,487,656	s. 7.12 Developer Contributions
Proceed Sale of Kibbleplex	2,733,387	130200-Internal Restrictions (Land Development)
Future Projects	1,909,291	131041- Internal Restriction (Future Projects)
<b>Total</b>	<b>32,700,000</b>	

### **Performance Against Time**

Delivery timeframes for the library project are heavily influenced by the performance of contract CPA/3691, as delivery of this contract makes up the bulk of activities required to open the new building.

At this stage of the project's delivery phase, four weeks are estimated post Practical Completion of CPA/3691, for completion of Council's change management and transition projects from existing facilities to the new building. This estimate is subject to change as the scope of these projects are developed and CPA/3691 progresses.

The projected timeframe of the Library Opening is April - May 2025.

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

Theme 5: Liveable

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

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

### **Risk Management**

Council implemented a risk management plan and associated risk register to capture and monitor risks and implement appropriate risk controls for the Library project when required.

The project's Risk Management Plan defines the requirements for the identification, management, escalation, and report of risks identified for all phases of the project. The outcomes of this plan are to:

- Ensure all relevant potential project risks are identified
- Develop risk mitigation measures
- Identify the governance structure by which risks are monitored and mitigation measures implemented
- Detail specific risk management and reporting requirements, at project team and Project Control Group levels

The project's risk register is the document in which project risks are identified; uncontrolled risk ratings identified for various categories; controls document; and controlled risk rating identified.

The risk register is used to capture risks identified and associated mitigation measures developed as outcomes of the implementation of the Risk Management Plan.

One risk that may have a material adverse impact on the project, either monetary or non-monetary, was realised in this reporting quarter. This risk was:

- Sub-ground conditions (ground water infiltration during pile excavations in NW area of lot)

Planned contingency measures and fund allocations set aside within the current project budget for this risk has been triggered.

**Options**

*Nil.*

**Attachments**

*Nil.*



**Item No:** 2.9  
**Title:** Outdoor Trading Specification - Outcomes of Public Exhibition  
**Department:** Environment and Planning

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25 June 2024 Ordinary Council Meeting

Reference: F2010/00542 - D16198480  
Author: Laly Collure, Senior Urban Designer Strategic Planning Projects  
Manager: Deanne Frankel, Section Manager, Strategic Planning Projects  
Manager: Shann Mitchell, Section Manager. Environmental Health and Systems  
Shannon Turkington, Unit Manager, Strategic Planning  
Executive: Luke Sulkowski, Director Environment and Planning (Acting)

## **Recommendation**

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

- 1 *Endorses the adoption of the Outdoor Trading Specification (Attachment 3).***
- 2 *Endorses publishing on Council's website the 'Closing the Loop' Statement (Attachment 2).***
- 3 *Revokes the following policies:***
  - a) Guidelines for Business Use of Public Footpath Policy A5.09.2010 (former Gosford Shire Council)***
  - b) Policy for Outdoor Eating Areas WSC020 (former Wyong Shire Council)***
- 4 *Notes transitional arrangements will be applied so that over time, all Outdoor Trading Areas, including those delivered by Council, are aligned with the Outdoor Trading Specification.***

## **Report purpose**

The purpose of this report is to present the finalised Outdoor Trading Specification to Council and seek endorsement for adoption.

## **Executive Summary**

Central Coast Council encourages the use of public places and the road reserve for outdoor trading as a means of stimulating business growth and to create vibrant local communities. This is achieved through the enhancement of the amenity of the public domain and promotion of social activity. However, there is significant inconsistency among outdoor

trading areas, including their structures and impact of those structures on the public domain, across the Central Coast and within individual town centres.

Council processes applications for outdoor dining and outdoor vending within the road reserve and in public places across the local government area (LGA). Approval can also be sought for temporary and fixed structures associated with outdoor dining and outdoor vending. Currently outdoor trading areas and structures are assessed under Guidelines for Business Use of Public Footpath Policy A5.09.2010 (former Gosford Shire Council) and the Policy for Outdoor Eating Areas WSC020 (former Wyong Shire Council).

The Draft Central Coast Local Approvals Policy (Local Approvals Policy) has been prepared and exhibited concurrently, with the Outdoor Trading Specification. The Local Approvals Policy which applies to the regulatory function of Council to grant approvals under *Section 68 of the Local Government Act 1993*, includes outdoor trading as a subject activity (Part E) and outlines related legislative, exemptions and criteria. Within the Local Approvals Policy it is identified that applications for outdoor dining, street vending, and associated structures will be assessed against the Outdoor Trading Specification.

Adoption of the Outdoor Trading Specification is sought in advance of the Local Approvals Policy, due to an additional external approval process that must be undertaken under the *Local Government Act* for that Policy and associated timeframes to receive that approval. Adoption of the Outdoor Trading Specification, as a priority, will improve the quality and consistency of outdoor trading and street vending being delivered across the Central Coast and will implement the principals of Council's *Universal Design Guidelines* to meet the needs of the broadest range of users in our community, to the extent reasonably possible.

### **Background**

Across the Central Coast and within individual town centres, there is significant inconsistency among outdoor trading areas across the LGA. This has resulted in outdoor trading areas, and their associated structures, having numerous adverse impacts including privatisation of the public domain (through the installation of side barriers and security grills, for example), poor and inconsistent presentation and amenity, the blocking of natural sunlight and the obstruction of the public footpath. Terrigal town centre, for instance, has had structures of varying design, colour and height with some structures having security grills installed.

The Outdoor Trading Specification will apply across the local government area, thereby improving the quality and consistency of outdoor trading and street vending being delivered across the Central Coast. Furthermore, the Specification will adopt the principals of Council's *Universal Design Guidelines* to meet the needs of the broadest range of users in our community, to the extent reasonably possible. The two existing policies that apply to the former Gosford and Wyong Shire Council areas will be revoked, upon adoption of the Specification.

**Current Status**

Currently there are two policies that apply to Outdoor Trading Areas and structures:

- Guidelines for Business Use of Public Footpath Policy A5.09.2010 (former Gosford Shire Council), and
- Policy for Outdoor Eating Areas WSC020 (former Wyong Shire Council).

These two documents are proposed to be revoked upon adoption of the Outdoor Trading Specification.

**Report**

The Specification will apply to outdoor dining and street vending, including any temporary or fixed structures, within the road reserve or on public land managed by Council across the LGA. It will not apply to private land nor public land managed by the NSW Government.

The Specification:

- Ensures equitable and safe movement for a broad range of users.
- Sets out the requirements for businesses that are seeking approval to;
  - a) Expand their trade onto Council's road reserve or in a public place adjacent to the fixed premises; and/or
  - b) Install temporary or fixed structures within an Outdoor Trading Area.
- Promotes the implementation of Council's *Universal Design Guidelines* to meet the needs of the broadest range of users in our community, to the extent reasonably possible.
- Facilitates the creation of a vibrant atmosphere in appropriate areas.
- Facilitates improvements to the vitality, amenity, and economic viability of appropriate areas.

Over time, all Outdoor Trading Areas and structures will be required to comply with the Specification. The suitability of existing Outdoor Trading Areas and structures will be considered against the Specification at the time of renewing an approval. That is, existing approved Outdoor Trading Areas and structures will not be required to be upgraded to comply with the Specification until they lodge an application to renew their approval. In assessing any renewal application, Council will consider the individual merits of each Outdoor Trading Area or structure. In some instances, due to the particular merits of the Outdoor Trading Area or structure, Council may determine that additional time is to be provided prior to requiring full compliance with the Specification.

**Consultation**

Public exhibition (14 December 2023- 27 March 2024):

Council invited the community to complete an online survey to provide feedback on the Draft document and to attend one of the 3 information sessions -(8 February 2024 – Wyong, 9 February 2024 – Terrigal (face-to face) and 12 February 2024 – (Online).

32 submissions were received during the exhibition period, feedback was received on the following themes:

- Regulation
- Safety and Equity
- Location Suitability
- Maintenance
- Outdoor Furniture
- Fixed Structures
- Dogs
- Health and wellbeing
- Hygiene

A summary of the community feedback received during public exhibition is provided in the Closing the Loop Statement (Attachment 2).

Pre-exhibition:

Internal consultation has been conducted with relevant sections including Environment and Public Health, Community Programs, Engineering Services, Events and Placemaking, Water Assessment and Governance.

Additionally, an on-site meeting occurred at Terrigal with representatives from the Access and Inclusion Reference Group to inform the drafting of the Specification based on their lived experience.

Engagement with business owners has been undertaken by relevant internal stakeholders in relation to the preferred outdoor trading structure type. Feedback from this consultation has informed the drafting of the Specification.

Post-exhibition:

Internal consultation was undertaken with the Environment and Public Health team post exhibition to discuss the content of submissions received, proposed edits to respond to those submissions, and to undertake a final review of the document prior to finalisation.

Limited changes have been made to the content of the exhibited draft Outdoor Trading Specification; changes include updating numbering, correction of typos, clarification of

provisions and formatting. A marked-up version of the document showing the proposed changes is provided in (Attachment 2).

**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 recommendations in this report will not entail additional costs to Council. The Specification is aimed at creating a more streamlined and efficient process, which will improve efficiency with limited resources following Council's recent restructure.

**Link to Community Strategic Plan**

Theme 1: Belonging

**Goal A: Our community spirit is our strength**

B-A2: Celebrate and continue to create opportunities for inclusion where all people feel welcome and participate in community life.

<b>Goal B: Creativity, connection and local identity</b>
B-B4: Activate spaces and places to complement activity around town centres, foreshores, lakes and green spaces for families, community and visitors.

Theme 4: Responsible

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

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

**Risk Management**

Adoption of Specification will achieve superior outcomes to what is currently being delivered, including in context of accessibility for the broadest range of users as reasonably possible.

**Options**

1. Endorse the Outdoor Trading Specification for adoption. This will achieve a consistent approach to the delivery of outdoor trading areas, including associated structures, across the Central Coast. The result will be improved certainty for applicants, improved efficiencies for Council staff in the assessment of applications, and improved outcomes for pedestrians and the community through the delivery of high-quality public domain outcomes. **(This is the recommended option).**
2. Resolve not to adopt the Outdoor Trading Specification. This option would result in the ongoing application of Council’s existing policies, which have contributed to the inconsistency that is being delivered in outdoor trading areas across the Central Coast. (This is not the recommended option).

**Attachments**

<b>1</b>	Outdoor Trading Specification - Simplified	Provided Under Separate	D16214208
	edits	Cover	
<b>2</b>	Closing the Loop Statement	Provided Under Separate	D16214185
		Cover	
<b>3</b>	Outdoor Trading Specification - Final	Provided Under Separate	D16214181
	Version	Cover	



**Item No:** 2.10  
**Title:** Draft Central Coast Council Engagement Strategy -  
For Public Exhibition  
**Department:** Community and Recreation Services

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25 June 2024 Ordinary Council Meeting

Reference: F2015/00319 - D16132699  
Author: Rebecca Ius, Team Leader. Engagement and Digital  
Manager: Sue Ledingham, Unit Manager Communications Marketing and Customer  
Engagement  
Executive: Melanie Smith, Director Community and Recreation Services

## **Recommendation**

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

- 1 Notes the changes to the Local Government Act 1993 Section 402A, which requires councils to establish and implement a four-year engagement strategy (called 'Community Engagement Strategy') and which forms part of Council's IP&R Framework.***
- 2 Places the draft Community Engagement Strategy (including Community Participation Plan) (Attachment 1) on public exhibition for a minimum period of 28 days.***
- 3 Carries out engagement activities in relation to the draft strategy, including but not limited to:***
  - a) Public exhibition***
  - b) Market research and conversations with targeted stakeholder groups to understand barriers to participation.***
- 4 Considers a further report on the outcome of the public exhibition and engagement activities.***
- 5 Where appropriate, incorporates community feedback and insights to finalise the Community Engagement Strategy for adoption.***

## **Report purpose**

To consider the draft Community Engagement Strategy (including Community Participation Plan) (the Strategy) and recommend that Council endorse the draft strategy for the purposes of further community engagement activities and public exhibition.

## **Executive Summary**

Council has drafted a Community Engagement Strategy to guide how Council involves the community in decisions for projects, initiatives, policies, strategies, and plans.

In 2021 the Local Government Act 1993 was amended to include Section 402A, which requires councils to establish and implement a four-year engagement strategy (called its 'Community Engagement Strategy'). The Strategy must form part of Council's IP&R Framework and include mandatory requirements per the legislation. Additionally, the NSW Office of Local Government (OLG) has provided standards and recommended inclusions to consider when developing the Community Engagement Strategy.

This draft document will replace two separate documents currently used to guide engagement at Council; the Engagement Framework, which guides all engagement, and the Community Participation Plan, which specifically outlines engagement requirements for planning matters.

## **Background**

Central Coast Council carries out community engagement on key projects, initiatives, policies, strategies and plans to ensure a balanced and collaborative decision-making process between the community and Council is achieved.

Since amalgamation in 2017, Council's engagement team has led the organisation through a fundamental cultural shift, improving the way we engage with the community so they can better influence decisions that impact their lives.

There are currently three adopted documents used by Council to guide our approach to community engagement:

- Central Coast Council Engagement Framework
- Central Coast Council Community Participation Plan
- Central Coast Water and Sewer Community Engagement and Education Strategy.

### Central Coast Council Engagement Framework

Council's Engagement Framework (the Framework) was developed and adopted by the newly formed Central Coast Council in 2017. The Framework sets out the approach, purpose, and key elements for how Council engages with the community and stakeholders.

## 2.10 Draft Central Coast Council Engagement Strategy - For Public Exhibition (cont'd)

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The Framework is based on best practice research from other councils and government agencies. It also incorporates core values and guidelines from engagement industry body, the International Association of Public Participation (IAP2).

The Framework was first adopted at the Ordinary Council Meeting on 24 January 2017. In 2018, in response to a Council resolution, the Engagement team carried out an online survey and held five community workshops to test and understand community preferences for engaging with Council. The results were reported back to Council on 26 March 2018.

The outcomes of engagement determined that Council's Engagement Framework and principles were sound and on the right path in relation to how the community would like to engage. The range of activities outlined in the Engagement Framework were largely accepted with some requiring improvements and further development to ensure a local area, or 'place-based' approach for engagement.

The Engagement Framework is available on Council's corporate website, and on Council's engagement hub, [www.yourvoiceourcoast.com](http://www.yourvoiceourcoast.com) There is no assigned review period.

Since its adoption, the Framework has been supported by an Internal Engagement Improvement Plan, which was reviewed in 2019, 2021 and 2022 to adjust to changing community and organisational needs.

### Central Coast Council Community Participation Plan

A Community Participation Plan is a mandatory requirement for all planning authorities as per the *Environmental Planning & Assessment Act 1979*. Its purpose is to identify the minimum public exhibition timeframes, notification, and submission procedures, and identify the relevant decision-making authorities for strategic and statutory planning matters.

Council's first Community Participation Plan (CPP) was adopted by Council on 25 November 2019. In 2020 the CPP was then updated to incorporate new advice released as a result of the COVID19 Pandemic to update public exhibition requirements and giving public notice. It also addressed other matters to reflect legislative changes, such as the role of the Local Planning Panel in determining development applications (DA). This draft updated CPP was placed on public exhibition between 15 October to 12 November 2020. This updated plan was adopted on 23 February 2021.

This current CPP is available on Council's corporate website, and on Council's engagement hub, [www.yourvoiceourcoast.com](http://www.yourvoiceourcoast.com) The assigned review period is 5 years.

### Water and Sewer Community Engagement and Education Strategy

The Water and Sewer Community Engagement and Education Strategy was adopted on 28 November 2023 and covers the three years remaining on the current Independent Pricing and Regulatory Tribunal (IPART) determination ending 30 June 2026. This dedicated strategy was developed to address IPART's recommendation for Water and Sewer to enhance its engagement with customers and the community.

This will remain a stand-alone document and is not subject to the recommendations of this report.

### **Report**

Council has drafted a 'Community Engagement Strategy' incorporating Office of Local Government recommendations to replace the current Engagement Framework and meet legislative requirements.

The draft Community Engagement Strategy outlines our engagement standards and principles to ensure engagement is inclusive and considered.

A revised draft Community Participation Plan has been incorporated into in the draft Community Engagement Strategy. Under both the *Local Government Act 1993* (LG Act) and the *Environmental Planning and Assessment Act 1979* (EP&A Act) there are provisions for the Community Engagement Strategy and Community Participation Plan and to be within one document.

Combining the two documents is considered best practice, giving the community greater clarity about how and when they will be able to have a say and providing consistency of approach and delivery.

The LG Act states the Community Engagement Strategy must be reviewed within 3 months of local government elections, as part of the broader review of the Community Strategic Plan.

The EP&A Act states the Community Participation Plan is to be reviewed periodically, publicly exhibited for at least 28 days, and published on the NSW Planning Portal.

In addition to this Community Engagement Strategy, Council will develop a First Nations Engagement Framework, which will guide Council in consulting with First Nations communities when developing projects, plans and strategies. This commitment is outlined in Council's First Nations Accord.

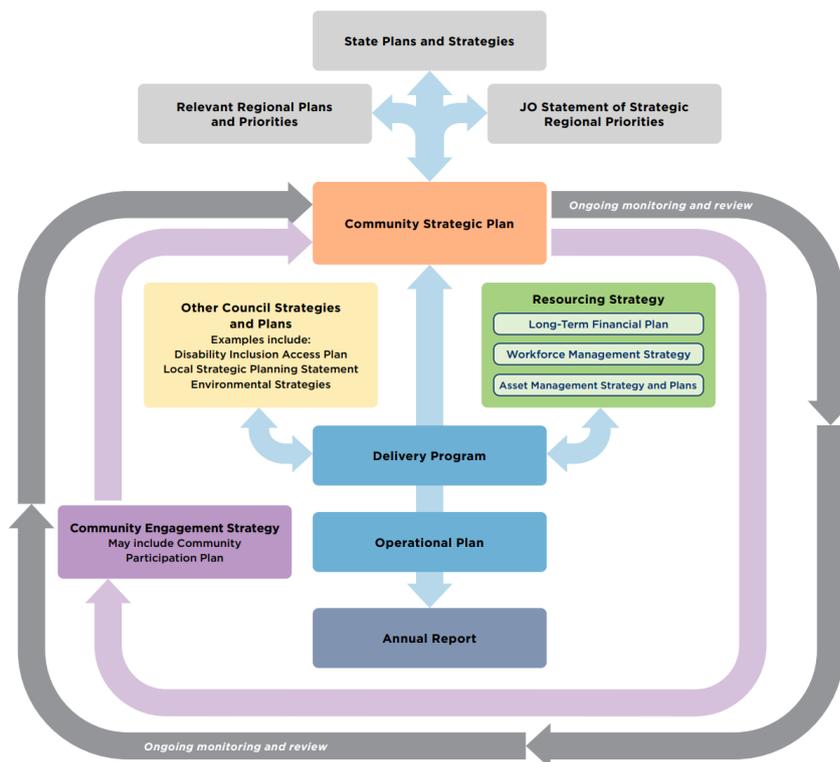


Figure 1. The IP&R framework, showing how the Community Engagement Strategy encompasses the entire IP&R process, and reflecting how engagement extends to all aspects of council engagement.

## Stakeholder Engagement

### Internal consultation

A series of meetings were conducted with internal stakeholders to understand the challenges and opportunities of engagement at Council:

- Strategic Planning
- Development Assessment Services
- Councillor and Democratic Services
- Roads and Drainage
- Water and Sewer
- Environmental Compliance Services
- Community Development
- Governance, Risk and Legal

## 2.10 Draft Central Coast Council Engagement Strategy - For Public Exhibition (cont'd)

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- Economic Development
- Corporate Planning and Reporting
- Open Space and Recreation
- Libraries and Education
- Community Services and Facilities

Dedicated engagement with Strategic Planning was also carried out to review the existing CPP to ensure the new draft includes up-to-date information and was written in a more customer-friendly manner.

### Internal consultation outcomes

Internal engagement primarily informed the key areas Council will focus on in the next four years, and these are included in the draft strategy:

- Timely engagement
- Improving internal collaboration and processes
- Updating communication and engagement channels
- Closing the feedback loop
- Leadership and organisational culture
- External partnerships
- Diverse approaches
- Customer service reviews
- Staff training and skill development.
- Place-based engagement
- Evaluation and continuous improvement

### External consultation

Council carries out ongoing evaluation to understand satisfaction with engagement activities, such as the Let's Talk place-based program, and incorporates this into future engagement planning.

Data from Council's 2020 customer satisfaction survey also informs Council's approach to engagement. Results highlighted the level of importance versus the level of satisfaction with Council's consideration of community concerns and views when making decisions:

- Level of importance: mean score = 4.49

## 2.10 Draft Central Coast Council Engagement Strategy - For Public Exhibition (cont'd)

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- Satisfaction: mean score = 2.96

Council recently conducted a survey to understand the level of community involvement in local matters as part of a broader wellbeing survey ([Central Coast Wellbeing Survey | Your Voice Our Coast](#)).

Once available, this data will form the baseline for further market research to be carried out during the public exhibition and consultation period. Its purpose is to understand participation barriers, and why there may be reluctance to engage with Council. Council will also conduct conversations with targeted stakeholder groups to check that the approaches and methods outlined in the draft Strategy meet the expectations and needs of different communities and are accessible to our hard-to-reach population.

Results from all consultation will be developed into a report and feedback will be incorporated into the draft strategy where feasible.

These results and the draft Strategy will also be presented to Councilors for consideration with a recommendation to adopt the final strategy.

### 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 costs associated with the exhibition of the draft Community Engagement Strategy are covered within 2024-25 budgets.

The adoption of the strategy and plan will also not have discernible financial impact on Council. Council has an established engagement team, and the costs of engagement activities are commonly factored into project or program budgets across the organisation.

### 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**

If the draft strategy and plan are not publicly exhibited and adopted, Council will fail to meet legislative requirements under the EP&A Act, and the LG Act.

The introduction of the requirement for Councils to have a CPP has created an additional layer of public notification considerations for staff and others to consider. This is beyond what was previously required under the EP&A Act 1979, EP&A Regulation 2021, and Council's Development Control Plan.

These considerations have been reviewed for consistency prior to public exhibition of the revised CPP and will be reviewed again following exhibition.

As is currently the case, the impact of any changes to any of these documents requires consideration of impacts and consistency with the other documents. Any inconsistency runs the risk of the need for re-notification or worse invalidation of a development proposal. Staff are aware of this issue and review as required.

### **Options**

- 1 Resolve not to endorse public exhibition of the draft Strategy, which will put Council at risk of not meeting legislative requirements under the EP&A Act, and the LG Act. (This is not the recommended option).
- 2 Resolve to endorse the exhibition of the draft Strategy. This is the recommended option, as it will allow the community to provide feedback on the strategy, align with Council's engagement principles, and meet requirements under legislation. (**This is the recommended option**).

### **Critical Dates or Timeframes**

Draft Community Participation Plans are to be publicly exhibited for a minimum of 28 days, in accordance with Schedule 1, Part 1, Division 1 (1) of the EP&A Act.

The NSW Office of Local Government states the Community Engagement Strategy must be reviewed within 3 months of the local government elections, as part of the broader review of the Community Strategic Plan.

**2.10 Draft Central Coast Council Engagement Strategy - For Public Exhibition  
(cont'd)**

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**Attachments**

<b>1</b>	Draft 2024-2028 Community Engagement Strategy  – For Consultation V1_12 June 2024	Provided Under Separate Cover	D16250059
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**Item No:** 2.11  
**Title:** Planning Proposal to rezone 2 Woongarra Road, Woongarra  
**Department:** Environment and Planning

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25 June 2024 Ordinary Council Meeting

Reference: RZ/1/2023 - D15771001  
Author: Sarah Hartley, Senior Strategic Planner Local Planning and Policy  
Manager: Scott Duncan, Section Manager. Local Planning and Policy  
Executive: Luke Sulkowski, Director Environment and Planning (Acting)

## **Recommendation**

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

- 1 Endorses the Planning Proposal provided in Attachment 1 in relation to Lot 1 DP 1275060, 2 Woongarra Road, Woongarra which seeks to amend the Central Coast Local Environmental Plan 2022 to rezone land from MU1 Mixed Use and E1 Local Centre to R1 General Residential.***
- 2 Forwards the Planning Proposal to the Minister for Planning and Public Spaces in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.***
- 3 Requests delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.***
- 4 Amends and exhibit changes to existing Chapter 4.1 Warnervale Town Centre Central Coast Development Control Plan 2022 pursuant to Section 3.45 of the Environmental Planning and Assessment Act 1979 to reflect the proposal and changed vision for the town centre.***
- 5 Undertakes community and public authority consultation in accordance with the Gateway Determination requirements.***

### **Report purpose**

To consider a request to prepare a Planning Proposal for a portion of Lot 1 DP 1275060, (known as 2 Woongarra Road, Woongarra) to rezone the E1 Local Centre and MU1 Mixed Use zones to R1 General Residential under the *Central Coast Local Environmental Plan 2022 (CCLEP)*.

### **Executive Summary**

The Planning Proposal seeks to rezone the E1 Local Centre and MU1 Mixed Use zones to R1 General Residential under the CCLEP. The Planning Proposal will also require amendment to Chapter 4.1 of *Central Coast Development Control Plan 2022*.

The proposal will provide additional housing in an established residential area in response to the changed direction of the Warnervale Town Centre. The Proposal intends to enable development of 2 Woongarra Road, Woongarra for medium density residential purposes that supports a diverse housing mix and is consistent with the emerging residential development in the local centre.

The Planning Proposal was considered by the Local Planning Panel on 6 June 2024 who supported the recommendation and considered that the Planning Proposal has merit.

### **Background**

The Planning Proposal seeks to rezone a portion of Lot 1 DP 1275060, known as 2 Woongarra Road, Woongarra. The Planning Proposal relates to the northern portion of the site, which is known as Stage 10 within the overall masterplan for the site (see Figure 1 & 2).

The subject land is vacant and heavily vegetated; however, the site is Biodiversity Certified with the Minister for the Environment conferring Biodiversity Certification on the Warnervale Town Centre on 30 January 2014. The certification remains in force for a period of 25 years.

The following development approvals have been issued over the site:

#### Hilltop Park & Masterplan - (DA/919/2018)

Approval was issued on 20 December 2021 for 91 residential lots, one residential super lot and three residue lots which includes a lot be dedicated to Council for the purposes of a reserve (public open space). The irregular shaped allotment was created under the original staged masterplan removing the public lands associated with Hilltop Park.

#### Stages 6-7

Stages 6-7 are benefitted by existing development consent for a residential subdivision land release. Construction for Stages 6 – 7 has commenced (see Figure 4).

## 2.11 Planning Proposal to rezone 2 Woongarra Road, Woongarra (cont'd)

### Stage 9 (DA3910/2022)

Council is assessing the development application for Stage 9 works at the time of preparing this report. Stage 9 relates to land south of the subject site and proposes a residential subdivision to create 88 lots and local road connection to earlier stages.

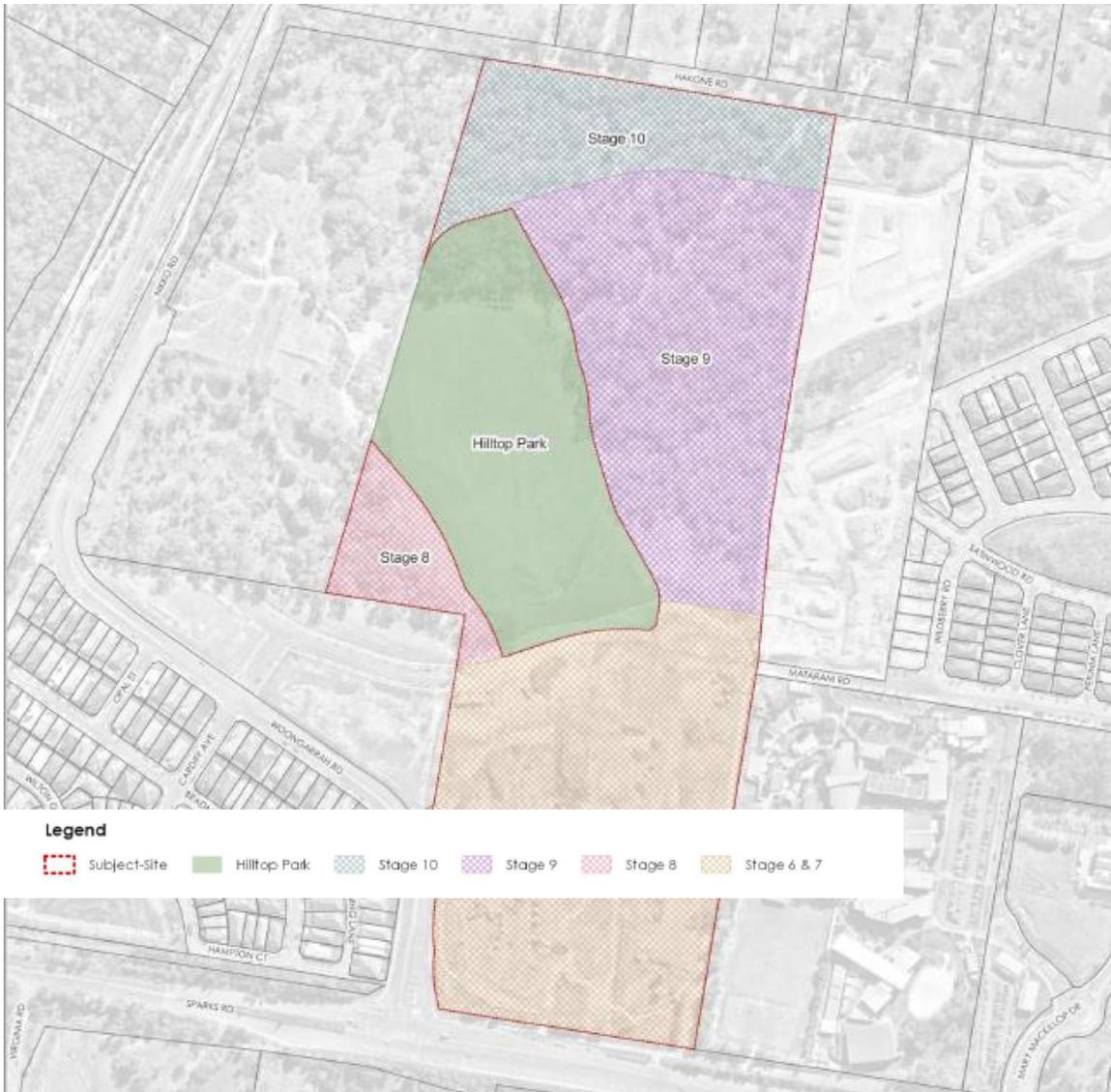


Figure 1- Site Aerial showing masterplan stages (Source: Beveridge Williams, 2023)

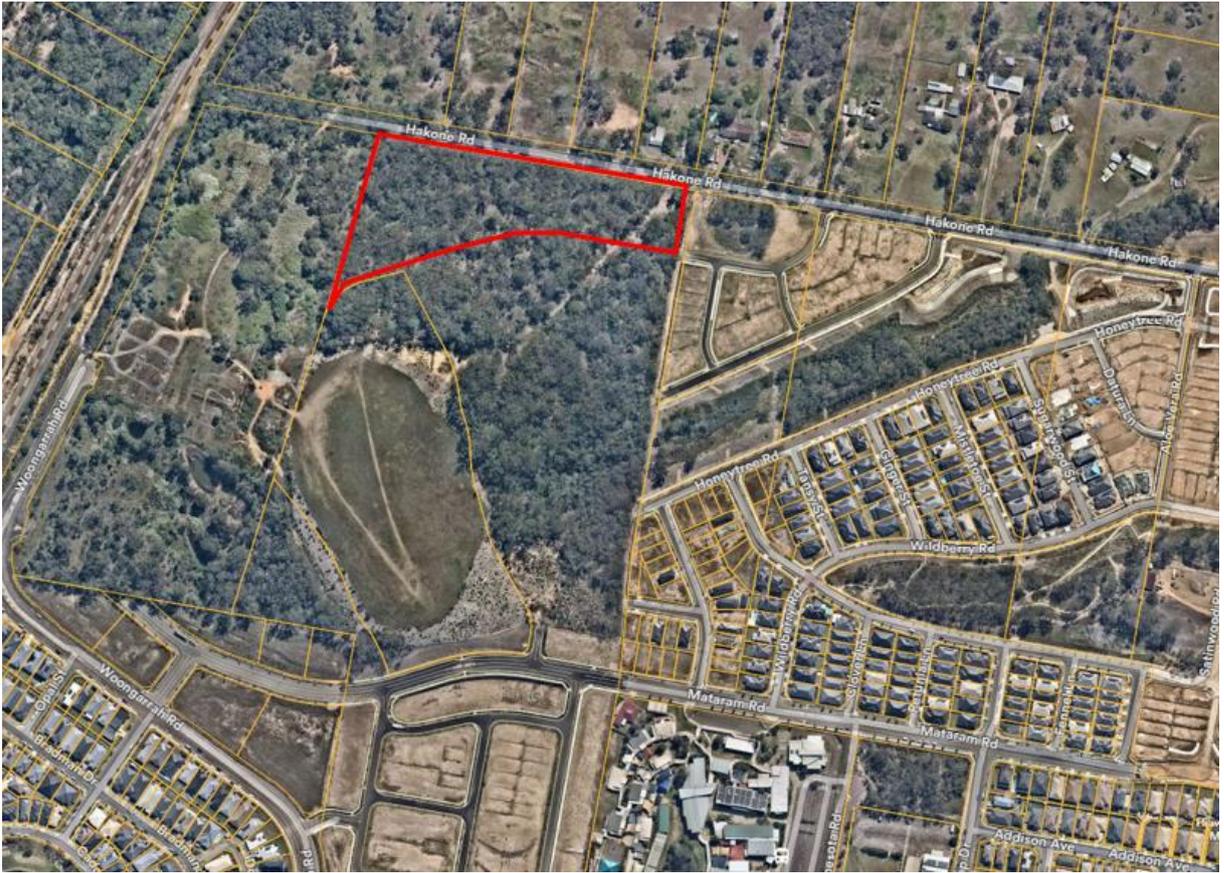


Figure 2 - Site Aerial with Stage 10 land area highlighted (Source: Nearmap, 2024)

The site is located north of Sparks Road, within the Warnervale Town Centre, which is an emerging residential area.

The land subject to the planning proposal is zoned MU1 Mixed Use and E1 Local Centre under the CCLEP 2022 as shown in Figure 3. The site is currently mapped as having a maximum building height of 12-18m pursuant to Clause 4.3 of the CCLEP 2022. There are no changes proposed to the existing building height as mapped as part of the planning proposal.



Figure 3 - Existing Zoning under Central Coast Local Environmental Plan 2022 (CCLEP) (Source: NSW Planning ePortal)

The Planning Proposal is at the “Council Consideration” stage in the Local Environmental Plan Amendment Process. The process is shown in Figure 4.

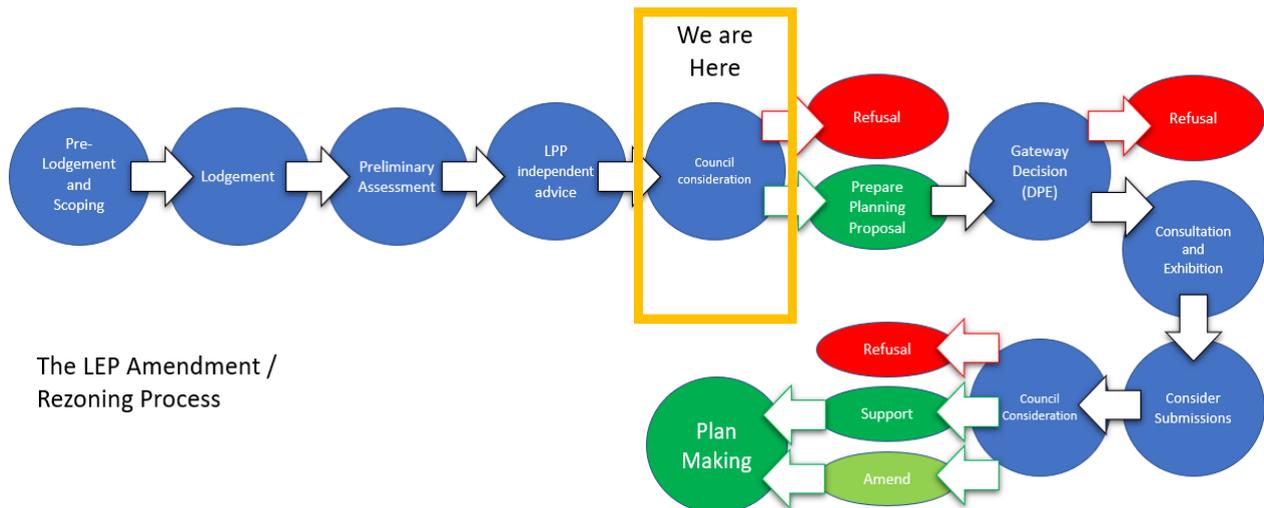


Figure 4 - Local Environmental Plan Amendment/Rezoning Process

**REPORT**

**Proposal**

The Planning Proposal seeks to rezone the E1 Local Centre and MU1 Mixed Use zones to R1 General Residential under the CCLEP.

The intended outcomes of the proposal are:

- (a) to enable development of 2 Woongarra Road, Woongarra for medium density residential purposes that supports a diverse housing mix and is consistent with the emerging residential development in the local centre; and
- (b) to enable development of land adjacent to the local park in an orderly manner.

The Proposal requires amendment to the existing CCLEP 2022 mapping to replace the MU1 and E1 zoned land with R1 General Residential land as shown. The proposal does not propose any changes to the land uses in the R1 General Residential zone as per CCLEP 2022.

The Proposal as lodged included a concept subdivision plan, however Council sought the removal of this concept plan as it proposed a design that was both inconsistent with the DCP town centre layout and the proposed low density residential development was inconsistent with the objectives of the zone and the strategic direction for this portion of land.

The proposal has been amended in Council's pre-gateway assessment to ensure the outcomes for this land reflect the amended strategic vision for the Warnervale centre following a decision by the NSW State Government not to proceed with the proposed North Warnervale Train Station and the vision set out in the *Central Coast Regional Plan 2041*. In line with this, Council has amended the draft Greater Warnervale Structure Plan to support two local centres, one in the Warnervale Town Centre (which will now become a local centre) and the local centre adjacent to the existing Warnervale South railway station (at Warnervale Village).

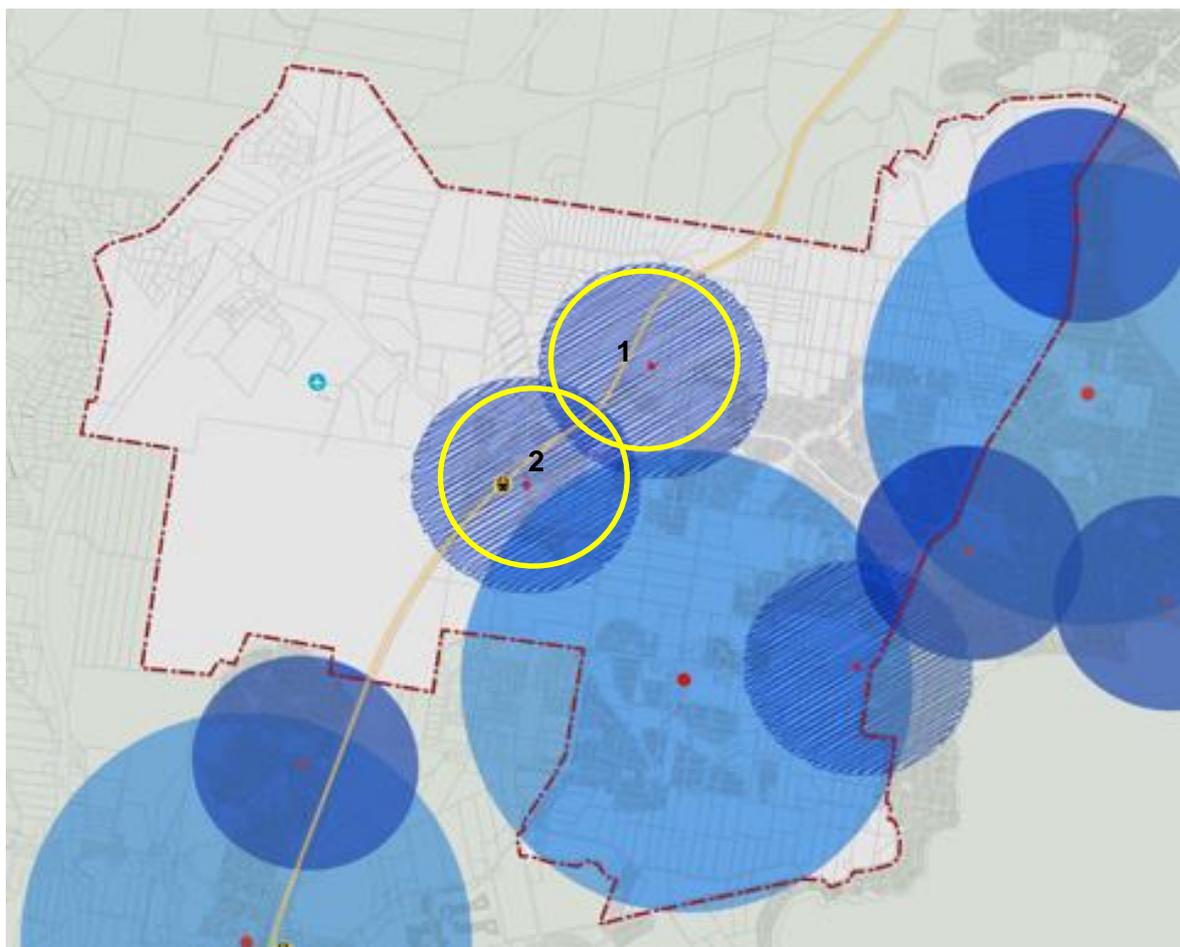


Figure 5 - Extract from draft GWSP showing two local centres proposed for Warnervale (2 centres highlighted)

The Planning Proposal has strategic merit for the following reasons:

- The proposal will enable housing to be provided in an established local centre and consistent with the emerging residential land in earlier stages of the subject development.
- The proposal is consistent with the amended draft Greater Warnervale Structure Plan priorities for two local centres in Warnervale. The proposal will promote medium and high-density outcomes in the local centre, aligned with the existing employment lands and public recreation areas.
- The Warnervale Town Centre (WTC) is captured in the *Central Coast Regional Plan 2041* as a local centre within the Central Lakes district. While the subject land is identified in the CCRP 2041 for commercial, this is in transition to the residential lands and was based on the former plans which included the Warnervale North train station. Given the scale of the local centre now proposed, the proposal for residential lands is a more appropriate scale for this position within the Warnervale centre.
- The Proposal is consistent with the strategic objectives and actions outlined in the *Central Coast Council Local Strategic Planning Statement (LSPS)*. The LSPS provides overall goals for Central Coast's growth centres that aligns development with infrastructure capacity, encourages growth in existing centres; and renews centres as

places for people. The proposal is consistent with these objectives and strengthens the WTC's function as an emerging centre to service a growing population.

- All site management issues with traffic, contamination, loss of commercial land, connection to services and vegetation removal can be adequately managed based on the information provided in supporting studies.

## **Stakeholder Engagement**

### **Internal consultation**

Pre-gateway consultation with the proponent and Council staff resulted in consideration of a modified proposal to more align with the *Central Coast Regional Plan 2041*. A summary of the internal consultation is provided below:

#### Traffic

Council's Traffic Engineer identifies that the change from MU1 mixed use to R1 General Residential will have a reduced traffic impact and as such the planned road infrastructure is sufficient or could be scaled back. Given that the Warnervale Town Centre and railway station will not proceed as planned, the proposed and existing road network will adequately accommodate a change to increased residential development.

#### Ecology

The subject land is vacant and heavily vegetated; however, the site is Biodiversity Certified with the Minister for the Environment conferring Biodiversity Certification on the Warnervale Town Centre on 30 January 2014; the certification remains in force for a period of 25 years.

Council's Environmental Strategic Planner supports the planning proposal in its current form. The proposal does not currently trigger entry into the Biodiversity Offset Scheme. The Biodiversity Certification does not cover the works in the Hakone Road reserve and further assessment will be undertaken for works required in the road reserve through the development application approval pathway.

#### Water and Sewer

Council's Water Assessment team advised that the proposed development can be serviced with water and sewer.

#### Environmental Health

Council's Environmental Protection Officer (Environment and Public Health) reviewed and had no objections to the Planning Proposal. Site contamination issues were identified in surrounding lands as part of the detailed design of Hilltop Park and the earlier stages of the subject site construction. Previous site audits have been undertaken by Council's nominated consultants. Further assessment will be undertaken as part of any future development application process in accordance with *State Environmental Planning Policy (Resilience and Hazards) 2021*.

### Local Infrastructure Contributions

Council's Local Infrastructure and Planning Section advise that the site is within the boundary of the *Warnervale District Contribution Plan 2021*. There are certain lands and works that may be required to be dedicated and/or constructed by the developer in conjunction with proposed development of this site, in accordance with the provisions of the contribution plan.

### Other

The site is identified as being bushfire prone land but is not subject to flooding or located within a mine subsidence district.

### **External Consultation**

As part of the pre-gateway assessment process Council undertook early consultation with the Department of Planning, Housing, and Industry (DPHI) who completed a Pre-Gateway Assessment Review of the proposal in August 2023. The Department undertook an assessment of the proposal against the *Central Coast Region Plan 2041* and provided recommendations to be included in the planning proposal.

Council has also been working closely with the DPHI through the finalisation of the draft Greater Warnervale Structure Plan. The planning proposal as provided in Attachment 1 reflects the priorities for Warnervale provided in the *Central Coast Regional Plan 2041* and the vision for the Greater Warnervale Structure Plan, as well as responding to the following priorities for the Warnervale Local Centre:

- Adopting the 15-minute neighbourhood approach by surrounding the employment lands and public open space areas with residential zoned land equipped to support greater density.
- Ensuring the land use categories permissible within the zone are consistent with the CCLEP 2022 and not excluding non-residential land uses.
- The proposal relies on the established local centre and the services and facilities to be provided in this location.
- The retail demand analysis submitted in support of the Planning Proposal identifies that the scale of employment lands supplied following this proposal is sufficient to service the existing and emerging residential developments as part of a revised 2 local centres strategy for Warnervale; and
- The subject proposal for R1 General Residential zoned land promotes housing diversity in this location.

The Departments comments are addressed in detail in the Planning Proposal attached to this report (Attachment 1).

### Local Planning Panel

The proposal was referred to the Local Planning Panel for advice. The Panel considered that the Planning Proposal has merit and supported the recommendation to rezone the land.

### NSW Government Agencies

Government agency and public consultation requirements will be detailed in the Gateway Determination and conducted accordingly.

### **Financial Considerations**

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

### **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.

#### **Goal I: Balanced and sustainable development**

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

R-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.

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

There have been no material risks to Council associated with the preparation of planning proposals, which are part of the regular business of Council. Potential impacts on the natural and built environment relevant to this stage of the development process have been

considered and are considered acceptable. Detailed assessment of impacts and development of controls will be conducted at the development assessment stage.

### Options

- 1 Support the Recommendation as the Planning Proposal has strategic merit. **(This is the recommended option)**. The basis for this recommendation is:
  - The Planning Proposal will permit use of the land for residential purposes in a location that is well serviced by existing infrastructure.
  - The Planning Proposal provides additional housing for the Coast; and
  - Site management issues with traffic, vegetation removal and land use conflicts can be adequately managed based on the information provided in supporting studies.
  
- 2 Refuse to support the request for a Planning Proposal (not recommended). Should the Planning Proposal not be supported, the long-term use of the site for purposes of mixed use is unlikely to occur given the diminished demand for commercial land in this location as a consequence of the removal of the planned railway station. The land is therefore likely to remain undeveloped or developed in an ad-hoc manner in consistent with the new vision for the town centre. (This is not the recommended option).

### Critical Dates or Timeframes

Timeframes will be set out in the Gateway Determination.

### Attachments

<b>1</b>	Planning Proposal 2 Woongarra Road,  Woongarra - May 2024 version	Provided Under Separate Cover	D16195303
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**Item No:** 2.12  
**Title:** Draft Water and Sewer Developer Servicing Plans -  
For Public Exhibition  
**Department:** Water and Sewer

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25 June 2024 Ordinary Council Meeting

Reference: F2005/01750 - D16179888  
Author: Johnson Zhang, Team Leader. Water Assessment  
Luke Drury, Section Manager. Assets and Projects  
Manager: Stephen Legge, Unit Manager Assets and Projects  
Executive: Jamie Loader, Director Water and Sewer

## **Recommendation**

***That Council endorses the draft Water Supply and Sewerage Development Servicing Plans (DSPs) to be placed on public exhibition for 30 business days in accordance with IPART's requirements for the preparation of DSPs.***

## **Report purpose**

To consider the proposed updates to Council's Water Supply and Sewerage Development Servicing Plans (DSPs).

## **Executive Summary**

The Independent Pricing and Regulatory Tribunal (IPART) requires Council to update its Water Supply and Sewerage Development Servicing Plans (DSPs) every five years. New DSPs are due for submission to IPART on 1 November 2024. This report is seeking to place the draft updated DSP and associated charges on public exhibition in accordance with IPART's requirements.

A second report will be brought to the 22 October 2024 Ordinary Council meeting to report on the outcomes of the public exhibition period and adopt the final DSPs for registration with IPART.

## **Background**

The Water Supply and Sewerage Development Servicing Plans (DSPs) detail the developer charges that are required to be paid by developers towards the provision of existing and future water supply and sewerage infrastructure. These charges are levied under the *Water Management Act 2000* (can also be levied under the Local Government Act) and are unrelated to Developer Contributions levied under Section 7.11/7.12 of the *Environmental Planning &*

## 2.12 Draft Water and Sewer Developer Servicing Plans - For Public Exhibition (cont'd)

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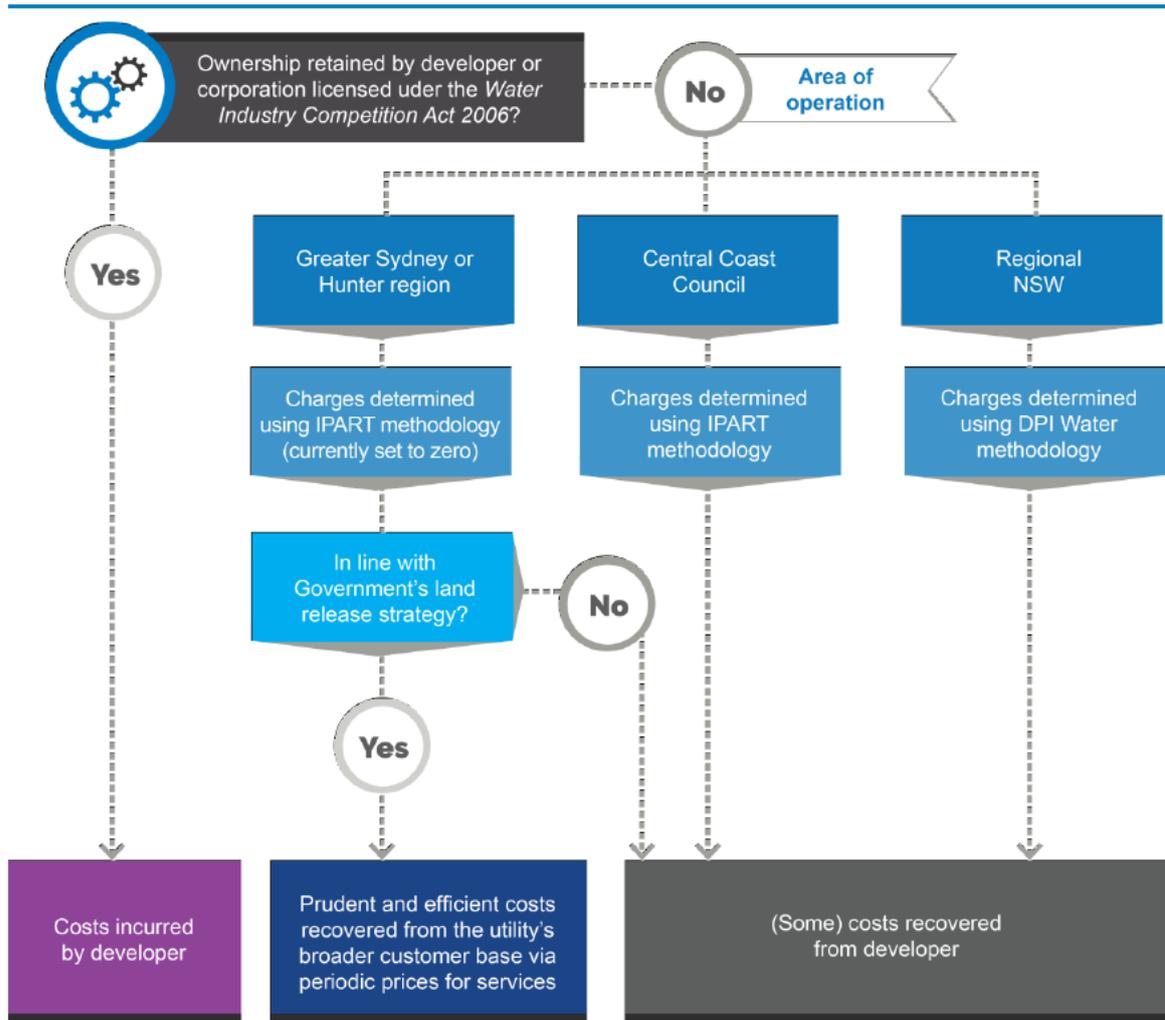
*Assessment Act 1979*. Developer Charges are levied on an Equivalent Tenement (ET) basis, where a proposed development is compared to an equivalent number of residential properties for the purpose of determining charges payable.

Council is required by the NSW Independent Pricing and Regulatory Tribunal (IPART) to review its Water Supply and Sewerage DSPs every five years. The DSPs are required to be revised using parameters issued by IPART in its determination on *Maximum prices for connecting, or upgrading a connection, to a water supply, sewerage or drainage system – Sydney Water, Hunter Water and Central Coast Council (October 2018)* and its Final Determination on *Maximum prices for water, wastewater and other services supplied by Central Coast Council from 1 July 2022*.

IPART requires an updated DSP, adopted by Council, to be submitted for registration by 1 November 2024 for their review and registration. IPART set the methodology and provide the calculation template for the calculation of the associated developer charges. The current DSPs were prepared in 2019 and have been indexed annually in line with IPART's requirements.

DSPs must be exhibited for a minimum of 30 working days prior to adoption. This includes notification to the Urban Development Institute of Australia, Housing Industry Association and any applicants who have lodged an application under Section 305 of the *Water Management Act 2005* within the last six months.

A summary of how Water and Sewerage Developer Charges are calculated across New South Wales is provided in Figure 1.



**Figure 1 Differing methodologies for funding water and sewerage infrastructure for new development across NSW (supplied by IPART)**

It is noted that both Hunter Water and Sydney Water are in the process of reintroducing developer charges within their area of operations following an extended period of the charges being set to zero by the NSW Government. These charges will begin to be phased in from 2024-25, with the full amount of the charges being applicable from 1 July 2026.

**Current Status**

Currently there are two different Water Supply and Sewerage Development Servicing Plans for the Central Coast area of operation. Each DSP has one charge for water supply and one for sewerage, noting the water supply charges both include a common headworks charge for the dams and water treatment plants that provide capacity to the whole of the Central Coast Region. These are outlined below in Table 1:

**Table 1 Existing Developer Charges**

<b>DSP Name</b>	<b>Developer Charge</b>	<b>Amount (\$2023/24)/ET</b>
Northern Region Water Supply and Sewerage Development Servicing Plan	Water Supply Developer Charge	\$3,872.79
	Sewerage Developer Charge	\$2,712.00
Southern Region Water Supply and Sewerage Development Servicing Plan	Water Supply Developer Charge	\$3,003.65
	Sewerage Developer Charge	\$2,110.11

The above charges were calculated within IPART's approved calculation template and considered the water supply and sewerage annual service charges and usage charges that applied under the 2018 IPART Determination on *Maximum prices for connecting, or upgrading a connection, to a water supply, sewerage or drainage system – Sydney Water, Hunter Water and Central Coast Council (October 2018)*.

Updates to the current DSPs will utilise new sets of data to inform the calculation of developer charges. These include Council's 2022 asset valuation, IPART's 2022 Determination on Maximum prices for water, wastewater and other services supplied by Central Coast Council and the Central Coast Water Security Plan 2023.

## **Report**

Developer charges have been calculated in accordance with the parameters contained within the above mentioned IPART Determinations and IPART's calculation template. The two current DSPs which are based on the former Local Government Area boundaries are proposed to be retained. This has been undertaken to reflect the two different historical and future predicted development patterns, and new infrastructure requirements of the two areas. This development uptake profile, combined with existing and future infrastructure requirements, forms the basis of the Developer Charge calculation (discussed in detail in the enclosures).

IPART has expressed a preference to see existing large DSP areas to be split into a greater number of smaller areas with differing developer charge amounts. This is intended to send 'price signals' for developers to encourage more development into catchments with existing services/capacity, instead of catchments requiring additional services/capacity. This has been reviewed and is considered most relevant when considering Council's three sewerage outfalls and their respective Environmental Protection Licences (EPLs). Each sewerage outfall is managed in consideration of its respective EPL, which drives capacity and performance upgrades within each catchment.

**2.12 Draft Water and Sewer Developer Servicing Plans - For Public Exhibition (cont'd)**

The proposed DSPs and applicable charges are outlined in Table 2.

**Table 2 Proposed Developer Charges**

<b>Proposed DSP</b>	<b>Developer Charge</b>	<b>Current Amount (\$2023/24)/ET</b>	<b>Proposed Amount* (\$2023/24)/ET</b>
Northern Region	Water Supply	\$3,872.79	\$2,328.91
	Sewerage Norah Head Outfall	\$2,712.00	\$3,824.07
	Sewerage Wonga Point Outfall	\$2,712.00	\$2,795.70
Southern Region	Water Supply	\$3,003.65	\$2,008.06
	Sewerage Winnie Bay Outfall	\$2,110.11	\$6,135.30

\* Final charges for 2024-25 will consider the annual water and sewer construction cost index (DECCW) and final updated population forecasts that were being finalised at the time of writing this report.

The main factor driving a reduction in water supply developer charges across both DSPs is the difference in typical customer residential water bills between the current and previous IPART Pricing Determinations which influences the calculation of the developer charges.

The higher charge for the Norah Head Outfall sewerage developer charge compared to Wonga Point Outfall is influenced by the current and future infrastructure investments required at Charmhaven and Gwandalan Sewage Treatment Plants (STP) and the associated pipelines and pump stations connecting customers to those STPs.

The increase in the Winnie Bay Outfall sewerage developer charge is attributed to a combination of improved representation of DSP assets identified in Council's 2022 asset valuation, as well as the harmonisation of sewerage annual service charges (previously different for former Gosford City Council and Wyong Shire Council Local Government areas) in the current IPART Pricing Determination. It is noted that the southern region contains a higher value of sewerage assets per customer which reflects the regional geography that influences the required number of pumping stations, length of pipelines and number of large sewer tunnels.

As illustrated in Figure 1, NSW Regional Councils prepare their Water Supply and Sewerage Developer Charges in line with the Department of Industry methodology. As a result, the comparison of the proposed developer charges to other Council's does not provide a meaningful assessment.

Hunter Water's future developer charges (expressed in \$2023-24) range from zero to approximately \$20,000 across 20 different sewerage DSP areas. However, these sewerage

## 2.12 Draft Water and Sewer Developer Servicing Plans - For Public Exhibition (cont'd)

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charges range between zero and \$10,000 for 15 out of 20 of those areas which is comparable to the above proposed charges.

### Stakeholder Engagement

As part of the public exhibition process, the DSP, supporting documents and all calculation models will be available for review via Council's website for a period of 30 working days. As required by IPART, notification of the exhibition period will also be provided 10 working days prior to commencement to the following parties:

- Urban Development Institute of Australia
- Housing Industry Association
- Any developer who has applied for an approval under the *Water Management Act 2005* at any time in the 6 months prior to the commencement of the exhibition period.

Advertisements will also be placed in relevant local media informing the public of the start date and length of exhibition and that written submissions on the draft DSP can be made to Council during the exhibition period. It is expected to commence the public exhibition phase in mid July 2024, closing in late August 2024.

In finalising the DSPs, Council is required to consider and respond to all submissions made by interested parties during the exhibition period. This will take the form of a 'what we heard report' which will be brought to the 22 October 2024 ordinary meeting as part of adopting the final version of the DSPs for registration with IPART in November 2024.

Council is then required to forward the final documents, details of any submissions received during the public exhibition period and the associated calculation models to IPART for registration.

### 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 charges are a result of applying IPART's methodology and parameters and are designed to provide a revenue source to contribute towards the capital costs of existing and future assets required to service both historic and future growth on the Central Coast.

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

Theme 4: Responsible

### **Goal H: Delivering essential infrastructure**

R-H4: Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water.

### **Risk Management**

Following the adoption of the proposed Water and Sewerage Development Servicing Plan, all Water and Sewerage Developer Charges Water Management Act Applications (Section 305 Applications) lodged after 1 December 2024 will be based on the new charges. Any Section 306 Certificates issued prior to 1 December 2024 would remain at the current charges (indexed to \$2024-25).

Some existing applicants who have not yet actioned the requirements of existing Section 306 certificates could obtain a financial advantage because of the new Developer Charges, while others could be at a financial disadvantage. As a result, it will be up to individual developers to assess whether they would prefer to cancel their existing Water Management Act application and start a new application to enable them to be assessed under the new DSP or not. Frequently Asked Questions (FAQs), consistent with considerations that applied at the time of updating the current DSP in 2019 will be made available to inform applicants during the public exhibition phase.

### **Options**

There are limited options available regarding the development and application of the Water Supply and Sewerage DSPs. The calculation of developer charges is required to be completed in accordance with a defined methodology set by IPART and using key financial parameters also set by IPART and Council's prevailing and audited asset valuation.

DSPs are required to be updated at least once every five years. The next update is due to be submitted to IPART for registration at the start of November 2024 leaving no time to defer update of the DSPs.

### **Critical Dates or Timeframes**

## 2.12 Draft Water and Sewer Developer Servicing Plans - For Public Exhibition (cont'd)

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The remaining critical dates for the completion of this project are outlined below:

- Commence public exhibition period 17 July 2024
- End of public exhibition period 27 August 2024
- Review submissions and update DSP documents September 2024
- Council meeting for adoption of final DSP 22 October 2024
- Submission to IPART for review and registration 1 November 2024
- New DSP charges apply 2 December 2024\*

\* Note – the implementation of new DSP charges may be delayed dependent on the timing of IPART's review of registration process. The above timing is consistent with the review and registration of Council's 2019 DSP update.

### Attachments

<b>1</b>	Draft Northern Water Supply and Sewerage Development Servicing Plan 2024	Provided Under Separate Cover	D16233476
<b>2</b>	Draft Southern Water Supply and Sewerage Development Servicing Plan 2024	Provided Under Separate Cover	D16233478

**Item No:** 2.13  
**Title:** Council Policies - Revocation and Extension  
**Department:** Corporate Services

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25 June 2024 Ordinary Council Meeting

Reference: F2009/00055 - D16218419  
Author: Alysha Croussos, Section Manager Governance  
Manager: Teresa Chadwick, Unit Manager Governance Risk and Legal  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

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

#### **1 *Revokes the following policies:***

- a) Councillor Procedure in Representing Community Interests in Planning Matters Policy***
- b) Waiving Development Application, Construction Certificate and Principal Certifying Authority Fees - Council Owned Community Facilities (former Gosford City Council Policy)***
- c) Bonding for Development Works (former Wyong Shire Council Policy)***
- d) Rezoning of Land Zoned Conservation and Scenic Protection (Conservation) 7(a) and Environmental Conservation E2 Policy***
- e) Contributions for Bonus Subdivisions in Zone No. 7 (C2) Policy***
- f) Contact Centre Call Recording Policy***
- g) Biodiversity Management Policy (former Gosford City Council Policy)***
- h) Flood Management – NSW Government Policy (former Gosford City Council Policy)***
- i) Flood Management Policy (former Gosford City Council Policy)***
- j) Natural Asset Management Policy (former Wyong Shire Council Policy)***
- k) Natural Open Spaces Reserves Policy (former Gosford City Council Policy)***
- l) Wetland Management Policy (former Gosford City Council Policy)***
- m) Sustainable and Plastic Free Events Policy***
- n) Landscape Management Policy***
- o) Quality Management Policy***
- p) Restriction on Development in Areas Identified as Drainage “Black Spots” on the Woy Woy Peninsula (former Gosford City Council Policy)***
- q) Pensioner Concessions Policy***

***which are no longer relevant, redundant, have been superseded or the content is otherwise covered in legislation or another statutory instrument.***

#### **2 *Notes the policies listed in this report that have had their review date extended for a two year period to enable a more comprehensive review to be done.***

**Report purpose**

To seek Council's approval to revoke several policies of Council which are either no longer relevant, have been superseded, the content is covered in legislation or other statutory instruments, or evidence of previous revocation cannot be found in Council's corporate systems, and to note the extension of the review dates of other Council policies that are currently due for review.

**Executive Summary**

This report recommends the revocation of policies which are redundant. This ensures that Council is not held to account for a policy that is outdated or conflicts with current legislation.

Further, it notes several policies that are currently due for review. Whilst minor administrative changes have been made, in order for a broader and more comprehensive review to be carried out, the review date for these policies has been extended for 2 years.

*Consideration of confidentiality (if required)*

**Background**

In 2023, a Policy Documents Framework was developed to ensure a consistent approach for managing Council's policies, protocols, guidelines and procedures.

In accordance with this Framework, all policies are being reviewed with the aim to align all policies with the requirements of the Framework. The alignment process includes the revocation of policies that do not meet the criteria for a Council policy.

**Report**

This report recommends the revocation of those policies that are no longer serving Council or the community. This ensures that Council is not held to a policy that is outdated or conflicts with current legislation and provides assurance to the community that Council's decisions are based on current and best practice.

A summarised list of reasons for the revocation of these policies includes:

- a) The policy was not revoked at the time of the amalgamation of the former Wyong and Gosford Councils in 2016;

- b) The policy was not revoked when the content changed to a procedure or other internal document;
- c) The policy contains obsolete or outdated information;
- d) The content is duplicated in other policies, protocols, procedures, guidelines or plans; and
- e) The content of the policy is already covered in legislation, regulations or codes (including those issued by other State or Federal agencies).

The following policies are recommended for revocation:

#	Policy Title	Directorate	Business Unit(s)	Reason for Revocation
1	<a href="#">Councillor Procedure in Representing Community Interests in Planning Matters Policy</a>	Environment and Planning	Development Assessment	<p>The Policy relates to Councillor involvement in Development Applications that are determined by the Central Coast Local Planning Panel.</p> <p>The Policy does not accord with the requirements of the <a href="#">Environmental Planning &amp; Assessment Act 1979</a> (the Act), nor the Ministerial Directions and statutory rules under which the Local Planning Panel operates. In addition, the current Policy duplicates work already in place for Local Planning Panel meetings, creating inefficiencies.</p> <p>The Act and statutory rules already set out the ways that a Councillor may engage with the independent decision making of the Local Planning Panel. There is no legal or operational reason for the Policy.</p>
2	<a href="#">Waiving Development Application, Construction</a>	Environment and Planning	Development Assessment	The circumstances under which Council will waive fees for development applications and other

#	Policy Title	Directorate	Business Unit(s)	Reason for Revocation
	<a href="#">Certificate and Principal Certifying Authority Fees - Council Owned Community Facilities (former Gosford City Council Policy)</a>			<p>works are set out within the formal Fees &amp; Charges Policy, which is reviewed annually. This includes provision for waiving of fees for community not-for-profit organisations and other special circumstances.</p> <p>There is no legislative requirement for the Policy.</p>
3	<a href="#">Bonding for Development Works (former Wyong Shire Council Policy)</a>	Environment and Planning	Development Assessment	<p>There are no Acts or other statutory requirements for this Policy. The Policy has been replaced by a practice note.</p> <p>There is no legal or operational reason for the Policy.</p>
4	<a href="#">Rezoning of Land Zoned Conservation and Scenic Protection (Conservation) 7(a) and Environmental Conservation E2 Policy</a>	Environment and Planning	Strategic Planning	<p>The adoption, by Council, of the Planning Proposal for Deferred Matter lands at the Council meeting of 28 May 2024 will result in the repeal of IDO 122 and with there being no 7(a) zoned land in the LGA, the Policy is obsolete.</p> <p>Also, any future proposed amendments to Zone E2 (now Zone C2) would have to address the statutory environmental matters included in such documents as the Biodiversity Conservation Act 2016, Central Coast Regional Plan 2041, State Environmental Planning Policies and Ministerial Directions. A Policy is therefore not required.</p>

#	Policy Title	Directorate	Business Unit(s)	Reason for Revocation
5	<a href="#">Contributions for Bonus Subdivisions in Zone No. 7 (C2) Policy</a>	Environment and Planning	Strategic Planning	The adoption by Council of the Planning Proposal for Deferred Matter lands on 28 May 2024 will result in the repeal of IDO 122 and with there being no 7(c2) zoned land in the LGA, the Policy is obsolete.
6	<a href="#">Contact Centre Call Recording Policy</a>	Community and Recreation Services	Communications, Marketing and Customer Engagement	Call recording is no longer a policy required by Council as this is a procedure included in Council's Customer Management Framework.
7	<a href="#">Biodiversity Management</a>	Environment and Planning	Environmental Management	Council adopted a <a href="#">Biodiversity Strategy</a> in March 2020, which is available online and supersedes the need for this Policy.
8	<a href="#">Flood Management – NSW Government Policy</a>	Environment and Planning	Environmental Management	Previous policy points to the Gazetted NSW Government Flood Manual, which sets out Council's responsibilities under the NSW Flood Prone Land Policy. The NSW Flood Risk Management Manual was updated on 30 June 2023. There is no need for a Council Policy to exist for the purpose of pointing to a Gazetted NSW Government guideline.
9	<a href="#">Flood Management Policy</a>	Environment and Planning	Environmental Management	The <a href="#">NSW Government Flood Risk Management Manual</a> clarifies Council's Flood Management responsibilities, without the need for a local Policy.
10	<a href="#">Natural Asset Management</a>	Environment and Planning	Environmental Management	Council adopted a <a href="#">Biodiversity Strategy</a> in

#	Policy Title	Directorate	Business Unit(s)	Reason for Revocation
				March 2020, which is available online and supersedes the need for this Policy.
11	<a href="#">Natural Open Spaces Reserves Policy</a>	Environment and Planning	Environmental Management	This has been superseded by the <a href="#">Biodiversity Strategy</a> and the <a href="#">Central Coast Plan of Management for Council Community Land</a> (adopted 26/4/2023).
12	<a href="#">Wetland Management Policy</a>	Environment and Planning	Environmental Management	The need for this policy has been superseded by the <a href="#">Conservation Fund Policy</a> together with the <a href="#">Biodiversity Strategy</a> . These consider the appropriate long-term protection of environmental land within the current legislative framework, including the Resilience and Hazards SEPP, which addresses the protection of Coastal Wetlands.
13	<a href="#">Sustainable and Plastic Free Events Policy</a>	Community and Recreation Services	Community and Culture	<p>This Policy is now redundant since the NSW Government banned lightweight plastic bags on 1 June 2022 and certain single-use plastics on 1 November 2022. All manufacturers, wholesalers, businesses and community organisations are banned from supplying a range of single-use plastic items.</p> <p>The obligation to stop supplying banned plastic items only applies where the banned items are supplied in a business or retail setting, or in</p>

#	Policy Title	Directorate	Business Unit(s)	Reason for Revocation
				undertaking activities in the community such as events.
14	<a href="#">Landscape Management Policy</a>	Environment and Planning	Strategic Planning	This Policy is no longer required as it is covered by other Council documents.
15	<a href="#">Quality Management Policy</a>	Corporate Services	Enterprise Risk	Council is embarking on a continuous improvement path which supersedes the requirement for the policy. The current Enterprise Risk Management project will monitor continuous improvement results as a key tenet of risk.
16	<a href="#">Restriction on Development in Areas Identified as Drainage "Black Spots" on the Woy Woy Peninsula (former Gosford City Council Policy)</a>	Environment and Planning	Development Assessment and Environmental Management	The previous black-spot map for the Woy Woy Peninsula is now superseded by more up-to-date information, including Aerial Laser Survey ground level database, and a Flood Study. Development is assessed on its merits as per the LEP and DCP without the need for this old policy.
17	<a href="#">Pensioner Concessions Policy</a>	Corporate Services	Finance	The content covered in this policy will be included in Council's Revenue Policy. The provision of a pensioner concession for rates and charges is a legislative requirement. Council does not pay any additional concessions. Council refers to the concession in its <i>Statement of Revenue</i> which is adopted each year as part of the <i>Operational Plan</i> . The <i>Operational Plan</i> (including the <i>Statement of</i>

#	Policy Title	Directorate	Business Unit(s)	Reason for Revocation
				<i>Revenue</i> ) is to be adopted at is Council meeting hence the request to revoke this Policy at the same time. A separate policy is not required.

### Extension of policies

In relation to the policies below, it is recommended that Council notes minor administrative changes have been made (including transferring into Council's new policy template) and have been given a two-year review period to enable a broader and more comprehensive review to be conducted.

- Asbestos Management Policy
- Backflow Prevention Containment Policy
- CCTV Policy
- Climate Change Policy
- Communications and Media Policy
- Enterprise Risk Management and Framework Policy
- Intellectual Property Policy
- Keeping of Animals in Residential Areas Policy
- Legislative Compliance Policy
- Open Pile Burning Policy
- Opening of Coastal Lagoons Policy
- Pressure Sewerage at Tacoma South
- Probity Advice Policy
- Rainforest Policy
- Recycled Water Quality Policy
- Sewage Treatment Plan Buffer Zone Policy
- Unsolicited Proposals Policy

### Stakeholder Engagement

Internal stakeholder engagement was carried out with the relevant Units across Council responsible for the policies, who provided reasoning for the policies to be revoked and/or extended.

### Financial Considerations

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 retention of the policies that are proposed to be revoked would be inconsistent with Council's Policy Documents Framework. The information in the policies may not be current, correct or applicable.

If relied upon by Council, Council staff or third parties, this may lead to inconsistent or potentially conflicting decision making which may expose Council to reputational, financial and other risks.

### Options

1. Council endorses the recommendation to revoke the policies in the list above. **(This is the recommended option).**
2. Council does not revoke the policies. (This is not the recommended option).

### Attachments

*Nil.*



**Item No:** 2.14  
**Title:** Administrator Expenses and Facilities Report - 1  
July 2023 to 31 December 2023  
**Department:** Corporate Services

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25 June 2024 Ordinary Council Meeting

Reference: F2023/00021 - D16234252  
Author: Stephanie Prouse, Section Manager, Councillor and Democratic Services  
Manager: Teresa Chadwick, Unit Manager Governance Risk and Legal  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

***That Council notes the Administrator Expenses and Facilities Report for the period of 1 July 2023 to 31 December 2023.***

## **Report purpose**

To report the provision of expenses and facilities to the Administrator, Mr Rik Hart, from 1 July 2023 to 31 December 2023.

## **Executive Summary**

Reporting of expenses and facilities provided to the Administrator has been completed throughout the current period of administration per the existing resolution of Council, and for the purpose of transparency with the community.

The provision of expenses and facilities to the Administrator is in line with the adopted [Councillor Expenses and Facilities Policy](#) which applies to the Administrator.

## **Background**

Councillors of Central Coast Council were suspended on 30 October 2020 and an interim Administrator (Mr Dick Persson) was appointed.

The current Administrator of Central Coast Council, Mr Rik Hart, was appointed by the Minister for Local Government on 26 April 2021 and commenced in the role on 12 May 2021. The Office of Local Government advised in its appointment letter to Mr Hart that his salary and reasonable out-of-pocket expenses would be paid by Council during the period of his appointment, in accordance with Council's policy under section 252 of the *Local Government Act 1993*.

## 2.14 Administrator Expenses and Facilities Report - 1 July 2023 to 31 December 2023 (cont'd)

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On 17 March 2022, the Minister for Local Government tabled the report into the Public Inquiry of Central Coast Council. Commissioner Roslyn McCulloch made eight recommendations, including that all civic offices at Central Coast Council be declared vacant, effective immediately, and an Administrator be appointed to serve until the Central Coast Council election (scheduled for 14 September 2024).

On 28 March 2023, Central Coast Council adopted its [Councillor Expenses and Facilities Policy](#) (the Policy) to enable the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors (or an Administrator), to help them undertake their civic duties. The Policy was drafted in accordance with the *Local Government Act 1993* and *Local Government (General) Regulation 2005* and complies with the Office of Local Government's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW. The [Councillor Expenses and Facilities Policy](#) applies to an Administrator, pursuant to the definition of the term 'Council' in the Dictionary to the *Local Government Act 1993*.

### Report

To ensure accountability and transparency and to align the costs incurred with community expectations, the [Councillor Expenses and Facilities Policy](#) provides at clause 99:

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

Table 1 provides an overview of expenses and facilities incurred by the Administrator from the period of 1 July 2023 to 31 December 2023 and is presented in line with the requirements of clause 99 of the Policy.

**Table 1: Administrator expenses and facilities from 1 July 2023 to 31 December 2023**

Expense/Facility	1 July 2023 – 31 December 2023
Employee Travel	0
Central Coast Residential Accommodation *	22,723
Protective Clothing and Equipment	0
Delivery and Freight Charges	0
Food and Catering Costs	0
Cleaning Services	0
Administrator salary	147,692
Advertising	0

**2.14 Administrator Expenses and Facilities Report - 1 July 2023 to 31 December 2023 (cont'd)**

Mayoral Costs - Mayoral Allowance	0
Councillor Costs - Conferences and Seminars	0
Councillor Costs - Travelling Expenses	0
Event Expenses	0
Membership Fees Paid	0
Postage	0
Stationery and Office Consumables	0
Councillor Costs - Sundry Expenses	0
Telephone calls (mobile telephone)	599
Internal Expense - Plant and Fleet Permanent Hire	9,681
Internal Expense - Technology	0
Internal Expense - External Plant Hire	0

\* *Residential accommodation expenses on the Central Coast are paid to the Administrator per the appointment letter from the Office of Local Government (OLG). The unique circumstances of administration warrant access being provided to residential property in the local government area (LGA), so that the Administrator can effectively fulfil his obligations and duties. The Crown Employees (Conditions of Employment) Award (at section 26.12), which is applicable to the Administrator as an appointee of the State Government, includes provision for arrangements when a person is required to work from a temporary work location for greater than 35 days. In previous reports to Council, this expense was recorded under 'Employee Travel', however has been recorded as 'Central Coast Residential Accommodation' to provide clarity to the community.*

**Financial Considerations**

Table 1 of this report provides information on expenses and facilities already incurred and does not propose any future expenditure. This expenditure is within the budgeted parameters and in accordance with the Policy and relevant Award.

**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.

**2.14 Administrator Expenses and Facilities Report - 1 July 2023 to 31 December 2023 (cont'd)**

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**Risk Management**

Nil

**Options**

Nil

**Timeframes**

Reports to Council on Administrator expenses and facilities are provided every six (6) months, as soon as practicable after the end of each financial half year (30 June and 31 December each year). This report is later than scheduled, however the 1 January 2024 to 31 June 2024 report is anticipated to be provided on time, being August 2024.

**Attachments**

Nil



**Item No:** 2.15  
**Title:** Community Support Grant Program - April 2024  
**Department:** Community and Recreation Services

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25 June 2024 Ordinary Council Meeting

Reference: F2017/02117-002 - D16238460  
Author: Belinda McRobie, Unit Manager, Community and Culture  
Manager: Glenn Cannard, Unit Manager, Community and Culture  
Executive: Melanie Smith, Director, Community and Recreation Services

## **Recommendation**

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

- 1** ***Allocates \$17,377.00 (inclusive of GST where applicable) from the 2023/24 grants budget to the Community Support Grant program for the month of April, as outlined below and in Attachment 1.***
  - a) Fairhaven Services Limited- Games and activities hub - \$5,000.00***
  - b) EDSACC Croquet Club Inc - Essential Equipment - High Power Blower - \$500.00***
  - c) The Rotary Club of Gosford North Incorporated- Central Coast's Pat Farmer QUICKSAND Run for SOKS - \$3,360.00***
  - d) Koorana AECG - Koorana Cup – \$5,000.00***
  - e) New South Wales Flying Disc Association Incorporated - 2024 NSW Mixed Ultimate State Championships - \$3,517.00***
  
- 2** ***Declines the following applications, for the reasons indicated in Attachment 1.***
  - a) Berkeley Vale Rugby League & Sports Club- Security Cameras – application is ineligible.***
  - b) The Lakes Surf Life Saving Club Limited - Purchase of printer – broader community benefit is not demonstrated.***
  - c) Central Coast Bonsai Club Inc - Storage Facility Rental subsidy - application is ineligible.***
  
- 3** ***Advises the unsuccessful applicants in point 2 (above) and direct them to alternate funding sources if relevant.***

## **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 aid with 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 aids with 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.

The original Community Support Grant program budget has been increased to the end of the 2023-24 financial year only to include identified unspent funds from the annual Community Development and Community Events and Place Activation programs (see adopted budget column in the table below).

Table 1: Community Support Grant Program

Program	Original Budget	Adopted budget	2023-24 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	\$356,750	\$304,043.15	\$17,377.00	\$321,420.15
<b>TOTAL</b>			<b>\$304,043.15</b>	<b>\$17,377.00</b>	<b>\$321,420.15</b>

### Current Status

Applications submitted from 1 – 30 April 2024 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 eight applications were received and assessed by 13 May 2024, with five applications recommended for funding in this Council report. Three applications are not recommended for funding.

Of the three applications not recommended for funding, two are ineligible and one does not demonstrate broader community benefit. All applicants will be advised to discuss their proposal further with Council's Grants Officers prior to resubmission in a future round.

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.

### Stakeholder Engagement

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 2023-24 Council Operational Expenditure original budget allocates \$300,000 to the Community Support Grant Program. Additional funds have been redirected to this program through unspent funds from the annual Community Development and Community Events and Place Activation program budgets.

Expenditure is approved until the end of the 2023-24 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. (This is 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 - April 2024	Provided Under	D16238438
	Recommended and Not Recommended	Separate Cover	