



Central Coast Council
Business Paper
Ordinary Council Meeting
26 April 2023





COMMUNITY STRATEGIC PLAN 2018-2028

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

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

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

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

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

RESPONSIBLE

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

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



Good governance and great partnerships

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

There are 5 themes, 12 focus areas and 48 objectives

COMMUNITY STRATEGIC PLAN 2018-2028 FRAMEWORK

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



Theme

Focus Area

Objective

Meeting Notice

**The Ordinary Council Meeting
of Central Coast Council
will be held in the Council Chamber,
2 Hely Street, Wyong
on Wednesday 26 April 2023 at 6.30pm,
for the transaction of the business listed below:**

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

Further information and details on registration process:

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

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David Farmer
Chief Executive Officer

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



26 April 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15555826
Author: Rachel Gibson, Team Leader, Civic Support
Manager: Edward Hock, Unit Manager Governance, Risk and Legal
Executive: Marissa Racomelara, Director Corporate Services

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

Section 451 of the LG Act states:

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

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

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

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

26 April 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15555820



Recommendation

That Council confirm the minutes of the Ordinary Meeting of Council held on 28 March 2023.

Summary

Confirmation of minutes of the Ordinary Meeting of Council held on 28 March 2023.

Attachments

1	MINUTES - Council Meeting - 28 March 2023	Provided Under Separate Cover	D15608230
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Item No: 1.3
Title: Notice of Intention to Deal with Matters in Confidential Session
Department: Corporate Services



26 April 2023 Ordinary Council Meeting

Trim Reference: F2023/00021 - D15555805

Recommendation

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

Summary

It is necessary for the Council to adopt a resolution to formalize its intention to deal with certain matters in a closed and confidential Session. The report is incorporated in the "Confidential" business paper which has been circulated.

The *Local Government Act 1993* requires the Chief Executive Officer to identify those matters listed on the business paper which may be categorized as confidential in terms of section 10A of the *Local Government Act 1993*. It is then a matter for Council to determine whether those matters will indeed be categorized as confidential.

Context

Section 10A of the *Local Government Act 1993* (the Act) states that a Council may close to the public so much of its meeting as comprises:

- 2(a) personnel matters concerning particular individuals (other than Councillors),*
- 2(b) the personal hardship of any resident or ratepayer,*
- 2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*
- 2(d) commercial information of a confidential nature that would, if disclosed:*
 - (i) prejudice the commercial position of the person who supplied it, or*
 - (ii) confer a commercial advantage on a competitor of the Council, or*
 - (iii) reveal a trade secret,*
- 2(e) information that would, if disclosed, prejudice the maintenance of law,*
- 2(f) matters affecting the security of the Council, Councillors, Council staff or Council property,*

- 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 March 2023
Department: Corporate Services



26 April 2023 Ordinary Council Meeting

Reference: F2020/03205 - D15619396
Author: Leslie Chan, Regulatory Reporting Senior Accountant
Michelle Best, Financial Controller
Manger: Emma Galea, Chief Financial Officer
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

1 That Council receive the report *Monthly Financial Reports – March 2023*

Report purpose

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

Executive Summary

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

Background

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

Report

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

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

Consultation

In the preparation and finalisation of the monthly reports for March 2023, all business areas of Council contributed to the information contained within the financial reports.

Financial Considerations

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

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

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

Financial Strategy Ratios

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

- **Operating Performance Ratio** - measures Council's achievement of containing operating expenditure within operating revenue and is set between 1% and 8%.
- **Unrestricted Current Ratio** - identifies whether there are sufficient funds available to meet short term obligations and is set at the industry benchmark of 1.5.
- **Unrestricted Cash Position** - funds available to cover operational needs and unexpected or emergency costs within each fund. Council will aim to maintain unrestricted cash in each fund and set a target band of between 3% and 10% for each fund. This will monitor the targeted use of unrestricted funds on community services and infrastructure.
- **Loan Principal Payments** - the operating result (excluding capital grants and contributions) for each fund for the year plus if necessary, pre-existing unrestricted cash reserves in each fund needs to at least cover the net loan principal repayments of that fund for that same year.
- **Capital Program Funding** - Council's intent is to provide at least sufficient funds from operations for the capital budget to replace assets as they fall due. The depreciation target is currently used as a proxy for the long-term annual funding requirement to replace Council's assets at their gross replacement value. Council will aim to achieve the industry benchmark of 100% in each fund.

2.1 Monthly Finance Report March 2023 (contd)

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

Financial Performance Ratio	Fund	Benchmark Ratio	Actual Ratio as at March 2023	Commentary (if applicable)
Operating Performance Ratio	Consolidated	1% - 8%	6.0%	
Unrestricted Current Ratio	Consolidated	1.5x	1.4x	This is due to the \$100M emergency loan being transferred from non-current liability to current liability as it is due to be repaid in December 2023. This is a recognised timing issue that if not applied would keep Council's unrestricted current ratio above the 1.5 benchmark.
Unrestricted Cash Position	Consolidated	3 – 10%	33.1%	Council is currently holding excess funds in all but the Water Fund to expend on community services and infrastructure.
	General & Drainage		18.0%	
	Water		1.3%	
	Sewer Domestic Waste		136.0% 17.7%	
Capital Program Funding	Consolidated	100%	5.4x	Due to recent revaluation and indexation of the water fund asset base, the depreciation budget has exceeded the Capex budget, which was initially set by IPART.
	General & Drainage		112% 124%	
	Water		55%	
	Sewer		138%	

Note: The Principal Loan Repayment ratio has been removed from the Table above pending review. It is proposed to provide greater context in future reports.

Operating Statement

The attached financial reports record actual revenue and expenditure, tracking against the Q2 adjusted budget and for the year-to-date reporting period to 31 March 2023.

For the month of March 2023, Council is reporting an operating result deficit of \$25.3M, before capital income, which was unfavourable to budget by \$19.5M and a net operating deficit including capital income of \$16.6M which was unfavourable to budget by \$23M. The deficit results are attributable to the processing of a backlog of depreciation during the month, following the finalisation of the 2021/2022 audited Financial Statements in February 2023. The corresponding budgets will be processed of the March 2023 Quarterly Budget Review.

March 2023 year-to-date, Council is reporting an operating result surplus of \$27.3M, before capital income, which was favourable to budget by \$5M and a net operating surplus including capital income of \$65.8M which was unfavourable to budget by \$6.8M.

<div>Consolidated</div> <div>Operating Statement</div> <div>March 2023</div> <div>Central Coast Council</div>											
	CURRENT MONTH			YEAR TO DATE				FULL YEAR			
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Adopted Changes	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Operating Income											
Rates and Annual Charges	31,392	32,857	(1,464)	290,968	291,295	(327)	273,346	365,740	390,335	150	390,485
User Charges and Fees	15,545	13,135	2,410	121,419	116,998	4,421	104,112	140,237	145,542	11,478	157,020
Other Revenue	1,423	893	531	15,008	8,384	6,623	8,705	12,856	9,666	2,003	12,424
Interest	2,328	418	1,910	15,869	9,581	6,287	4,348	5,470	4,890	6,013	13,903
Grants and Contributions	1,496	2,913	(1,416)	19,619	21,628	(2,010)	19,657	47,717	34,046	14,463	48,509
Gain on Disposal	1,215	-	1,215	2,230	1,819	411	24,812	26,056	5,294	(3,476)	1,819
Other Income	968	614	354	7,276	6,886	589	5,521	7,909	7,917	597	8,514
Internal Revenue	5,409	4,943	466	44,575	44,900	(325)	49,458	68,851	58,441	931	59,372
Total Income attributable to Operations	59,777	55,772	4,005	516,962	501,292	15,670	489,959	674,838	656,131	32,160	692,046
Operating Expenses											
Employee Costs	17,582	17,633	51	127,955	133,088	5,133	120,244	162,831	180,750	648	175,606
Borrowing Costs	765	767	2	7,791	7,764	(28)	8,772	12,940	11,421	1,475	12,896
Materials and Services	22,288	23,212	924	152,644	161,539	8,895	111,723	174,256	205,479	22,094	210,815
Depreciation and Amortisation	32,672	12,012	(20,661)	129,207	108,546	(20,661)	109,950	169,041	158,781	(526)	188,045
Other Expenses	4,342	4,194	(148)	33,028	31,931	(1,097)	26,732	50,717	38,252	2,709	41,004
Loss on Disposal	2,976	-	(2,976)	2,976	-	(2,976)	230	4,469	-	200	200
Internal Expenses	4,443	3,776	(667)	36,054	36,126	72	43,259	60,136	51,691	(184)	51,507
Overheads	(0)	0	0	(0)	0	0	0	0	-	0	0
Total Expenses attributable to Operation	85,070	61,595	(23,475)	489,656	478,994	(10,661)	420,911	634,390	646,373	26,417	680,072
Operating Result after Overheads and before Capital	(25,292)	(5,823)	(19,470)	27,307	22,298	5,008	69,048	40,447	9,758	5,743	11,974
Capital Grants	4,194	5,684	(1,470)	24,498	32,163	(7,664)	20,273	35,785	55,740	(3,913)	51,827
Capital Contributions	4,479	6,540	(2,061)	14,000	18,092	(4,092)	17,223	29,841	20,143	3,049	23,192
Grants and Contributions Capital Receiv	8,673	12,204	(3,531)	38,499	50,255	(11,756)	37,496	65,626	75,883	(864)	75,019
Net Operating Result	(16,619)	6,381	(23,000)	65,805	72,553	(6,748)	106,544	106,073	85,640	4,879	86,993

As part of the audit of the 2021/22 Financial Statements, and in accordance with Accounting Standards, Council is required to update the value of its assets to reflect current replacement cost. Increased replacement cost results in increased depreciation and a direct impact on the operating result. The estimated increase in depreciation for 2022/23 will result in an adverse budget variation of in the order of \$30M. The necessary adjustments to the budget will be made as part of the March 2023 Quarterly Budget Review.

2.1 Monthly Finance Report March 2023 (contd)

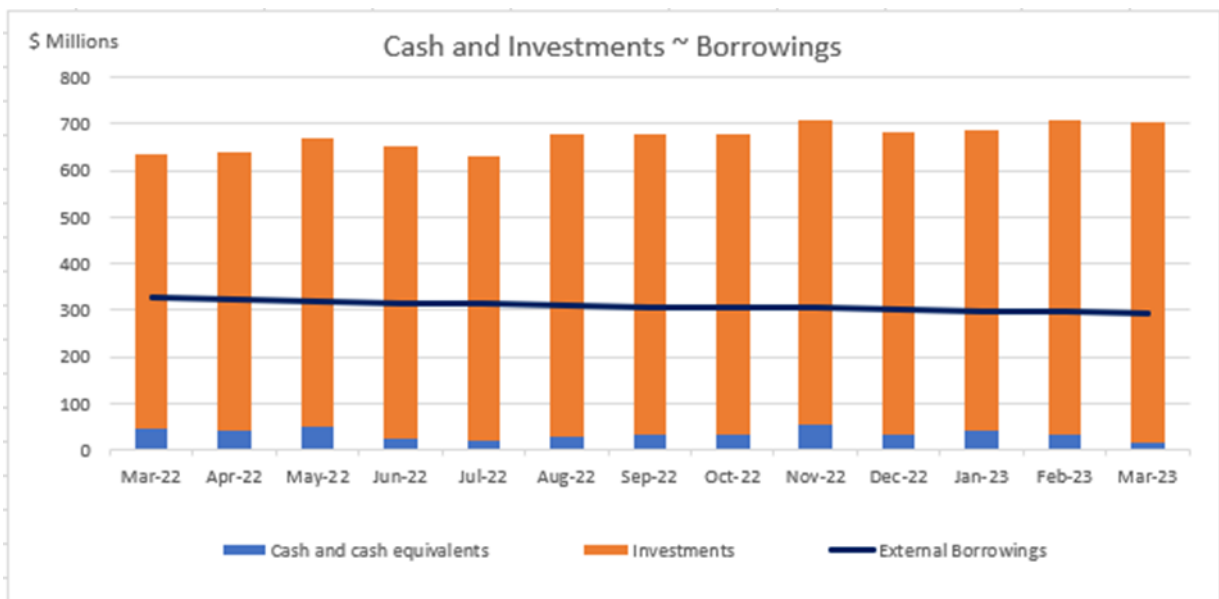
Council's projected operating result will also be adversely impacted by the write-off of the land value associated with the transfer of Council land to Pacific Link Housing Limited for the development of 23-25 Ashton Avenue, The Entrance, in accordance with Council resolution 33/23 dated 28 February 2023. The land is currently on Council's asset register with a value of \$2.1M.

Based on Council's current performance against budget, and notwithstanding the adverse impacts on Council's budgeted financial position outlined above, it is strongly anticipated that for the financial year ending 30 June 2023 Council will maintain an operating surplus position, as indicated by the year end forecasted result. The forecasted end of year position remains a projected net operating surplus of \$11.97M before capital income, and a net operating surplus of \$86.99M, including capital income.

Cash and Investments / External Borrowings / Cash Flows

During March 2023, total cash and investments reduced by \$0.1M from \$706.3M to \$706.2M. External borrowings as at 31 March 2023 were \$294.0M.

During March, principal loan repayments of \$3.6M fell due and were repaid bringing total year-to-date principal loan repayments to \$19.4M which is in line with the lending institutions loan repayments schedules.



2.1

Monthly Finance Report March 2023 (contd)

	Actual YTD @ 31 Mar 2023 \$'000	Rolling Forecast @31 Mar 2023 \$'000	Variance \$'000	Revised Forecast @ 30 June 2023 \$'000	Original Forecast @ 30 June 2023 \$'000
CONSOLIDATED CASH FLOW MOVEMENTS					
Opening cash & investments @ 1 July 2022	652,137	652,137	-	652,137	652,137
Income receipts (incl Capital grants & contributions)	545,369	535,332	10,037	756,503	726,530
Operational payments	(367,195)	(365,545)	(1,650)	(511,031)	(483,681)
Net operating cash inflow / (outflow)	178,174	169,787	8,387	245,472	242,849
Capital projects payments	(108,893)	(115,137)	6,244	(176,877)	(176,509)
Asset sales	4,229	3,710	519	4,229	24,940
Financing receipts	(0)	(0)	-	(0)	80,000
Financing repayments	(19,377)	(16,651)	(2,726)	(22,130)	(157,485)
Total cash inflow / (outflow)	54,133	41,709	12,424	50,693	13,795
Closing cash & investments @ 1 Mar 2023	706,270	693,846	12,424	702,830	665,932

	Actual YTD @ 31 Mar 2023 \$'000	Rolling Forecast @ 31 Mar 2023 \$'000	Variance \$'000	Revised Forecast @ 30 June 2023 \$'000	Original Forecast @ 30 June 2023 \$'000
ACTUAL v FORECAST MONTHLY CASH FLOW GENERAL FUND (incl DRAINAGE FUND)					
Opening cash & investments @ 1 July	407,088	407,088	0	407,088	407,088
Income receipts (incl Capital grants & contributions)	339,449	340,459	(1,010)	462,779	447,897
Operational payments	(237,815)	(238,433)	618	(320,600)	(303,844)
Net operating cash inflow / (outflow)	101,634	102,026	(391)	142,179	144,053
Capital projects payments	(70,518)	(75,249)	4,731	(103,775)	(113,579)
Asset sales	4,229	3,710	519	4,229	24,940
Financing receipts	999	766	233	999	50,000
Financing repayments	(9,946)	(7,874)	(2,072)	(9,379)	(113,314)
Total cash inflow / (outflow)	26,398	23,378	3,020	34,253	(7,900)
Closing cash & investments @ 28 February	433,486	430,466	3,020	441,341	399,188

Restricted Funds

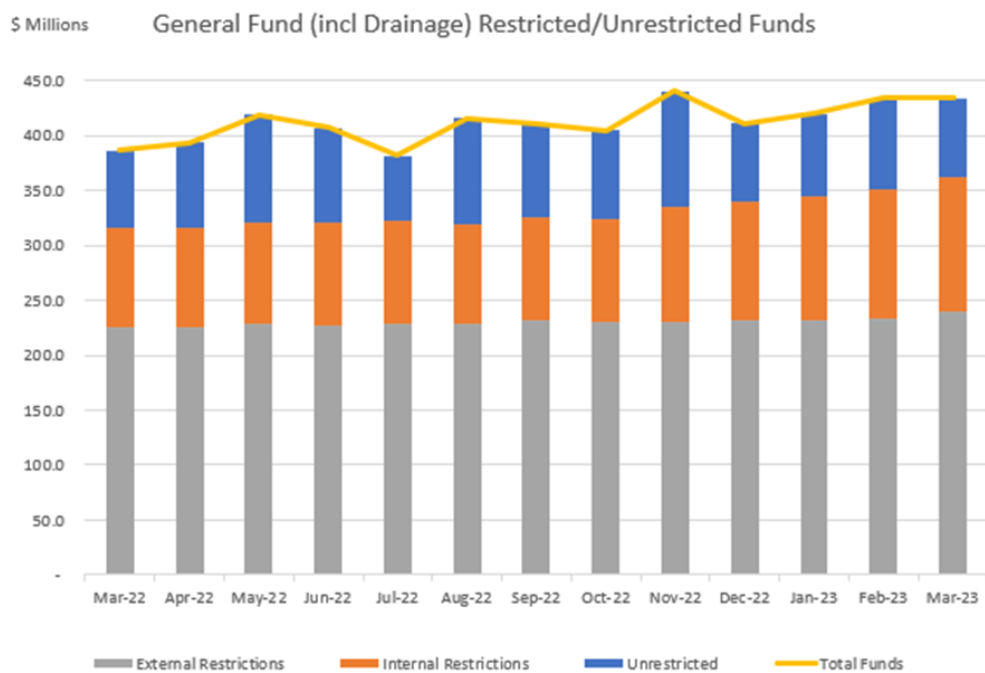
Total Funds by Fund						
Fund	General Fund	Drainage Fund	Consolidated General Fund	Water Fund	Sewer Fund	Domestic Waste Fund
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
External Restricted Funds	201,543	38,568	240,111	13,541	20,823	99,239
Internal Restricted Funds	122,498	20	122,517	908	877	47
Total Restricted Funds	324,041	38,587	362,629	14,449	21,700	99,286
Unrestricted Funds	109,666	- 38,808	70,857	1,146	122,614	13,588
Total Funds by Fund	433,707	- 221	433,486	15,595	144,314	112,874

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

The General Fund unrestricted balance (inclusive of Council's Drainage Fund) is currently \$70.9M. The graph below highlights Council General Fund unrestricted cash position including the Drainage Fund.

In accordance with the 'Establishment of new Internal Restrictions and Update of Restricted Funds Policy' adopted at the November Council meeting, two new Internal Restrictions were created and during March 2023, \$4.0M was transferred to the Emergency Loan Repayment restricted funds account to cover the \$50M repayment scheduled for December 2023.

The unrestricted funds balances across Council's five Funds will fluctuate during the year as revenues are received and expenditures occur at different periods throughout the financial year.



Capital Works

Council is reporting year-to-date capital works expenditure to 31 March 2023 of \$108.0M compared to budget of \$113.5M. Council currently has 109 active capex projects.

2.1

Monthly Finance Report March 2023 (contd)

Department	YTD Actuals	YTD Budgets	YTD Variance	YTD Variance	Full Year Approved Budget
	000S	000S	000S	%	000S
01. Office of the Chief Executive Officer	-	-	-		-
02. Community and Recreation Services	8,670	10,284	1,615	15.7%	22,143
03. Infrastructure Services	48,130	51,642	3,513	6.8%	74,218
04. Water and Sewer	40,017	37,561	(2,456)	-6.5%	62,931
05. Environment and Planning	4,361	6,038	1,678	27.8%	11,505
06. Corporate Services	6,820	7,954	1,134	14.3%	10,854
Total	107,997	113,480	5,483	4.8%	181,650



Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Attachments

1	Financial Performance- Monthly Finance Report	Provided Under	D15637244
	March 2023	Separate Cover	
2	00 Consolidated and By Fund Operating	Provided Under	D15637302
	Financial report March 2023	Separate Cover	

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



26 April 2023 Ordinary Council Meeting

Reference: F2004/06604 - D15617940
Author: Devini Susindran, Team Leader
Manager: Emma Galea, Chief Financial Officer
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

- 1 That Council note the Investment Report for March 2023.**
- 2 That Council note that internally restricted funds are unrestricted funds that have been internally allocated to a certain purpose.**
- 3 That Council allocate the required unrestricted funds available in the General Fund to meet its March 2023 unrestricted funds deficit of \$38.8M in Drainage Fund as set out in this report.**

Report purpose

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

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

Executive Summary

This report details Council's investments as at 31 March 2023.

Background

Council's investments are made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005, the Investment Policy adopted at the Ordinary Council Meeting on 28 June 2022, Ministerial Investment Order issued February 2011 and Division of Local Government (as it was then known) Investment Policy Guidelines published in May 2010.

Current Status

Council's current cash and investment portfolio totals \$706.27M as at 31 March 2023.

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

Type	Value (\$'000)
Investment Portfolio	690,644
Transactional accounts and cash in hand	15,625
Total	706,269

During March, Council's total cash and investments decreased by \$0.03M from \$706.30M to \$706.27M. The decrease during March is minimal with Council's cash inflows being used to manage outflows. Quarterly rates instalments received towards the end of February and in early March have been invested reflected in an increase in the investment portfolio of \$15.12M. Maturities during the month have been re-invested taking into consideration operational cashflow requirements.

Table 2 – Council's Portfolio by Fund

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

Fund	General Fund	Drainage Fund	Consolidated General Fund	Water Fund	Sewer Fund	Domestic Waste Fund
	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)
External Restricted Funds	201,543	38,568	240,111	13,541	20,823	99,239

2.2 Investment Report for March 2023 (contd)

Internal Restricted Funds	122,498	20	122,518	908	877	47
Total Restricted Funds	324,041	38,588	362,629	14,449	21,700	99,286
Unrestricted Funds	109,665	(38,808)	70,857	1,146	122,614	13,588
Total funds by Fund	433,706	(220)	433,486	15,595	144,314	112,874

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. Council is continuing to manage the reported negative unrestricted funds balance in the Drainage Fund through its consolidation with the General Fund.

The negative unrestricted funds balance in the Drainage Fund is currently \$38.8M. In 2026 the Drainage Fund will become part of Council's General Fund as IPART will no longer regulate Stormwater Drainage prices. In the interim, the unrestricted funds deficit of \$38.8M is proposed to be funded through the General Fund's available unrestricted cash balance as at 31 March 2023 of \$109.7M.

Portfolio Management

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

The total value of the Council's investment portfolio as at 31 March 2023 is outlined in Table 3 below. Total net return on the portfolio for Council in March 2023, comprising entirely of interest earned, was \$2.20M.

Table 3 – Portfolio Movement (Investments only)

Description	2021-22 Financial Year \$'000	Jul-Sep Qtr 2022/23 \$'000	Oct-Dec Qtr 2022/23 \$'000	Jan-23 2022/23 \$'000	Feb-23 2022/23 \$'000	Mar-23 2022/23 \$'000	FYTD 2022/23 \$'000
Opening Balance	447,221	628,005	643,487	649,768	646,225	675,524	628,005
movement in cash at call, additions and disposals	191,662	15,039	5,793	-4,982	29,050	14,620	59,520
Movement in Market Value	-10,878	443	488	1,439	249	500	3,119
Closing Balance	628,005	643,487	649,768	646,225	675,524	690,644	690,644
Interest earnings	5,660	3,574	5,230	1,994	1,878	2,197	14,873

The market value of Council's investment portfolio as at 31 March 2023 is \$690.64M.

Council's investments are evaluated and monitored against a benchmark appropriate to the risk (APRA Standards BBB long term or above) and time horizon of the investment concerned. A summary of the term deposit and floating rate notes maturities are listed in Table 4 below.

Table 4 - Investment Maturities

Time Horizon	Percentage Holdings	Maturity on or before	Value \$'000
At Call	4.50%	Immediate	31,060
Investments			
0 - 3 months	9.12%	Jun-2023	63,008
4 - 6 months	8.88%	Sep-2023	61,295
7 - 12 months	15.53%	Mar-2024	107,253
1 - 2 years	17.50%	Mar-2025	120,906
2 - 3 years	22.89%	Mar-2026	158,105
3 - 4 years	19.47%	Mar-2027	134,440
4 - 5 years	2.11%	Mar-2028	14,577
Total Investments	95.50%		659,584
Total Portfolio	100.00%		690,644
Interest Accrued to March 2023 (Excluding Interest on call accounts)			3,928
Market Value of Investment per Portfolio Valuation Report (Attachment 5)			694,572

The investment portfolio is concentrated in AA (19.51%), A (47.25%), and BBB (33.24%).

Council monitors and manages the portfolio taking into consideration credit ratings of financial institutions, interest rates offered for the maturity dates required and counterparty exposure. All of Council's investments were within policy guidelines as at 31 March 2023.

The current spread of investments and counterparty exposure for March 2023 are shown in Graphs 1 and 2 respectively in Attachment 3.

Environmental, Social and Green (ESG) Investments

Council continues to look for 'ESG' investment opportunities subject to prevailing investment guidelines. A list of current ESG investments held is contained on the Investment listing at Attachment 1 and are highlighted in green.

Council currently holds 3.11% or \$21.5M in ESG investments as at 31 March 2023.

Portfolio Return

Interest rates on investments in the month, ranged from 1.15% to 6.40%. The monthly Bank Bill Swap Rate (BBSW) benchmark was 3.54%. Changes in economic conditions have led to the Reserve Bank of Australia (RBA) increasing its cash rate (which was at a historic low of 0.10% until 4 May 2022), to 3.60% on 8 March 2023. BBSW has also followed this trend and has been increasing steadily. Comparative interest rates are shown in the table below.

Table 5 – Interest Rate Increases

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

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 March 2023 is 3.85%. Performance Statistics for Council are shown in Table 1 in Attachment 3.

Trading Limits are detailed in Attachment 4. Market values reflected in the Portfolio valuation report in Attachment 5 have been used to record the unrecognised gains/(losses) in tradeable fixed rate bonds and floating rate notes. Interest accrued has been recorded separately and is not reflected in portfolio valuations.

Consultation

Not Applicable

Financial Considerations

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

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

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

Council's investment portfolio includes rolling maturity dates to ensure that Council has sufficient liquidity to meet its ongoing obligations and the paydown of \$50M against the emergency loans in December 2023.

Certification:

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

Emma Galea, Responsible Accounting Officer

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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






Risk Management

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

Options

Not Applicable

Attachments

1	Summary of Investments as at 31 March 2023	Provided Under	D15627475
		Separate Cover	
2	Summary of Restrictions as at 31 March 2023	Provided Under	D15630444
		Separate Cover	
3	Investment Report Graphs and Table for March 2023	Provided Under	D15627473
		Separate Cover	
4	Treasury Direct Trading Limits Report as at 31 March 2023	Provided Under	D15627471
		Separate Cover	
5	Treasury Direct Portfolio Valuation Report as at 31 March 2023	Provided Under	D15627477
		Separate Cover	

Item No: 2.3
Title: Adoption of Central Coast Plan of Management for Council Community Land 2023
Department: Environment and Planning



26 April 2023 Ordinary Council Meeting

Reference: F2018/01711 - D15616298
Author: Chris Barrett, Commercial Property Manager, Commercial Property
Manager: Jamie Barclay, Unit Manager Economic Development and Property
Executive: Alice Howe, Director Environment and Planning

Recommendation

That Council:

1 Note that:

- a. The Draft Plan of Management for Council Community Land (the draft POM) was placed on public exhibition from 21 December 2022 to 1 March 2023;***
- b. A total of 343 separate submissions concerning the draft POM were received by Council; and***
- c. All submissions that were received concerning the draft POM have been considered in formulating the proposed final POM.***

2 Further note that:

- a. A total of five public hearings were held on 1, 2, 6, 7 and 8 February 2023;***
- b. A total of 1128 lots of Council owned community land included in the draft POM were considered at these public hearings on the basis that these lots were to be categorised for the first time or a change of category was proposed for these lots; and***
- c. A report of the public hearings has been published on Council's website in accordance with Section 47G of the Local Government Act 1993.***

3 Acknowledge and thank Central Coast residents and community organisations for the level of engagement and interest in the management of Council community land that is demonstrated via the breadth and depth of issues raised in community submissions and feedback during public hearings concerning the draft POM.

4 Note that amendments have been made to improve the operative provisions of the POM and to vary the schedule of land covered by the POM in response to feedback made in submissions and at public hearings.

5 Form the opinion that amendments to the POM are not substantial.

6 Adopt the POM, as amended, as the Central Coast Plan of Management for Council Community Land 2023 (Attachment 1).

- 7 Authorise the Chief Executive Officer to make minor amendments to the format of the adopted POM to apply Council's style guide.**
- 8 Revoke all pre-existing plans of management for Council owned community land except for the following:**
 - a. Kincumba Mountain Plan of Management;**
 - b. Grahame Park (Central Coast Stadium) Plan of Management; and**
 - c. Gosford City Bowling Club Plan of Management.**
- 9 Give notice that the Central Coast Plan of Management for Council Community Land 2023 will come into effect on 3 May 2023 (that is, seven days from the date of this meeting).**

Report Purpose

The purpose of this report is to

- Acknowledge the extensive level of community engagement in the consultation process for the draft Council owned community land plan of management (the draft POM);
- Note that the consultation process included both an extended period of public exhibition and a series of formal public hearings;
- Document how matters raised in the consultation process have been incorporated into the finalised Council owned community land plan of management (the final POM) by way of amendments to the provisions and application of the final POM;
- Note that these amendments are not considered to be substantial; and
- Formally adopt the finalised POM for Council community land.

Executive Summary

A new draft plan of management for Council owned community land (the draft POM) was prepared in accordance with the provisions of Chapter 6 Part 2 (Public land) of the *Local Government Act 1993*.

The intention of the draft POM is to provide a single source of reference for management of Council owned community land in a format that is suitable to replace a large number of pre-existing POMs that previously applied to different parcels of land and to different categories of community land in each of the former Gosford City and Wyong Shire areas.

The POM does not apply to Council land classified as operational land under *the Local Government Act 1993*, nor does it apply to Crown land managed by Council.

Once adopted, the POM will allow Council to better address its obligations as a major landholder on the Central Coast and to better manage occupation and use of facilities and premises situated on Council owned community land across the local government area.

Background

There are close to 2500 parcels (lots) of Council-owned community land in the Central Coast local government area. In addition, Council owns or manages around a further 2000 parcels of land comprising Council-owned operational land, Crown reserve land and other NSW Government-owned land.

Council is required to classify public land that owns or manages as either operational land or community land (Figure 1). Operational land can be bought and sold (subject to any public trusts on the land) and can be leased out or otherwise occupied as if the land were private land, subject to the provisions of land-use legislation such as the *Environmental Planning and Assessment Act 1979*.

Community land cannot be sold and must be managed in accordance with the provisions of Chapter 6 Part 2 (Public land) of the *Local Government Act 1993*. Community land may be either owned by Council or owned by the Crown and managed by Council. Where land is owned by the Crown, Crown Lands must be involved in the categorisation process.

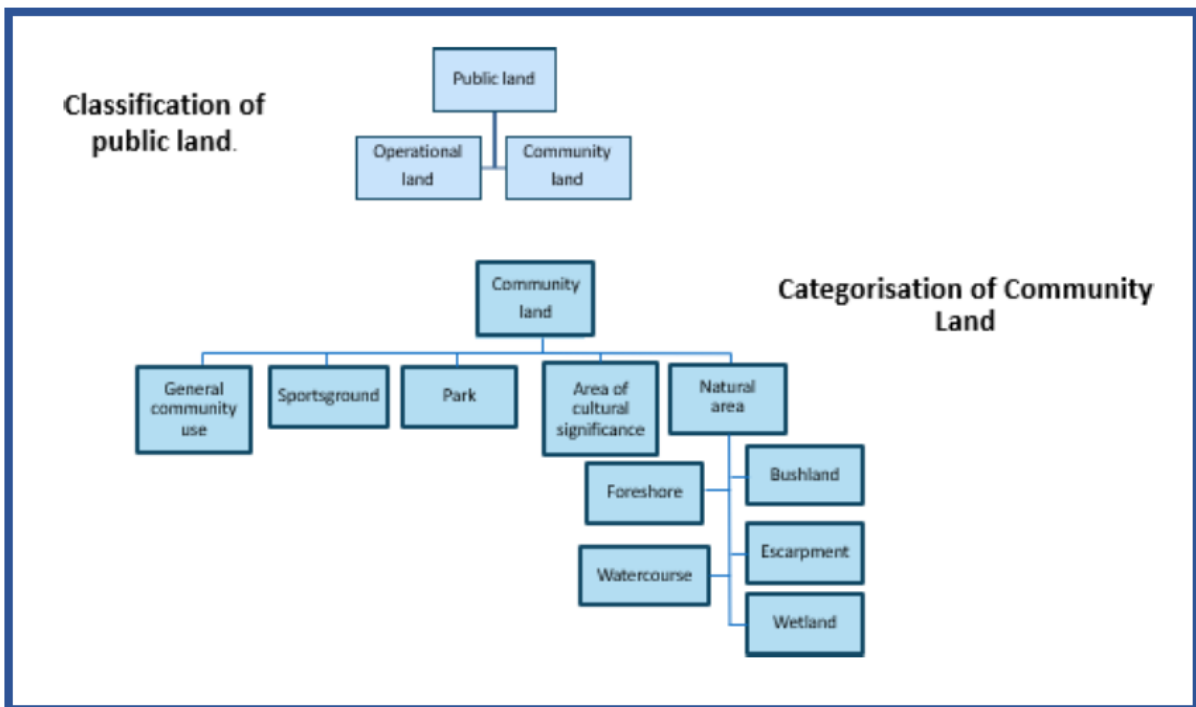


Figure 1 – Public land classification and categories of community land

Community land must be categorised on the basis of the core objectives that will apply to the management of the land in the future. The five applicable categories are Natural Area, Sportsground, Park, Area of Cultural Significance and General Community Use. Natural Area community land can be further sub-categorised i.e. as Bushland, Wetland, Escarpment, Watercourse or Foreshore (see Figure 1).

2.3 Adoption of Central Coast Plan of Management for Council Community Land 2023 (contd)

A POM, once adopted, facilitates the use of Council community land by the public in a manner that is consistent with the categorisation of land included within it. A POM is required, by law, to be in place prior to the issue of certain leases and licences for the use of Council community land, and any development application applying to Council community land must also be consistent with the provisions applying to it in an adopted POM. Thus, the use of community land is restricted where there is not an adopted POM in place that appropriately categorises community land for community use. The process to develop a POM is described in Figure 2. Council is currently at Step 6.

At its meeting of 13 December 2022, Council resolved to authorise an extended period of time for public exhibition, public hearings and receipt of community submissions, which exceeded the statutory consultation requirements for the draft POM.

Following completion of this POM for Council community land, Council will commence development of a draft POM for Crown land managed by Council across the Central Coast, as well as site-specific POMs for The Haven, Gosford Waterfront and the Native Mint Bush.

Current Status

A new draft POM has been prepared for Council owned community land across the Central Coast. The draft POM is intended to provide a single high-level source of reference for management of the vast majority of Council community land (more than 90%) and to replace a large number of pre-existing POMs that apply to different areas of land and to different categories of land in each of the former Gosford City and Wyong Shire areas.

As part of the preparation of the new draft POM, the existing categorisation of 1748 parcels (lots) of land was reviewed by a team of internal subject matter experts and 594 extra lots were categorised for the first time.

The largest number of lots were confirmed or newly categorised as Natural Area (more than 1000 lots) or as Park (about 500 lots). A significant number of parcels of land were categorised or re-categorised as Sportsground or as General Community Use (between 150 and 250 lots of each category).

Some lots have been identified as being suitable to include in more than one category of community land because they show a complex pattern of usage. For example, a largely undisturbed areas of bushland might co-exist with intensive facilities like childcare or community halls or major sporting facilities.



Figure 2 – Developing a Plan of Management under the Local Government Act 1993]

2.3 Adoption of Central Coast Plan of Management for Council Community Land 2023 (contd)

A list of all land to be covered by the draft POM was included as a schedule to the draft POM.

The location (and where practicable) the categorisation of community land was depicted in maps that were published for information purposes during the public exhibition period.

General information about the rules and regulations that affect the management of community land are set out in introductory chapters of the POM, followed by the actual provisions that apply to parcels of land on a category-by-category basis in subsequent chapters.

The structure and content of the POM document follows the recommended format set out in guidelines issued by the Office of Local Government.

Consultation Process

Before a POM can be adopted, it must be subject to a process of community consultation that is set out in Chapter 6 Parts 2 and 3 of the *Local Government Act 1993* and illustrated in Figure 2

- The draft POM must go on public exhibition for at least 28 days
- Members of the public may make submissions in response for at least 42 days
- A report must be prepared that deals with each submission that is made in relation to the draft POM
- For any land to be categorized for the first time, a public hearing must be held
- For any land proposed for recategorisation, a public hearing must be held
- Multiple lots of land may be covered at a single public hearing
- Each public hearing must be presided over by a person independent of Council (not a councillor or employee currently or in the past five years)
- A public hearing report must be provided to Council
- Council must make the report available for inspection by the public.

For the draft POM, an extended period of public exhibition was adopted, as was the period for the receipt of submissions. The date on which the public exhibition opened was Tuesday 20 December 2022 and the date on which the public exhibition closed was Tuesday 1 March. Submissions closed on the same day.

Public hearings were held during the period of public exhibition. The dates and locations of the public hearings were as follows:

- Wednesday 1 February – Wyong Council Administration Centre
- Thursday 2 February – The Entrance Community Centre
- Monday 6 February – Erina Community Centre
- Tuesday 7 February – Peninsula Community Centre
- Wednesday 8 February - Wyong Council Administration Centre

Recognising the importance of providing the greatest possible opportunity for community members to be able to attend public hearings, the proposed hearing dates were scheduled in February i.e. after the start of the 2023 school term. The times of public hearings were notified on the Council website and by other means.

Each public hearing considered a separate series of parcels of Council owned community land, organised by suburb and generally corresponding to the area in which the meeting venue was located.

The coverage of land parcels to be categorised for the first time or to be re-categorised was split up in approximately equal numbers at each hearing and took into account the locations where public hearings were held.

As well, an online information session (webinar) was held in the week prior to start of the public hearings, to better inform the community about the purpose, structure and content of the draft POM and to reinforce the message that the purpose of the public hearings is only to consider any proposed (re) categorisation of land.

In addition to the statutory requirements to publish the draft POM and the included schedule of land on the Council website, summary material was prepared in a web-friendly format to explain the POM and as well to answer frequently asked questions.

Consultation materials were also made available in print format at Council libraries.

Consultation Outcomes

A total of 343 submissions were received in relation to the draft POM.

Eighty-three of these submissions were received by post, email and via the standard community feedback site. However, the great majority of submissions (250 in total) were received via the web submission form that was set up specially for this consultation process on the Your Voice Our Coast website portal.

Submissions ranged in length from single-paragraph comments on a particular lot of land or issue through to detailed and extended submissions of over 50 pages covering more than 150 lots of land.

The key issues raised in submissions and the way in which Council has responded are summarised in the Submission Issues and Responses Report (Attachment 2).

The issue that was by far most often raised in submissions was the management of mountain bikes in natural areas (mostly but not just bushland). It is noted that the management of mountain bikes in particular (as opposed to cycling in general) is not addressed as a specific permitted use in the draft POM.

Although the lack of specific attention as to use of mountain bikes might be seen by many of those who made submissions as an oversight that should be corrected, this is not considered to be appropriate. There are clearly strong and differing views in the community. If the use of mountain bikes is to be formally permitted in Natural Areas, there should be a further consultation process at a later date, which might lead to a POM amendment in the future. In the interim, the preferred use of mountain bikes in Natural Areas (including but not limited to Council community land) is being addressed as part of the Active Lifestyle Strategy, which is in preparation at the current time, and on which there will be a separate process of community consultation.

Another issue that was frequently raised was the potential for future sell-off of Council-owned land. This is not directly relevant to the preparation or the adoption of the POM. Prior to, throughout and subsequent to the public consultation process, Council has emphasised that preparation of a POM and categorisation of community land in no way facilitates its sale. Rather, the POM is a safeguard that ensure the orderly management of Council-owned land over the medium and long term. It is considered that this distinction is now well understood in the community.

No amendments to the overview or detailed provisions for the finalised POM have been considered necessary on account of the submissions. However, numerous minor editorial changes have been made to correct minor textual errors, to remove stylistic inconsistencies and to better express the intent of specific provisions of the POM, for example, in the table of permitted uses for Park and for General Community Use. The draft POM has also been subject to final legal review. None of the changes made is substantial in nature or affects the intent of how the POM is to be applied.

A "tracked change" version of amendments to the draft POM is included at Attachment 4 and a "clean copy" version of the finalised POM text is at Attachment 1. After adoption, the final POM will be formatted to match Central Coast Council's branding style, and the POM documents (text, land schedule, maps) will be published on the "Plans of management" page of the Central Coast Council website.

As well as the Submission Issues and Responses Report (Attachment 2), Council staff have also prepared a Categorisation Objections Report (Attachment 3), which documents each separate objection to the categorisation of a piece of land and the basis of the objection. Objections were received both in writing (via submissions) and orally (via the series of five public hearings). In some cases, multiple objections have been received in respect to a particular piece of land, in which case each objection is listed separately.

The matter which most typically led to an objection as to the proposed categorisation of land is whether it should be categorised as Park or whether it should be categorised as Natural Area (mostly but not always to be sub-categorised as Bushland).

The scope of the categorisation process under the *Local Government Act 1993* is quite broad, as a consequence of the limited number of categories and limited number of objectives to

guide the categorisation of land. In reality, a large number of pieces of community land on the Central Coast could be best described as bushy parks. They retain a significant level of bushland character but are equally enjoyed by members of the community as places of informal recreation.

Mostly, Council has chosen to categorise such land as Park to provide a more flexible form of care and control, especially where there is disturbance to the pre-existing environment and Council does not have the express intention of returning the land to an undisturbed natural state. Some community members clearly disagree with Council's view and this is evident in the number of objections that were received in relation to land categorised as Park.

Council officers have looked at all such objections to establish whether there is a real and significant risk that land may be managed in a sub-optimal way on account of the draft categorisation. This process has established that, in all but a small number of locations that are listed below, the categorisation that has been recommended is not detrimental to good management of the land in question, until the next regular review of the POM.

For example, some land that is categorised as Park and regularly used for informal recreation may also host regeneration initiatives. A detailed argument might be mounted that the land is better categorised as Natural Area Bushland in the long term, provided that the needs of people who use the land for informal recreation continue to be accommodated. Equally, some land which has been categorised as General Community Use to facilitate the playing of golf may be better categorised as Sportsground in the future. However Council officers consider that the interim management of such areas will not be impeded by the categorisation that has been recommended.

In a small number of cases (22 parcels of land, representing around 1% of land in the draft POM), Council officers have formed the view (taking into account detailed and extensive community feedback) that good management of the individual pieces of land would be better served by changing the recommended categorisation.

As it is not possible to change a proposed category without a further period of public exhibition, and because Council officers are mindful of the need for a POM to be adopted to facilitate desired community uses of land currently not able to be accommodated at the current time, these lots (see Table 1) have been removed from the schedule of land that is part of the POM. Removal of these parcels of land is not considered to constitute a substantial change to the draft POM.

As a consequence, the land in question will be treated as uncategorised for the time being. No change can be made to the nature or use of the land (it is protected from development) until a process of categorisation occurs in the future. That would be expected to occur via the first update of the Council community land POM.

2.3 Adoption of Central Coast Plan of Management for Council Community Land 2023 (contd)

Table 1 – Land withdrawn from the Council community land POM

Suburb	Street Address	Lot and DP
DAVISTOWN	12 Morton Cr	Lot 9 DP 22514
DAVISTOWN	121 Illoura Res	Lot 1 DP 938078
DAVISTOWN	121A Illoura Res	Lot 1 DP 936248
DAVISTOWN	3 Magnolia Ave	Lot 3 DP 1110342
DAVISTOWN	3A Magnolia Ave	Lot 104 DP 5820
DAVISTOWN	5 Magnolia Ave	Lot 2 DP 1110342
DAVISTOWN	7 Magnolia Ave	Lot 1 DP 1110342
EAST GOSFORD	29 Waratah St	Lot 12 DP 135256
EAST GOSFORD	29 Waratah St	Lot 13 DP 135256
EAST GOSFORD	29 Waratah St	Lot 16 DP 135256
EAST GOSFORD	29 Waratah St	Lot 8 DP 135256
EAST GOSFORD	29 Waratah St	Lot 9 DP 135256
EAST GOSFORD	75 Wells St	Lot 2 DP 1027281
EAST GOSFORD	77 Wells St	Lot 18 DP 135256
EAST GOSFORD	79 Wells St	Lot 17 DP 135256
EAST GOSFORD	2A Caroline St	Lot 40 DP 8209
EAST GOSFORD	4 George St	Lot 41 DP 8209
EAST GOSFORD	6 George St	Lot 42 DP 8209
EAST GOSFORD	8 George St	Lot 43 DP 8210
EAST GOSFORD	10 George St	Lot 44 DP 8211
EAST GOSFORD	12 George St	Lot 45 DP 8212
EAST GOSFORD	14 George St	Lot 46 DP 8213

The amended land schedule is appended to this report at Attachment 5.

The set of maps that form part of the POM (amended to take account of the removed parcels of land) are at Attachment 6.

Other Outcomes and Future Actions

A number of related issues have come to the fore during the community consultation process and should be taken into account by Council in the future management of land by Council on the Central Coast.

- *Management of land should not be limited to statutory land management processes.*

There are currently, and Council will continue to develop, a range of guidance for the management of public land beyond that provided by a statutory POM. This includes adopted plans such as the Coastal Open Space System Strategy, which provides guidance on the management of Council's coastal open space system, and the Norah

Head Masterplan, which guides revitalisation of Norah Head village, as well plans currently in development such as the Active Lifestyle Strategy and the Greater Munmorah Structure Plan. Council may also from time to time develop masterplans or other guidance for specific reserves or parcels of land

- *The integration of management of land that is owned or classified in different ways should be addressed.*

Parcels of land that would benefit from a shared management approach may include a combination of Crown land reserves, for which Council is the manager, devolved reserves, operational land, community land, other NSW Government land or even private trust land.

Each kind of land is subject to different control regimes, which it may be useful to address in an integrated management guidance document. Collating information about the various forms of community involvement that occur in the day-to-day management of land in key locations (e.g. via bush care and dune care groups) is desirable to improve its formal management.

- *Regular review of the overall management of land should occur on an inclusive basis.*

It is evident that keeping a large number of POMs up to date has been beyond Council's resources. Many of the former POMs (now to be revoked) were very old and contained outdated provisions (for example, proscribing the playing of golf except on General Community Use land). Also, the former POMs were not routinely updated as new community land was acquired, nor was the existing categorisation of community land regularly reviewed.

In the future it is intended to conduct a regular review of the Council community land POM to ensure that it remains fit for purpose. This review is expected to occur annually or biennially. Initial preparations are already in place for the first review of the community land POM, both to incorporate a number of parcels that have been newly acquired and also to revisit the categorisation of a number of pieces of land (including the 22 parcels that have been removed from this draft POM).

A process of early engagement with community organisations that have provided commentary on particular areas of interest to them is proposed, prior to the preparation of the first update to the Council community land POM. The outcome of such engagement may simply be to reconfirm the categorisation that has already been adopted. Alternatively, it may lead to a review of the existing categorisation.

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.

Resources to develop a new POM for Council owned community land are included in Council's adopted budget for the 2023 financial year to meet the costs of engaging external consultancy expertise to finalise the preparation of the area-wide community land POM, inclusive of the cost of placing draft documents on public exhibition and conducting public hearings.

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

The purpose of this project is to ensure that Council meets its legal obligations to have an up-to-date area-wide POM that ensures community land is managed efficiently and effectively and delivers on community expectations.

Endorsing a new POM will minimise any risk that community land is not being used to its full potential consistent with applicable land use controls, while ensuring the preservation of environmental values on community land, which is identified as natural area.

Options

A number of options are available to Council in relation to this report.

Option 1: Council could determine not to proceed further with the area-wide generic POM because it now wishes to take another approach. For example, Council could decide that, based on the views expressed in some community submissions, the documentation in the draft area-wide POM be reconfigured as a series of different POMs. These could be set up in

different ways, for example, on a category-by-category basis or by based on identifiable areas of interest e.g. coastal areas, lakeside areas, inland areas.

This option is not recommended. It would delay the replacement of the existing collection of POMs that are both outdated and inconsistent with contemporary practice. It would also mean that more than 500 parcels of community land would remain uncategorised.

Option 2: Council could determine to recategorise some of the lots of land that are included in the draft POM.

That would mean subjecting the lots of land in question to another round of public hearings. To prepare for this, there would need to be a detailed investigation of the logic of any proposed recategorisations to establish whether they are merited. The consequence would be a significant delay in the adoption of the Council community land POM. For the reasons set out under Option 1 above, this is not considered desirable.

Option 3: Council could determine to accept the recommendation, adopt the finalised area-wide Council community land POM and start implementing it. **This is the recommended option**

The benefits will be immediate and will include:

- relevant provisions will come together in a single document for the first time
- as far as practicable, all community land will be categorised and listed in one place and the land schedule in the POM will be relied upon as a reference point
- land in each category can be used in a consistent way
- consistent rules will exist for occupancy of land (by way of lease or licence or other dealing) for each category of community land.

As well, by making adjustments to the finalized land schedule (to exclude some 22 lots) and by setting up a process for regular review of the POM, Council will be able to adjust to changing community expectations in an orderly and timely manner.

Critical Dates or Timeframes

It is considered desirable that the finalised POM should come into effect as soon as possible. Taking account of the need for public notification, the proposed effective date is Wednesday 3 May 2023, that is, seven days after the consideration of this report.

2.3 Adoption of Central Coast Plan of Management for Council Community Land 2023 (contd)

Attachments

1	Central Coast Plan of Management for Council Community Land 2023	Provided Under Separate Cover	D15634016
2	Draft Central Coast Plan of Management for Council Community Land - Submissions Issues and Responses Report	Provided Under Separate Cover	D15629641
3	Draft Central Coast Plan of Management for Council Community Land - Categorisation Objections Report	Provided Under Separate Cover	D15629644
4	Tracked Change Version - Central Coast Plan of Management for Council Community Land 2023	Provided Under Separate Cover	D15634019
5	Land Schedule for Central Coast Plan of Management for Council Community Land 2023	Provided Under Separate Cover	D15634120
6	Map Set for Central Coast Plan of Management Council Community Land 2023	Provided Under Separate Cover	D15634330
7	Public Hearing Report - Draft Plan of Management for Council Community Land	Provided Under Separate Cover	D15634026

Item No: 2.4
Title: Report on Outcomes of Public Exhibition - Draft
Central Coast Planning Agreement Policy
Department: Environment and Planning



26 April 2023 Ordinary Council Meeting

Reference: F2004/00550 - D15577507
Author: Charlotte Ryan, Senior Strategic Planner Local Planning and Policy
Scott Duncan, Section Manager Local Planning and Policy
Manager: Shannon Turkington, Unit Manager Strategic Planning
Executive: Alice Howe, Director Environment and Planning

Recommendation

That Council:

- 1 Amend the Central Coast Planning Agreement Policy, as exhibited, to:**
 - a. Clarify the role and responsibilities of consent authorities when determining Development Applications and Planning Proposals accompanied by a Planning Agreement.***
 - b. Amend the supporting procedures to distinguish between the steps involved in negotiating a Planning Agreement for a Development Application and Planning Agreement for a Planning Proposal.***
 - c. Remove Appendix 2 – Planning Agreement Template and transfer the content to the new Council policy framework template.***
- 2 Adopt the final Central Coast Planning Agreement Policy provided at Attachment 1.**
- 3 Revoke the following policies:**
 - Former Wyong Shire Planning Agreement Policy;***
 - Deed of Agreement and Bank Guarantee Policy; and***
 - Deferred Payment of Section 94 Contributions Policy.***

Report purpose

The purpose of this report is to provide a summary of the outcomes of exhibition of the draft Central Coast Planning Agreement Policy (Planning Agreement Policy) and to consider the final Policy provided at Attachment 1.

Should the final Planning Agreement Policy be adopted, it is proposed to repeal the former *Wyang Shire Planning Agreement Policy, Deed of Agreement and Bank Guarantee* and *Deferred Payment of Section 94 Contributions Policy*. The Planning Agreement Policy includes policies and procedures regarding bank guarantees and deferred or periodic payments of contributions and therefore these policies are no longer required.

Executive Summary

Planning Agreements are widely used by councils in NSW as a tool for delivering infrastructure and public benefit outcomes in association with Planning Proposals (i.e. changes to environmental planning instruments) and development applications. They can be negotiated at both the local and NSW government level.

Central Coast Council enters into a number of Planning Agreements each year, usually negotiated when a developer submits a Development Application or a Planning Proposal. It is important councils have policies and procedures in place to guide the negotiation, administration and making of Planning Agreements. This ensures transparency, fairness and flexibility of planning decisions.

A Planning Agreement Policy currently exists for the former Wyong Shire; however, there is no policy applying to the entire Central Coast local government area (LGA). A draft Planning Agreement Policy (applying to the whole LGA) was prepared and exhibited last year to reflect updated references to the *Environmental Planning and Assessment Regulation 2021* and the Department of Planning and Environment's *Planning Agreements Practice Note* (February 2021).

No submissions were received on the draft Policy. Subject to Council's endorsement, the next step is to finalise the Policy and revoke the following policies:

- *Former Wyong Shire Planning Agreement Policy;*
- *Deed of Agreement and Bank Guarantee Policy; and*
- *Deferred Payment of Section 94 Contributions Policy.*

Background

On 13 December 2022, Council resolved to endorse the draft Planning Agreement Policy for the purposes of a 28-day consultation period.

Minute 263/22

- 1 *Endorse the draft Central Coast Planning Agreements Policy (Attachment 1) for public exhibition for a period of not less than 28 days.*

2.4 Report on Outcomes of Public Exhibition - Draft Central Coast Planning Agreement Policy (contd)

- 2 *Consider a further report on the results of community consultation of the draft Central Coast Planning Agreements Policy.*
- 3 *Note that the former Wyong Shire Planning Agreement Policy, Deed of Agreement and Bank Guarantee Policy and Deferred Payment of Section 94 Contributions Policy will be repealed should a Central Coast Planning Agreements Policy be adopted.*
- 4 *Repeal the Voluntary Planning Agreement Policy for Gosford City Centre.*

In accordance with Resolution 263/22/1, the draft Policy was exhibited for a period of 28 days. The final Policy on Planning Agreements is presented at Attachment 1 for consideration.

Current Status

Subject to Council's adoption of the final Policy provided at Attachment 1, the Policy will be finalised and placed on Council's website and made available to those seeking to enter into a Planning Agreement with Council.

Report

The Planning Agreement Policy outlines Council's requirements for the negotiation, preparation, and procedures relating to the use of Planning Agreements. An updated Planning Agreement Policy is required to reflect:

- Updated references to the *Environmental Planning and Assessment Regulation 2021*;
- *Planning Agreements Practice Note* (February 2021); and
- *Planning Circular PS21-002 Reporting and Accounting Requirements for Infrastructure Contributions*.

The Policy will apply to Planning Agreements that Council may enter into with a developer who requests changes to the *Central Coast Local Environmental Plan 2022* (CCLEP 2022) through a Planning Proposal, or who has made, or proposes to make, a Development Application or application for a Complying Development Certificate for land within the Central Coast LGA.

The Policy provides a framework that will allow Council and developers to negotiate flexible outcomes in respect of development contributions and negotiate public benefit outcomes for the community over and above that contained in Council's current suite of contributions plans.

The Policy supports and reinforces DPE's *Planning Agreements Practice Note*, which identifies and provides fundamental principles and policy considerations, sets out strategic considerations for when and how planning agreements can be used and provides guidance

on the procedures and decision-making for application, negotiation and administration of Planning Agreements.

The Policy will be reviewed every four years, following the election of a new Council, or as required by legislative change.

Proposed changes to exhibited Policy

No submissions were received during the exhibition period of the Draft Planning Agreement Policy. No amendments have been made to the Policy document; however, it is proposed to remove the Planning Agreement Template which was attached to the exhibited Policy at Appendix 2.

There was no requirement to exhibit the Planning Agreement Template nor attach it to the Policy document. Council's Strategic Planning and Legal team are currently in the process of updating the Planning Agreement Template. It is therefore proposed to remove this as an Attachment to the Policy in order to allow for its periodic amendment for operational purposes.

The Policy and procedures have been updated to more clearly outline the role of the consent authority when determining development applications and Planning Proposals with accompanying Planning Agreements.

The final Policy specifies that when a Development Application is accompanied by a Planning Agreement, Council staff are precluded from exercising consent authority functions and therefore Development Applications would be referred to the appropriately delegated determination pathway as follows (but not limited to):

- the Local Planning Panel (as per Schedule 2, Part 4(f) of the Local Planning Panels Direction for Development Applications); or
- the Regional Planning Panel (for 'regionally significant development' applications set out in relevant Environmental Planning Instruments)

Prior to reporting the application to the relevant panel for determination, the Planning Agreement is to be finalised and endorsed by Council. The entering into and execution of the Planning Agreement between Council and the developer is contingent on the Consent Authority approving the Development Application.

When a Planning Proposal is accompanied by a Planning Agreement, the Local Planning Panel is required, as per the Local Planning Panels Direction for Planning Proposals, to provide advice on any Planning Proposal before Council considers whether or not to forward it to the Minister under Section 3.34 of the *Environmental Planning & Assessment Act 1979* for Gateway Determination. Following public exhibition of the Planning Proposal and Planning Agreement, the Planning Proposal and final Planning Agreement would be referred to Council for determination.

Since exhibition of the draft Policy, Council has endorsed a new policy framework (including updated template for Policy documents). The final Policy provided at Attachment 1 has been moved across to the new policy framework template and minor editorial changes have been made to correct typographical errors and improve clarity. The contents of the Policy are materially the same as publicly exhibited.

The proposed amendments are minor and do not materially affect the content of the proposed Planning Agreement Policy.

Consultation

The draft Policy was placed on exhibition for a period of 28 days, concluding on 7 March 2023. No submissions were received during the exhibition period.

The Planning Agreement Policy was prepared in conjunction with Council's Legal, Development Assessment and Local Infrastructure and Planning teams.

When proponents seek to enter into a Planning Agreement with Council, a copy of the Planning Agreement template will be shared with the Proponent.

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 Policy is aimed at implementing a fast, predictable, transparent and accountable negotiation system for Planning Agreements that will improve efficiency in the application of Council's limited resources.

Link to Community Strategic Plan

Theme 2: Smart

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

It is important Council has a Planning Agreement Policy in place to guide the organisation's decision-making process regarding the use of Planning Agreements and create positive outcomes for the local community.

The Planning Agreement Policy is a safeguard to protect against the misuse of planning discretions and processes, which may undermine good planning outcomes and public confidence in the planning system. A Planning Agreement Policy will ensure that planning decisions are made openly, honestly, fairly and consistently.


Options

- Option 1 – Not to endorse the Policy – this option is not recommended. The current Policy is out of date and applies only to the former Wyong LGA.
- Option 2 - Endorse the final Planning Agreement Policy and repeal the former *Wyong Shire Planning Agreement Policy, Deed of Agreement and Bank Guarantee Policy and Deferred Payment of Section 94 Contributions Policy* should the Planning Agreement Policy be adopted – **This is the recommended option**. Endorsing the final Policy will ensure Planning Agreements are governed by a set of policy principles that ensure transparency, fairness and flexibility of planning decisions.

Critical Dates or Timeframes

If Council resolves the recommendations in this Report, the Policy will be finalised and placed on Council's website and made available to those seeking to enter into a Planning Agreement with Council.

Attachments

1	Central Coast Planning Agreement	Provided Under Separate	D15590911
	Policy	Cover	

Item No: 2.5
Title: Submission on Proposed Hunter Offshore Renewable Energy Area
Department: Environment and Planning



26 April 2023 Ordinary Council Meeting

Reference: F2019/01453 - D15593773
Author: Deanne Frankel, Section Manager Strategic Planning Projects
Manager: Shannon Turkington, Unit Manager Strategic Planning
Executive: Alice Howe, Director Environment and Planning

Recommendation

That Council:

- 1 Make a formal submission (Attachment 1) to the Department of Climate Change, Energy, the Environment and Water on the proposed Hunter Offshore Renewable Energy Area (Attachment 2).***
- 2 Note that this submission requests an extension of the consultation period and an update to consultation material to reflect the potential impacts and opportunities of the proposal for the Central Coast.***

Report purpose

To respond to the Department of Climate Change, Energy, the Environment and Water's (DCCEEW) invitation to provide feedback on the proposed Hunter Offshore Renewable Energy Area (HOREA).

Executive Summary

On 23 February 2023, DCCEEW wrote to Council advising that the Hon. Chris Bowen MP, Minister for Climate Change and Energy has proposed to declare an area off the Hunter coast, NSW for offshore renewable energy projects, such as wind power. The consultation period is now open and feedback on the proposal is sought. The exhibition period closes on 28 April 2023.

Following internal staff consultation, information gathering and a briefing session from DCCEEW representatives, a submission has been prepared (Attachment 1). If approved, the submission will be submitted to DCCEEW.

Background

The Commonwealth Government has set a target of net zero emissions by 2050. By 2030, it aims to reduce emissions by 43%, with 82% of Australia's electricity generated from renewable sources. Offshore renewable energy projects will assist in achieving these goals.

The Commonwealth Government has identified six priority regions around Australia with world class offshore wind potential - Gippsland (recently declared), the Hunter and the Illawarra in NSW, the Southern Ocean region off Portland in Victoria, the Bass Strait region off Northern Tasmania, and the Indian Ocean region off Perth/Bunbury.

The proposed HOREA extends from Port Stephens in the north to Norah Head in the south. The area commences approximately 10km from the coastline, extending approximately 60km to the east (Attachment 2).

Current Status

The project is at the early stages of development. The exhibition period relating to declaration of a portion of the Hunter-Central Coast offshore environment for the purposes of investigating its suitability for offshore renewable energy generation closes on 28 April 2023.

Report

It is understood that the proposed HOREA will provide opportunities to drive economic growth, support and create jobs, provide clean and affordable power and help reach net zero by 2050. If these benefits are shared with the Central Coast, it will have a positive impact to the area, which is a certified Australian ECO Destination.

However, with the exception of the supporting map, all the consultation material provided in association with the proposed HOREA refers to the Hunter. Despite the proposal extending along the Central Coast, no discussion is provided on the benefits or impacts to the Central Coast.

Further, at this stage of the project, supporting studies have not been provided to demonstrate that the use of the area for wind turbines will not have an adverse impact upon the Central Coast. Detailed studies will only be prepared once the area has been declared and feasibility licences granted to proponents. During the feasibility period proponents are required to prepare management plans and consult with the community.

As detailed studies are not yet available, there is insufficient information available to determine the environmental, economic and social impacts the proposed HOREA will have on the Central Coast, including on the terrestrial and marine environment, marine life and avian fauna, marine users and emergency services. Accordingly, the submission outlines Council's concerns and comments in relation to the HOREA for consideration as part of the next, more

2.5 Submission on Proposed Hunter Offshore Renewable Energy Area (contd)

detailed, stage of the project, should the Minister for Climate Change and Energy resolve to declare an offshore renewable energy area for the Hunter and Central Coast.

The submission requests that the consultation material is updated, and the consultation period is extended to ensure it is clear that the project does affect the Central Coast and the Central Coast community is appropriately consulted about the HOREA's potential positive benefits and adverse impacts to the Central Coast.

Consultation

Internal consultation has been conducted with relevant staff including Economic Development and Property, Marketing and Tourism, Environmental Management, Leisure Beach Safety and Community Facilities, and Strategic Communications and Engagement.

Additionally, the Bureau of Meteorology was consulted in relation to visibility range and DCCEEW provided a briefing session to relevant Council staff.

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 preparation of a submission on the proposed HOREA has no material financial implications for Council. However, it is noted that the proposed HOREA is anticipated to create economic benefits for the Central Coast, although this has not been acknowledged within the consultation material provided in association with the proposed HOREA.

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.

Theme 2: Smart

Goal C: A growing and competitive region

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

Theme 3: Green

Goal E: Environmental resources for the future

G-E4: Incorporate renewable energy and energy efficiency in future design and planning, and ensure responsible use of water and other resources.

Theme 3: Green

Goal F: Cherished and protected natural beauty

G-F1: Protect our rich environmental heritage by conserving beaches, waterways, bushland, wildlife corridors and inland areas, and the diversity of local native species.

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.

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G2: Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect.

Risk Management

A review of the proposed HOREA has been undertaken and a submission prepared to support the economic, environmental and social interests of the Central Coast.

Options

The options available to Council are to:

1. Make a submission on the proposed HOREA to DCCEEW by 28 April 2023. **This is the recommended option.**
2. Not make a submission – If Council determines that a submission is not required, the HOREA (if declared) will proceed to the feasibility phase without Council's concerns being considered.

Critical Dates or Timeframes

The closing date for submissions is 28 April 2023. Subject to Council approval, the submission will be submitted to DCCEEW by the submission deadline.

2.5 Submission on Proposed Hunter Offshore Renewable Energy Area (contd)

Attachments

1	Submission - Proposed Offshore Renewable Energy Area	Provided Under Separate Cover	D15582612
2	Attachment 2 - Map showing proposed HOREA	Provided Under Separate Cover	D15594198



Item No: 2.6
Title: Fire Safety Inspection Report for Residential Flat Building - 6 Pine Tree Lane, Terrigal
Department: Environment and Planning

26 April 2023 Ordinary Council Meeting

Reference: CESS/2098/2018 - D15605603
Author: Gary Evans, Principal Building Surveyor Building Assessment and Certification
Manager: Wayne Herd, Section Manager Building Assessment and Certification
Andrew Roach, Unit Manager Development Assessment
Executive: Alice Howe, Director Environment and Planning

Recommendation

That Council:

- 1 *Note the content of the Fire Safety Report from Fire and Rescue NSW (Attachment 1), in accordance with Section 17(2)(a) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979.***
- 2 *Receive a further report in accordance with Section 17(2)(b) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979, following staff review of Attachment 1.***

Report purpose

To table a *Fire Safety Inspection Report* from Fire and Rescue NSW regarding a property at 6 Pine Tree Lane, Terrigal.

Background

As part of the NSW Government's program to remove high-risk combustible cladding from residential flat buildings, officers from Fire and Rescue NSW have undertaken an inspection of a property at 6 Pine Tree Lane, Terrigal (Strata Plan SP 95145).

In accordance with Schedule 5 of the *Environmental Planning & Assessment Act 1979*, Fire and Rescue NSW inspection reports received by Council are required to be tabled before the Council at the next available Council meeting. The purpose of this agenda item is to table the *Fire Safety Inspection Report* relating to 6 Pine Tree Lane, Terrigal, as required.

Current Status

This matter is currently under investigation by Council staff.

Report

As required under the *Environmental Planning & Assessment Act 1979*, Fire and Rescue NSW has provided to Council a *Fire Safety Inspection Report* for the premises at 6 Pine Tree Lane, Terrigal (Attachment 1).

Council officers are now required to review the report and determine whether or not to exercise Council's powers to issue Orders under Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

Council officers will proceed to undertake an inspection of the building, and determine whether the use of Orders or other regulatory powers is appropriate. At the time of writing of this report, Council officers had taken the initial step by provided correspondence to the Strata Manager of the building to gain access for such an inspection.

A further update, as required by the *Environmental Planning & Assessment Act 1979*, will be provided to the next Council meeting.

Consultation

Consultation has been undertaken with Fire and Rescue NSW with respect to its assessment of the fire risk present at the property, and with the Strata Manager of the affected property, with respect to access for inspection of the property by Council staff.

A further report will be presented to Council, following completion of the staff review of this matter. Advice on the outcome of this review will be provided to the Strata Manager and Fire and Rescue NSW.

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 provision of this report, review of Attachment 1 and, if required, the pursuit of regulatory action are within the adopted resources of Council and do not create additional financial implications for Council.

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 review of Fire and Safety NSW recommendations regarding fire safety of property is a routine, although irregular, activity of Council, and as such does not present additional organisational risk.

Flammable cladding can present a material risk to certain building occupants, and its effective management is an important public safety matter.


Options

There are no viable options available to Council at this stage, as Council is legislatively obliged to review the advice provided by Fire and Rescue NSW. Council does have options, as the appropriate regulatory authority, with respect to the regulatory action it takes in responding to Fire and Rescue NSW's report. These options will be considered as part of Council officers' investigation and subsequent report to Council.

Critical Dates or Timeframes

Council is obliged to table Fire and Rescue NSW's report at the first available Council meeting after it is received and to consider its findings at the next available Council meeting after the report is tabled.

Attachments

1	Inspection Report - 6 Pine Tree Lane Terrigal -  Central Coast Council - Fire and Rescue NSW	Provided Under Separate Cover	D15616452
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Item No: 2.7
Title: Amendments to Local Planning Panel Membership
Department: Environment and Planning

26 April 2023 Ordinary Council Meeting

Reference: F2020/00812 - D15600813
Author: Andrew Roach, Unit Manager Development Assessment
Executive: Alice Howe, Director Environment and Planning



Recommendation:

That Council:

- 1 *Noting the amendment to Ministerial Directions for the operation of Local Planning Panels in NSW, resolve in accordance with Section 2.18(1) of the Environmental Planning and Assessment Act 1979 to appoint eight additional members (as set out in Attachment 1) to the independent expert panel list for the Central Coast Local Planning Panel.***
- 2 *Resolve in accordance with Section 2.18(1) of the Environmental Planning and Assessment Act 1979 to reduce the number of community representatives from nine members to eight members (as set out in Attachment 1), noting that one of the current community representatives is also endorsed as an independent expert and has agreed to be considered as an independent expert member of the Central Coast Local Planning Panel rather than a nominated community representative.***
- 3 *Make these new appointments for the period from the date of this resolution until 29 February 2024, consistent with the expiration date of the existing membership of the Central Coast Local Planning Panel.***

Report purpose

To appoint additional expert members to the Central Coast Local Planning Panel, as required by updated Ministerial Directions for the operation of Local Planning Panels in NSW, which become effective on 24 April 2023.

Executive Summary

Ministerial Directions that underpin the operating procedures for Local Planning Panels in NSW have recently been updated. Significantly, the revised Ministerial Directions require that the pool of independent expert planning panel members available for Panel meetings must be comprised of not less than 15 members and the pool of community members be comprised of not less than four members.

The Central Coast Local Planning Panel currently comprises seven independent expert Panel members and nine community representatives.

This report recommends appointing an additional eight members to the independent expert Panel list, including moving one existing member from the community representative list to the independent expert list, (for a total of 15 independent expert Panel members and eight community members), in order to ensure compliance with the revised Ministerial Directions.

Background

Central Coast Council must, by virtue of Section 2.17 of the *Environmental Planning and Assessment Act 1979* have a functioning Local Planning Panel to determine a range of development applications and provide advice on strategic matters, such as Planning Proposals. Ministerial Directions set out which matters are referred to the Panel.

A pool of members is appointed and, at each meeting, the Panel is comprised of four members from the pool, being:

- The Chair (the Chair and alternate Chairs are nominated by the Minister for Planning);
- Two professionals Panel members with expertise in urban design, urban planning or other related field (selected from a pool of expert Panel members appointed by Council from an approved list of candidates endorsed by the Minister for Planning); and
- One community representative (selected from a pool of members appointed by Council, following a defined appointment process).

The Central Coast Local Planning Panel was constituted by resolution at the Ordinary Meeting of Central Coast Council on 11 May 2020 and the inaugural Panel members appointed. The current term of Panel members expires on 29 February 2024.

Amendment to Ministerial Directions

The NSW Department of Planning and Environment (DPE) has recently advised that Ministerial Directions that underpin the Operating Procedures for Panels have been updated. Significantly, the revised Ministerial Directions require that the pool of Panel members available for Panel meetings must be comprised of:

- not less than 15 independent expert members; and
- not less than four community representatives

The Central Coast Local Planning Panel currently comprises a pool of seven expert members and nine community members, which complied with the Ministerial Directions in force at the

time of appointment of these members. In order to comply with the revised Ministerial Directions, additional expert Panel members will need to be appointed.

Selection Process for Additional Expert Panel Members

The selection of expert members to the Panel must be made from the approved list of approximately 220 professionals who have registered interest with DPE in being part of the Local Planning Panels across NSW. DPE has undertaken appropriate background and probity checks for proposed expert Panel members, including criminal, financial and academic checks (as is required by the Directions).

The *Local Planning Panels Panel Member Selection Guide* published by DPE does not provide specific guidance for councils on selection criteria for expert Panel members from the approved list.

In making a recommendation to Council about those proposed to be added to the Panel, Council officers have considered their breadth of skills, nature of qualifications and experience, knowledge of the local government area, experience in local government, experience in statutory planning, previous Panel experience, and the like. Panel members with broad experience were preferred over candidates with narrow/single areas of expertise (noting the wide range of matters that may come before a Panel at any given meeting).

In addition, Panel members were evaluated in terms of their location, with those being located within close proximity to the Central Coast preferred (noting that the approved list of professionals includes interested parties from across NSW), and for their skills to compliment those of the existing expert Panel members. It is recommended that an additional 8 Panel members be appointed to the pool of experts for the Central Coast Local Planning Panel, for a total of 15 independent expert members.

During the selection process it was noted that one of the existing community representatives to the Panel is also endorsed as an independent expert on the DPE approved list. This Panel member was contacted and has agreed to be considered as an independent expert Panel member rather than a nominated community representative.

The recommended additional expert Panel members are set out in Attachment 1.

Consultation

Consultation with the existing Chair of the Central Coast Local Planning Panel has previously been undertaken regarding Panel membership. The Chair agrees that Council must meet its obligations under the Ministerial Directions and that the Panel should be comprised of members with a mixture of skills, experience and backgrounds in order to ensure the efficient functioning on the Panel. Note, however, that the DPE guidance on Panels specifically precludes the Chair from being actively involved in selecting the Panel members.

Council officers have also made contact, via email, with all those who are recommended for addition to the Central Coast Local Planning Panel, to ensure their availability for the Panel.

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 provisions of the *Environmental Planning and Assessment Act 1979* are clear that Council must make all the necessary arrangements for the operation of the Local Planning Panel. This includes: '... *provide staff and facilities for the purpose of enabling a local planning panel to exercise its functions*' including general secretariat services (Section 2.20(4) of the Act), provision of meeting facilities (Clause 25(1) of Schedule 2 of the Act); reporting, technical advice and assistance to the Panel, and the payment of sitting fees for Panel members (noting that minimum sitting fees for the Local Planning are set out in the '*Remuneration Determination*' for Local Planning Panels (issued under the provisions of the Clauses 14 and 15 of Schedule 2 of the Act).

Provision is already made in Council's budget for costs associated with operation of the Local Planning Panel, and the decisions recommended in this report will have no additional cost implications.

Link to Community Strategic Plan

Theme 4: Responsible

Choose Focus Area

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

Risk Management

Central Coast Council must, by virtue of Section 2.17 of the *Environmental Planning and Assessment Act, 1979* have a functioning Local Planning Panel to determine a range of development applications and provide advice on Planning Proposals. Failure to provide Panel membership in accordance with the revised Ministerial Directions, may result in the Council failing to meet its legislative obligations and slowing the assessment of development applications required to be referred to the Panel.

Options

- 1 That Council resolve to continue the Panel membership as set out in Attachment 1. **This is the recommended option** to support continuity for Panel operations.
- 2 Resolve not to make additions to the Panel membership, and instead pursue the appointment of entirely new Panel members. Note, that the process would require a formal selection process as set out in the Ministerial Direction titled '*Local Planning Panels Direction – Operational Procedures*' and other NSW Government Guidance and would take several months to complete these required actions. This action is not recommended as it does not provide continuity for operation of the Panel, will involve lengthy selection process, and does not provide certainty and consistency in Panel operations for the near future.
- 3 Do nothing. This action is not recommended as it does not provide continuity for the operation of the Panel and may result in Council failing to meet its statutory obligations to ensure a functioning Panel membership (noting that Section 2.17 of the *Environmental Planning and Assessment Act, 1979* requires Central Coast Council to have a functioning Local Planning Panel).

Critical Dates or Timeframes

The revised Ministerial Directions take effect on 24 April 2023. As such, the appointment of new members to the Panel should be made to ensure the operation of the Panel beyond the end of April. The next Local Planning Panel meeting is scheduled for 11 May 2023

Attachments

1	Proposed Local Planning Panel Membership	Provided Under Separate Cover	D15626040
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Item No: 2.8
Title: Variations to Development Standards – January to March 2023
Department: Environment and Planning

26 April 2023 Ordinary Council Meeting

Reference: F2020/00039 - D15577847
Author: Matthew Corradin, Unit Manager, Environmental Compliance Services
Manager: Alice Howe, Director Environment and Planning
Executive: Alice Howe, Director Environment and Planning

Recommendation

That Council note the report on Variations to Development Standards – January 2023 to March 2023.

Report purpose

To inform Council of the Development Applications (DAs) determined between 1 January 2023 and 31 March 2023 where there has been a variation in relevant development standards under an applicable Environmental Planning Instrument. This is a quarterly requirement under the NSW Government's *Planning Circular PS 2-002 – Variation to Development Standards*.

Executive Summary

Between 1 January 2023 and 31 March 2023, 585 DAs were lodged with Council with 576 of these determined. Of the 576 DAs determined, 20 had a variation to relevant development standards.

Variations to Development Standards

The following consents were granted between 1 January 2023 and 31 March 2023 which included a variation to a development standard within the *Gosford Local Environmental Plan 2014* (GLEP 2014), *Wyong Local Environmental Plan 2013* (WLEP 2013), or *Central Coast Local Environmental Plan 2022* (CCLEP 2022):

- 20 DAs determined by Central Coast staff;
- 0 DAs determine by Local Planning Panel;
- 0 DAs determined by Regional Planning Panel; and
- 0 DAs determined by the NSW Land and Environment Court.

Provided as Attachment 1 to this report is the variation to the development standard register for the period 1 January 2023 to 31 March 2023, which includes relevant justifications.

Financial Considerations

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

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

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

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

Link to Community Strategic Plan

Theme 4: Responsible


Goal I: Balanced and sustainable development

R-I3: Ensure land use planning and development is sustainable and environmentally sound and considers the importance of local habitat, green corridors, energy efficiency and stormwater management.

Risk Management

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

Attachments

1	Variations to Development Standards Register –  January to March 2023 Period	Provided Under Separate Cover	D15626641
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Item No: 2.9
Title: Sale of Land for Unpaid Rates s.713
Department: Corporate Services

26 April 2023 Ordinary Council Meeting

Reference: F2023/00056 - D15627730
Author: Sarah Guthrie, Team Leader Credit Management
Manager: Priya Pratap, Section Manager Rates and Revenue
Emma Galea, Chief Financial Officer
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

That Council

- 1 Endorse the Sale of Land for unpaid rates according to Section 713 of the Local Government Act 1993.**
- 2 Approve the direct appointment of Recoupa in accordance with Section 55 (3)(i) of the Local Government Act 1993 due to the unavailability of competitive or reliable tenderers as Recoupa has been identified as the only organisation in NSW that has specific experience in the sale of land that is occupied, as part of the recovery of unpaid rates.**

Report purpose

To recommence the process of Sale of Land for Unpaid Rates in accordance with Section 713 of the Local Government Act 1993 (**'the Act'**), and to seek exemption from the tendering process, in accordance with Section 55 of the Act.

Executive Summary

Under Section 713 of the Act, Council can proceed with sale of land to recover outstanding rates and water charges on the land if certain criteria are met. Council's Policy for Debt Recovery and Hardship reflects the provisions of the Act.

It is proposed that Council proceed with the process associated with the sale of land for unpaid rates for 72 properties identified as meeting the criteria (as at 17 April 2023), in accordance with the Act. This is an option of last resort, where all other recovery options have been exhausted. The proposed process will not apply to properties land owned by pensioners and properties subject to a payment arrangement that is being complied with.

Based on the properties currently identified as meeting the criteria, Council could expect to recover outstanding rates (including water arrears) of in the order of \$1.5M through this

process. This amount will vary based on the properties that will ultimately remain subject to the sale of land of process after the ongoing debt recovery actions occurring until the date set for sale of the properties. It is important that outstanding rates are collected to reduce the unfair burden on ratepayers who pay on time.

It is proposed that Council engage Recoupa to assist with the process. All costs incurred by Council will be recovered as part of settlement of properties sold.

Background

Council, at its meeting on 25 May 2021, considered a report regarding the Sale of Land for Unpaid Rates in accordance with Section 713 of the Act and resolved to proceed with the process, and to engage Council's existing legal service provider used for debt recovery to undertake the process.

This report provides updated information since the resolution.

For the purposes of Division 5 of Part 2 Chapter 17, of the Act, a rate or charge is overdue if it has remained unpaid for more than one year in the case of vacant land, or five years otherwise, from the date on which it became payable (Section 713). A Council may sell any land on which any rate or charge is overdue.

Council's adopted Policy for Debt Recovery and Hardship states the following:

- *Where any rate or charge is overdue and remains unpaid for more than 1 year in respect to vacant land or 5 years in respect to any other land, from the date it became payable, CCC may proceed to sell the land, as a last resort, in accordance with Chapter 17 Part 2 Division 5 of the Local Government Act, 1993.*
- *Where any rate or charge is overdue in respect of vacant land and the amount exceeds the Valuer General's current valuation of the property, CCC may proceed to sell the land, as a last resort, in accordance with Chapter 17 Part 2 Division 5 of the Local Government Act, 1993*

This is generally considered the option of last resort where other recovery action has been pursued and has failed to realise the outstanding debts.

There are currently a total of 72 properties held on the Council's records that satisfy the requirements of Section 713 of the Act enabling the Council to sell them for unpaid rates and charges. Properties owned by pensioners, and properties subject to a payment arrangement that is being complied with, are excluded from the properties captured for the purpose of the sale of land process.

Over the past few months, Council has actively been able to secure additional payments and/or negotiate sustainable payment arrangements, reducing the number of properties where a sale is considered the only viable option. Further efforts will continue over the coming months to secure payments and/or arrangements to reduce this number further. It is noted that the process will continue up to the date identified for the sale of each property.

The debt owing against these properties is in the order of \$1.5M. The carrying of this debt creates an unfair burden on other ratepayers as these funds cannot be used to deliver services to our community.

The process of recovering outstanding amounts through the sale of land has not been undertaken by Council in recent years, resulting in an accumulation of a significant number of properties with outstanding rates for a long period of time. It is intended that going forward the sale of land for unpaid rates debt recovery process is pursued at the end of each financial year.

Council's ability to effectively manage outstanding amounts is measured through the Outstanding Rates Ratio benchmark set by the Office of Local Government at 5%. The proposed Sale of Land for Unpaid Rates will support achieving the benchmark.

Report

The Sale of Land for Unpaid Rates process in accordance with Section 713 of the Act will meet the following objectives:

- Resolve long standing and growing debts, including:
 - Unresolved estates
 - Absentee owners
 - Chronic delinquent payers.
 - Land slivers, road re-alignments and conveyancing omissions.
- Prudent financial management:
 - Council's Rates Outstanding benchmark under OLG threshold (5% for Central Coast Council).
 - New owner paying rates supporting service delivery
- Treat all ratepayers fairly and equally.

The proposed process is the last resort after all other debt recovery actions have been exhausted for the identified properties. Debt recovery actions undertaken to date have met with limited success due to issues such as:

- Unsuccessful legal action
- Owners have not been able to be located either following legal action and unsuccessful searches for the owner

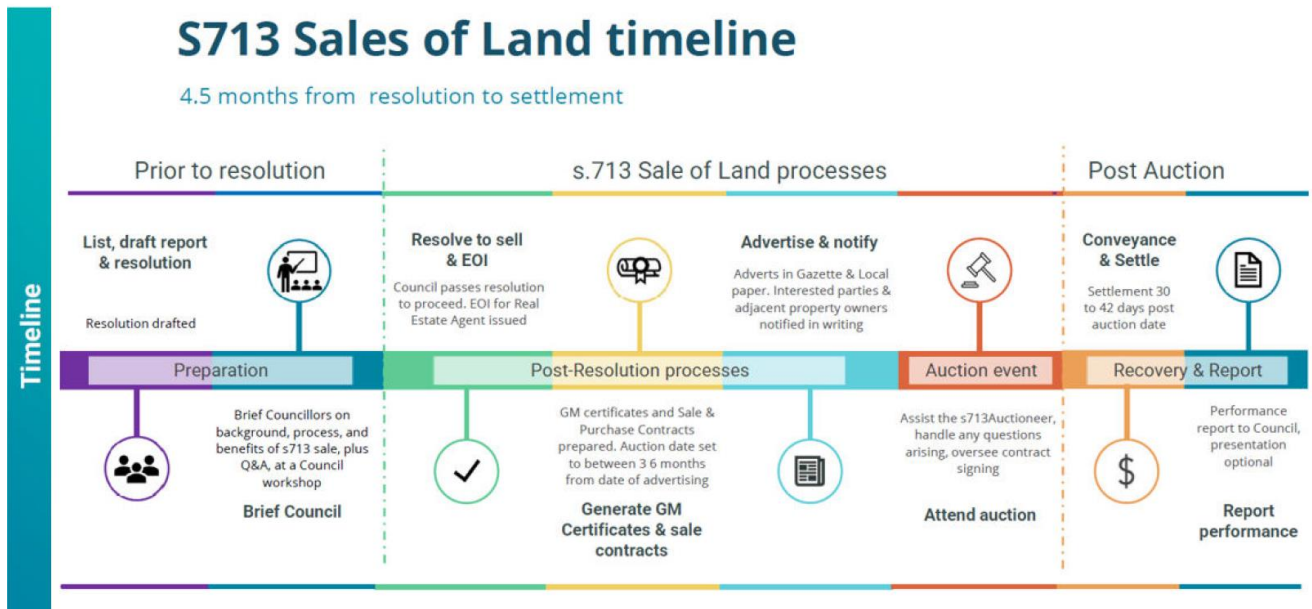
- Unresolved issues related to deceased estates.

For the proposed process, there are currently 11 vacant land properties (\$0.2M), 56 residential properties (\$1.2M) and five commercial properties (\$0.1M), identified. Out of the 56 residential properties, 37 are owner occupied. The number of properties and associated outstanding amounts will continue to vary until the date of sale of the properties as ratepayers respond to the ongoing debt recovery actions.

Proposed Process

It is proposed that the process is undertaken in a staged approach, commencing with Vacant Land properties, Commercial properties and then Residential properties. This will provide the maximum possible time for residential property issues to be resolved in an alternative matter such as commitment to an agreed repayment schedule.

Sale of properties will be undertaken through a public auction process. An indicative timeline below summarises the process following Council approval:



Debt recovery processes will continue up until the date identified for the sale of each respective property, to minimise the properties being subject to the sale of land process.

If, before the time fixed for the sale:

- all rates and charges payable (including overdue rates and charges) are paid to the Council, or
- an arrangement satisfactory to the Council for payment of all such rates and charges is entered into by the rateable person,

the property will not proceed to be sold.

Procurement Process

Council has consulted with four legal service providers to discuss their current services and experience with the Sale of Land for Unpaid Rates in accordance with Section 713 of the Act.

In addition to Council's own contact with service providers, discussions were also held with other Councils regarding their experience with the process and the service provider used.

Based on the outcome of Council's preliminary market testing, Recoupa were identified as the only service provider that have demonstrated the desired level of experience and exposure to sale of land for unpaid rates associated with occupied residential properties, and as part of the debt recovery process. This specific experience is critical to the process considering 56 properties fall within this category, and the associated sensitivity of dealing with these properties.

Accordingly, it is proposed that Council does not undertake a tendering process for the procurement of a service provider to assist Council in undertaking a sale of land for unpaid rates process due to the unavailability of competitive or reliable tenderers, in accordance with Section 55 (3)(i) of the Act. It is considered that, as Recoupa have been identified as the only organisation in NSW that has the required level of experience, a satisfactory result would not be achieved by inviting tenders.

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 actual income associated with these outstanding debts would have been reflected in Council's operating income in each of the financial years they relate to. The proposed process will not generate additional income, however, will generate additional cash that would not otherwise be received.

The cost to engage a service provider to undertake the process will be cost neutral to Council as all costs to proceed with the sale are recoverable in full following settlement. The estimated costs are as follows:

	Minimum	Likely	Estimated Maximum
Total	\$302,580.00	\$417,420.00	\$612,600.00

The actual costs incurred will depend on the final number of properties proceeding to a sale after all the ongoing debt recovery fail to result in a payment or a suitable payment agreement being entered to.

Link to Community Strategic Plan

Theme 4: Responsible

Choose Focus Area

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 sale of land for unpaid rates is key to reducing existing and future business risk through the improvement of the Council's cash flow and improving, over time, the ratepayer's approach to timely payments.

The sale of land process, particularly where occupied dwellings are concerned may bring some risk of adverse publicity where the impacts on the majority of ratepayers is not well understood.

The engagement of an external service provider to undertake the process will assist in managing this risk effectively. The external provider will undertake appropriate engagement with the impacted property owners and facilitate any referrals to support organisations to ensure Council provides as much support as possible to assist owners in meeting their obligations.

The service provider will manage all communication with the media and other proactive communication of the process to Council's ratepayers.

The implementation of this initiative will contribute to the positive management of the Council's rates income and contribute to the long-term financial sustainability of the Council.

Options

Council already resolved to undertake a Sale of Land for Unpaid Rates process in accordance with Section 713 of the Act at its meeting on 25 May 2021.

Critical Dates or Timeframes

Subject to Council endorsement to recommence the Sale of Land for Unpaid Rates process, and approval of the exemption from undertaking a tendering process, in accordance with Section 55 of the Act, Council will engage Recoupa to commence the process as soon as practical after the Council resolution.

Attachments

Nil.

Item No: 2.10
Title: Community Support Grant Program - February 2023
Department: Community and Recreation Services



26 April 2023 Ordinary Council Meeting

Reference: F2017/02117-002 - D15565015
Author: Belinda McRobie, Section Manager Community Development
Manager: Glenn Cannard, Unit Manager. Community and Culture
Executive: Melanie Smith, Director Community and Recreation Services

Recommendation

- 1 That Council allocate \$9614.65 (inclusive of GST where applicable) from the 2022/23 grants budget to the Community Support Grant program, as outlined below and in Attachment 1.**
 - a Community Support and Outreach Services Central Coast Limited - \$5,000.00**
 - b Wamberal Surf Life Saving Club -\$3,337.00**
 - c Wyongah Progress Association Incorporated - \$1,277.65**
- 2 That Council decline applications as outlined below, for the reasons indicated in Attachment 1, and the applicants be advised and where relevant, directed to alternate funding sources.**
 - a We Care Connect Limited – application is ineligible**

Report purpose

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

Executive Summary

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

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

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

Background

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

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

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

Table 1: Community Support Grant Program

Program	Original Budget	Opening Period	2022/2023 allocation to date (inclusive of GST where applicable)	Recommendation allocation within this report (Inclusive of GST where applicable)	Allocation to date + Recommendation within report (Inclusive of GST where applicable)
Community Support Grant Program	\$300,000	Ongoing	\$204,035.37	\$9614.65	\$213,650.02
TOTAL			\$204,035.37	\$9614.65	\$213,650.02

Current Status

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

Applications submitted from 1 – 28 February 2023 are considered in this report. The Community Support Grant Program provides up to \$5,000 per project per financial year in combined funding and in-kind Council services to applicants who are a legally constituted not-for profit organisations, or auspiced by one.

Assessment

Four applications were received and assessed by 9 March 2023, with three applications recommended for funding in this Council report.

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

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

Consultation

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

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

Council staff conducted two grant writing workshops with 33 attendees and four grant information sessions with 76 attendees.

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

Financial Considerations

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

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

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

Council's 2022/2023 Council Operational Expenditure original budget allocates \$300,000 to the Community Support Grant Program.

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

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

Link to Community Strategic Plan

Theme 1: Belonging

Goal A: Our community spirit is our strength

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

Risk Management

All successful applications will receive a letter of offer outlining Council's requirements of funding, service delivery and accountability for both Council and the funded organisation.

Applications recommended for funding are conditional on all relevant event/activity approvals (including COVID-19 related) 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 through COVID-19 related impacts.

All successful applicants are required to submit a final project acquittal report no later than 12 weeks after the agreed completion date of the activity/project with copies of any photos, promotional materials, and evidence of payment/purchase for each funded item.

Options


- 1 Approval of all recommended applications as submitted will provide a community benefit to residents of the Central Coast Local Government Area.
This is the recommended option
- 2 Non approval of some or all applications, as recommended, may result in projects not being undertaken if the respective proponents are unable to secure alternate funding. Not recommended.

Critical Dates or Timeframes

Many of these grant applications are dependent upon support via Council's grant program. Should decisions be delayed or not supported projects may not be undertaken.

Attachments

2.10 Community Support Grant Program - February 2023 (contd)

1	Community Support Grant Program - February 2023	Provided Under	D15603402
	- Recommended and Not Recommended	Separate Cover	

Item No: 2.11
Title: Governance Lighthouse Report as at 31 December 2022
Department: Corporate Services



26 April 2023 Ordinary Council Meeting

Reference: F2020/02182 - D15616299
Author: Alysha Croussos, Senior Governance Officer, Governance
Teresa Chadwick, Section Manager, Governance
Manager: Edward Hock, Unit Manager Governance, Risk and Legal
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

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

Report purpose

To provide a Governance Lighthouse Report as at 31 December 2022 for the information of Council.

Executive Summary

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

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

Background

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

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

Consultation

The Audit, Risk and Improvement Committee reviewed the Governance Lighthouse Report at the 8 March 2023 meeting. Feedback on the structure and content of the report (such as including more quantitative commentary concerning actions arising from the report) was provided by the Committee and will be included in the next iteration of the report.

Financial Considerations

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

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

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

There are no financial impacts as a result of this report.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Risk Management

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

Options

- 1 Council notes the Governance Lighthouse Report for Q2 2022-23 and provides any feedback as required. **(This is the recommended option)**
- 2 Council does not note the Report.

Attachments

1	Governance Lighthouse Report Q2 2022-23	Provided Under Separate Cover	D15559789
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Item No: 2.12
Title: Minutes of Advisory Group and Committee meetings held in January, February and March 2023
Department: Corporate Services

26 April 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15593421
Author: Rachel Gibson, Team Leader, Civic Support
Manager: Edward Hock, Unit Manager Governance, Risk and Legal
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

That Council note the minutes of Council's Advisory Group and Committee meetings held in January, February, and March 2023.

Report purpose

To note the unconfirmed minutes of the Advisory Group and Committee meetings held in January, February, and March 2023, which include no recommendations for Council and are reported for information only.

Executive Summary

Eight Advisory Group and Committee meetings were held in January, February, and March 2023, as listed below. The associated minutes were approved by the respective Coordinators and Chairs and were circulated to members via email. It is noted that minutes from previous meetings are confirmed by Advisory Groups and Committees at their next meeting, so are uploaded to Council's website as 'unconfirmed minutes' until that time.

Report

Minutes from Council's Advisory Group and Committee meetings that contain no recommendations to Council are reported to Council as a combined report for information only.

Links to the unconfirmed minutes on Council's website are included below for the information of Council.

- [Status of Women Advisory Group – meeting held 10 January 2023 \(December 2022 meeting replacement\)](#)
- [Water Management Advisory Committee – meeting held 22 February 2023](#)
- [Audit, Risk, and Improvement Committee – meeting held 8 March 2023](#)
- [Status of Women Advisory Group - meeting held 15 March 2023](#)

2.12 Minutes of Advisory Group and Committee meetings held in January, February and March 2023 (contd)

- [Pedestrian Access Mobility Plan Committee Meeting - meeting held 23 March 2023](#)
- [Coastal Open Space System \(COSS\) Advisory Extraordinary Committee meeting held 27 March 2023](#)
- [Catchments to Coast Advisory Committee – meeting held 29 March 2023](#)
- [Protection of the Environment Trust \(PoET\) Committee - meeting held 30 March 2023](#)

It is noted that the following meetings were scheduled but did not occur:

Coastal Open Space (COSS) quarterly Committee meeting scheduled for 7 March 2023 was unable to achieve a quorum due to insufficient voting members available to attend, which resulted in the extraordinary meeting being held, as detailed above.

Financial Considerations

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

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

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

This report has no financial implications.

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: 2.13
Title: Proposed change to the October 2023 Council Meeting date
Department: Corporate Services

26 April 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15523744
Author: Rachel Gibson, Team Leader, Civic Support
Manager: Edward Hock, Unit Manager Governance, Risk and Legal
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

That Council adopt the proposed revised October 2023 Ordinary Council meeting date from 24 October 2023 to 31 October 2023.

Report purpose

To adopt a revised schedule of Ordinary Council Meeting date for the Ordinary Council Meeting October 2023.

Executive Summary

At its Ordinary Meeting of 22 November 2022, Council resolved in part

213/22

1 That Council adopt the proposed Ordinary Council Meeting dates for 2023.

Report

The Administrator is unavailable due to personal reasons for the 24 October 2023 Council Meeting. The proposal is to move the October meeting to the fifth Tuesday in October, being 31 October 2023.

Financial Considerations

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

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

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

This report has no financial implications as the proposed change to this Council meeting, and related activities, is cost neutral.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Options

- 1 Council could resolve to adopt the Revised October 2023 Ordinary Council Meeting date.
This is the recommended option.
- 2 Council could resolve to delay adopting any amendments to the Ordinary Council Meeting schedule. This option is not feasible as the Administrator will not be available to conduct the business of council on 24 October 2023.

Attachments

Nil.