



Central Coast Council
Business Paper
Ordinary Council Meeting
27 May 2025





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.



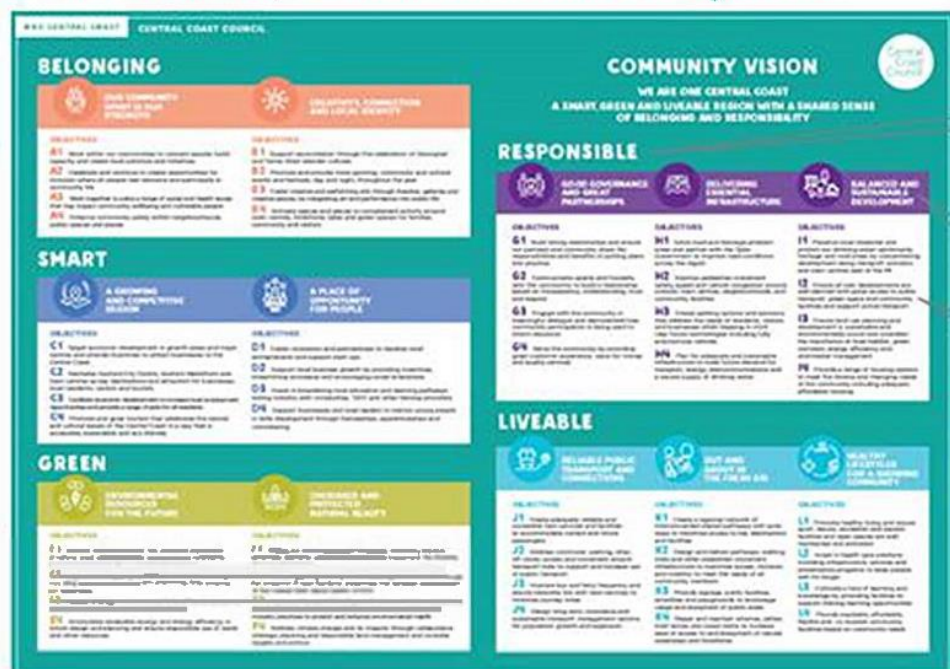
Good governance and great partnerships

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

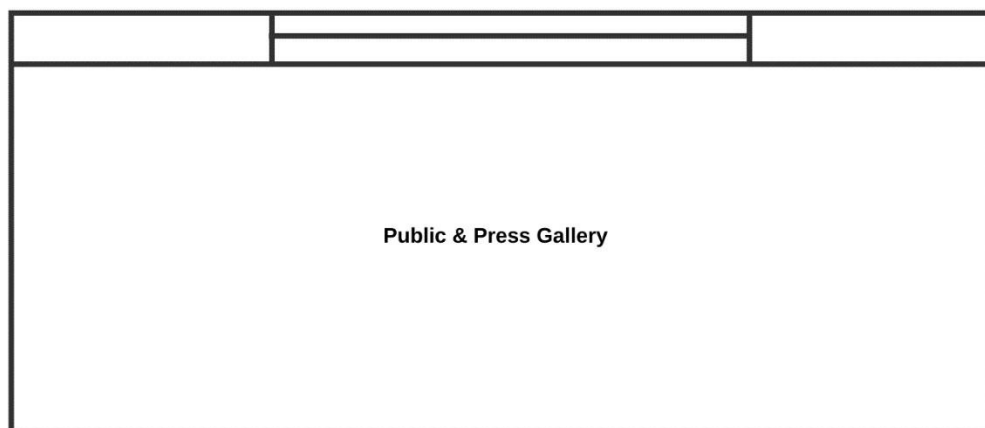
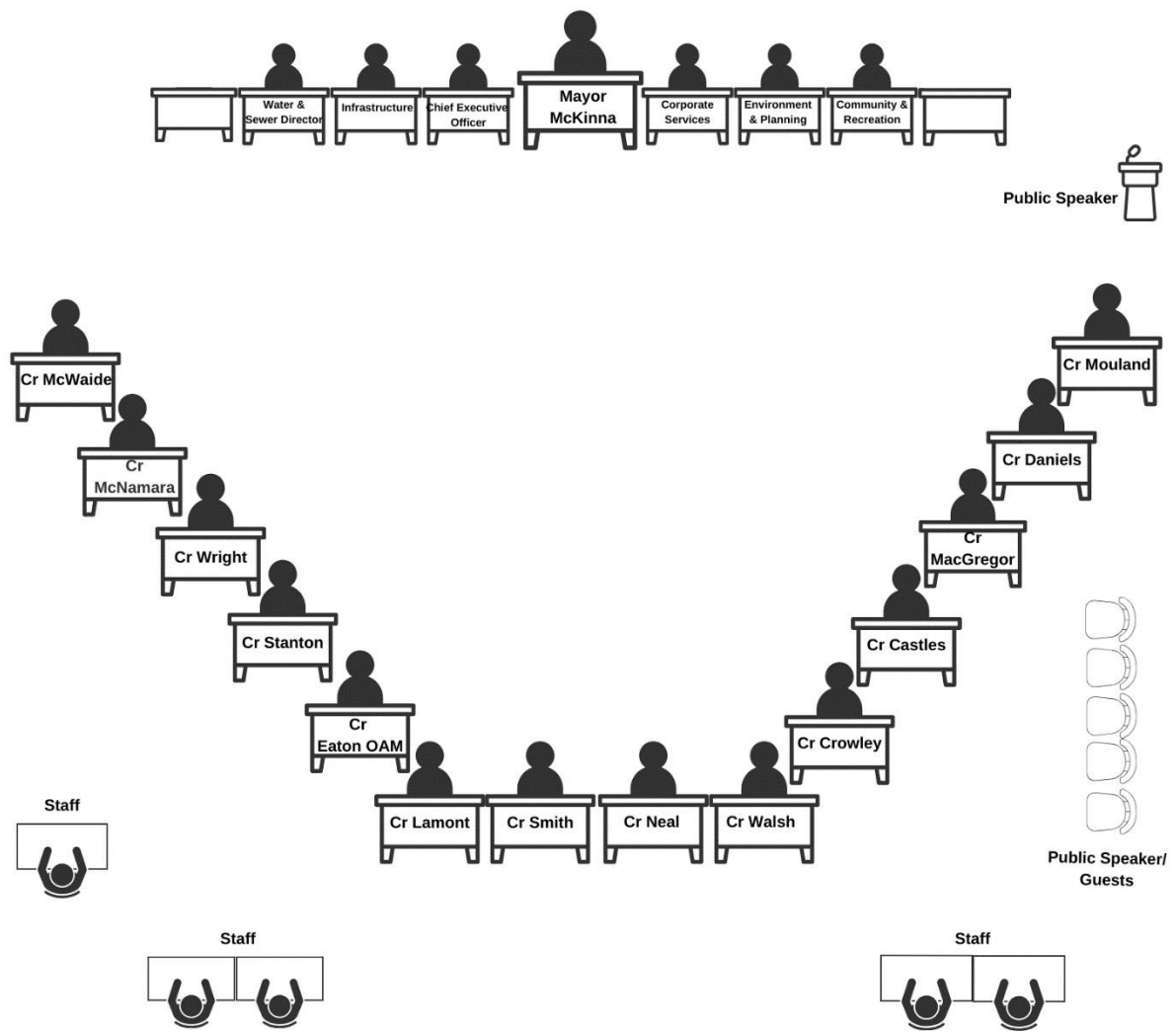
All council reports contained within the Business Paper are now aligned to the Community Strategic Plan. Each report will contain a cross reference to a Theme, Focus Area and Objective within the framework of the Plan.



Theme

Focus Area

Objective



Oath or Affirmation of Office

Councillors are reminded of their Oath or Affirmation of Office to undertake their duties in the best interests of the people of the Central Coast and Council and to faithfully and impartially carry out the functions, powers, authorities, and discretions vested in them under the *Local Government Act 1993*, or any other Act to the best of their ability and judgement. Councillors are also reminded of their obligations under the Code of Conduct to disclose and appropriately manage conflicts of interest.

Disclosures of Interest

Councillors are reminded of their obligation under Council's Code of Conduct to declare any conflict of interest in a matter considered by Council.

Pecuniary interest: A Councillor who has a **pecuniary interest** in any matter with which the Council is concerned, and who is present at a meeting of the Council at which the matter is being considered, must disclose the nature of the interest to the meeting. The Councillor must not be present at, or in sight of, the meeting:

- a) At any time during which the matter is being considered or discussed, or
- b) At any time during which the Council is voting on any question in relation to the matter.

Non-Pecuniary conflict of interest: A Councillor who has a **non-pecuniary conflict of interest** in a matter, must disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.

Significant Non-Pecuniary conflict of interest: A Councillor who has a **significant** non-pecuniary conflict of interest in relation to a matter under consideration at a Council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.

Non-Significant Non-Pecuniary interest: A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is **not significant** and does not require further action, when disclosing the interest it must also be explained why the conflict of interest is not significant and does not require further action in the circumstances.

Recording

In accordance with the *NSW Privacy and Personal Information Protection Act 1998*, you are advised that all discussion held during the Open Council meeting is recorded for the purpose of livestreaming the public meeting and verifying the minutes. This will include any public discussion involving a councillor, staff member or a member of the public.

Meeting Notice

**The Ordinary Council Meeting
of Central Coast Council
will be held in the Central Coast Council Chambers,
2 Hely Street, Wyong
on Tuesday 27 May 2025 at 6.30pm,
for the transaction of the business listed below:**

**The Public Forum will commence at 6.00pm, subject to any
registered speaker/s to items listed on this agenda.**

Further information and details on registration process:

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

SUPPLEMENTARY AGENDA

1 PROCEDURAL ITEMS

- 1.4 Notice of Intention to Deal with Matters in a Confidential Session 6

6 QUESTIONS WITH NOTICE

- 6.2 Question with Notice - Total Input for Extraordinary Meetings on 6 and 13 May
2025 8
- 6.4 Question with Notice - Probity Planning and the Wamberal Seawall Project 9

7 CONFIDENTIAL ITEMS

- 7.1 Investment in Digital Transformation - Request for procurement exemption to
commence negotiations

The reason for dealing with the report confidentially is that it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND contains 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.

David Farmer
Chief Executive Officer



Item No: 1.4
Title: Notice of Intention to Deal with Matters in a Confidential Session
Department: Corporate Services

27 May 2025 Ordinary Council Meeting

Reference: F2025/00014 - D16857232
Author: Briony Stiles, Team Leader Civic Support
Manager: Stephanie Prouse, Section Manager Councillor and Democratic Services
Executive: Marissa Racomelara, Director Corporate Services

Summary

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

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

Recommendation

- 1 That the Council resolve that the following matters be dealt with in closed session, pursuant to s. 10A(2) of the Local Government Act 1993 for the following reasons:***

Item: 7.1

Title: Investment in Digital Transformation – Request for procurement exemption to commence negotiation.

Reason for considering in closed session: The report is confidential in accordance with section 10A (2) (c) (d) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business; AND the report contains 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 That the Council request the Chief Executive Officer to report on this matter in open session of Council so that any resolutions of Council may be made publicly available.***

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.*

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.



Item No: 6.2
Title: Question with Notice - Total Input for Extraordinary Meetings on 6 and 13 May 2025
Department: Corporate Services

27 May 2025 Ordinary Council Meeting

Reference: F2025/00016 - D16842141

Author: Councillor Margot Castles

6.2 Question with Notice - Total Input for Extraordinary Meetings on 6 and 13 May 2025

The following question was submitted by Councillor M Castles:

Following the preparation for, including Confidential Briefings, and holding of the two (2) Extraordinary Meetings of 6 and 13 May 2025, please provide advice on the following:

- *number of Council Officers involved;*
- *overall hours of staff (including Senior Staff) involved;*
- *wage/salary costs (e.g., Overtime);*
- *legal advice expenses;*
- *and any other incidental costs incurred relevant to the process.*

Response

The direct costs of the additional Councillor Briefing and the two Extraordinary Council meetings in early May 2025 amount to \$8,035.20.

These costs are comprised of:

- Staff costs of \$2,232.70 (total of 29 hours of paid time at various rates of pay for 9 individuals)
- Legal costs of \$4,812.50
- Security costs of \$990.00

Please note that the staff costs are estimates only as staff were not requested to formally identify the amount of time worked on specific tasks.

A number of additional staff including Unit Managers and ELT members also contributed to the meeting however this did not result in expenditure of additional funds. Specialist staff also contributed to the meeting through the provision of information verbally or via report. This information was gathered in the course of their normal duties in managing the impacts of inclement weather and coastal erosion and would have been undertaken regardless of a meeting being held.

Attachments

Nil.

Item No: 6.4
Title: Question with Notice - Probity Planning and the Wamberal Seawall Project
Department: Councillor



27 May 2025 Ordinary Council Meeting

Reference: F2025/00016 - D16803390
Author: Councillor Corinne Lamont

6.4 Question with Notice - Probity Planning and the Wamberal Seawall Project

The following question was submitted by Councillor C Lamont:

Council recently responded to a Councillor enquiry that “no probity risks were identified” during the initial phase of the Wamberal Beach Terminal Protection and Sand Nourishment project, which commenced in 2020. This position is inconsistent with Council’s Probity Advice Policy, as well as with the governance expectations raised at the first meeting of the Wamberal Seawall Advisory Taskforce, where Council staff were tasked with developing a governance plan for the project.

The seawall project was, and remains, a complex, high-risk initiative involving multiple stakeholders, including private landowners, state government agencies, and Council in dual roles as both landowner and regulator. Notably, this occurred during a period when Council was under administration, with no Councillor or community oversight of the project. These circumstances are precisely those that elevate probity risks and, under Council’s own policy, require early and proactive probity planning, regardless of whether risks had been formally recorded at the time.

Council’s Probity Advice Policy specifically calls for the early consideration of probity in projects involving infrastructure delivery, reputational sensitivity, and public/private interface, all of which were present from the outset. Despite this, and despite the Taskforce explicitly identifying the need for probity planning in its first meeting in August 2020, a probity plan for the Wamberal Beach Seawall project was not adopted until February 2024, nearly four years after project commencement.

Given the requirements in Council’s Probity Advice Policy for early probity planning, and given that the Wamberal Seawall Advisory Taskforce identified this need in its first meeting and assigned the development of a governance plan to Council staff, on what basis did Council determine that no probity risks existed at the commencement of the project, and who made that determination?

6.4 Question with Notice - Probit Planning and the Wamberal Seawall Project (cont'd)

Response

This question pertains to a matter which occurred approximately 5 years ago. Due to its complexity, the additional time and resources required, and the current priorities of the ongoing weather events, this report will be deferred to 22 July 2025 Ordinary Council Meeting.

Attachments

Nil.