



ENVIRONMENT AND PLANNING COMMITTEE

03 June 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.



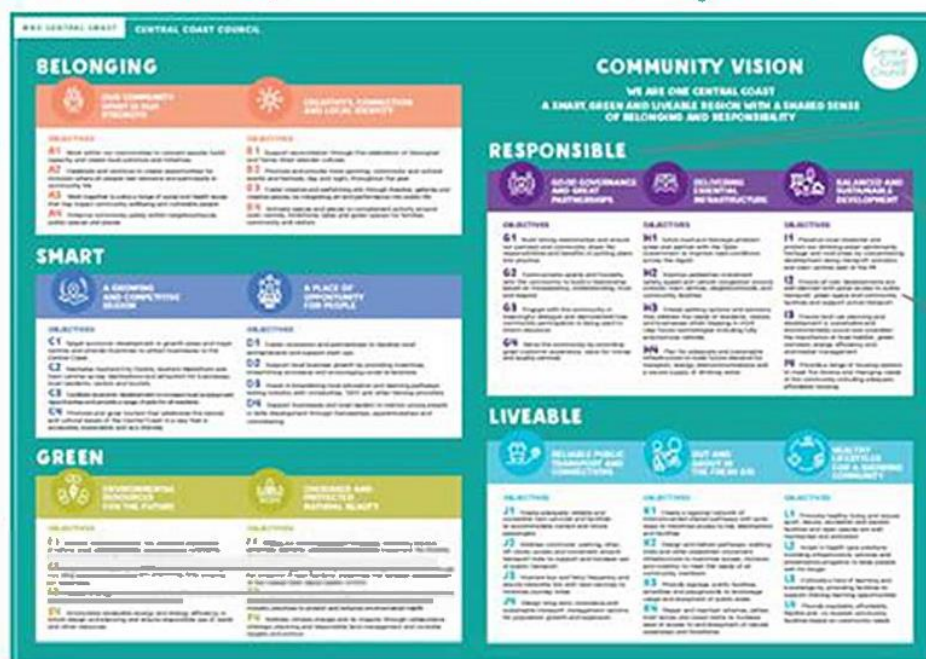
Good governance and great partnerships

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 Committee 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 Environment and Planning Committee
of Central Coast Council
will be held in the Function Room 2,
2 Hely Street, Wyong,
on Tuesday 3 June 2025 at 7:00pm,
for the transaction of the business listed below:**

1 Reports

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Membership

| | |
|-----------------------------|--------------------|
| Deputy Mayor Doug Eaton OAM | Chairperson |
| Cr Sharon Walsh | Deputy Chairperson |
| Cr Margot Castles | Member |
| Cr John Moulard | Member |
| Cr Jane Smith | Member |
| Cr Rachel Stanton | Member |
| Cr Kyle MacGregor | Alternate 1 |
| Cr John McNamara | Alternate 2 |

Deputy Mayor Doug Eaton OAM
Chairperson

ITEM 1.1

WELCOME

ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the Traditional Custodians of the land on which we live, work and play.

We pay our respects to Darkinjung Country, and Elders past and present.

We recognise the continued connection to these lands and waterways and extend this acknowledgement to the homelands and stories of those who also call this place home.

We recognise our future leaders and the shared responsibility to care for and protect our place and people.

APOLOGIES

ITEM 1.2

DISCLOSURES OF INTEREST

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 conflicts of interests might be managed.

Recommendation

That Committee members and staff now disclose any conflicts of interest in matters under consideration at this meeting.

ITEM 1.3

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Recommendation

That the Committee confirm the minutes of the previous Environment and Planning Committee held on Tuesday 6 May 2025.

Summary

Confirmation of minutes of the previous Environment and Planning Committee held on Tuesday 6 May 2025.

Attachments

1  MINUTES - Environment and Planning Committee - 6 May 2025 D16813337



Central Coast Council

Environment and Planning Committee

Held in the Council Chamber

2 Hely Street, Wyong

06 May 2025

MINUTES

Attendance

Members

Deputy Mayor Doug Eaton OAM, Chairperson

Cr Sharon Walsh, Deputy Chair

Cr Margot Castles, Member

Cr Kyle MacGregor, Member

Cr John McNamara, Member

Cr John Moulard, Member

Cr Jane Smith, Member

Cr Rachel Stanton, Member

Mayor Lawrie McKinna

Status

Present

Present

Present

Present (remotely)

Present

Present

Present

Present

Apology

Guest

Cr Kyle MacGregor

Alison McNeill, President of McMasters Beach Surf Lifesaving Club

Status

Present (remotely)

Present

Staff

Shannon Turkington, Acting Director Environment and Planning

Jamie Loader, Director Water and Sewer

Luke Sulkowski, Unit Manager Environmental Management

Deanne Frankel, Section Manager Strategic Planning Projects

Rebecca Cardy, Senior Heritage Officer Strategic Planning Projects

Peta James, Senior Strategic Planner Strategic Planning Projects

Ben Fullagar, Section Manager Catchments to Coast

Larry Melican, Section Manager Natural Assets and Biodiversity

Shann Mitchell, Unit Manager Environmental Compliance Services

Lisa Martin, Civic Support Officer

Briony Stiles, Civic Support Team Leader

Status

Present

Present

Present

Present

Present

Present

Present

Present

Present

Present

Present

Minutes of the Ordinary Meeting Environment and Planning Committee of Council (cont'd)

The Chairperson, Deputy Mayor Doug Eaton OAM, declared the meeting open at 7:00pm

REPORTS

1.1 Introduction: Welcome, Acknowledgement of Country, and Apologies

5:01pm

The Chair read an Acknowledgement of Country statement.

A MOTION was *MOVED* by Councillor MOULAND and *SECONDED* by Councillor WRIGHT:

To note the apology of Mayor McKinna for this meeting.

CARRIED

FOR: UNANIMOUS

1.2 Disclosures of Interest

7:01pm

No conflicts of interest were disclosed.

THAT THE ORDER OF BUSINESS BE CHANGED SO ITEM 1.10 - MacMasters Beach Temporary Coastal Protection Works BE BROUGHT FORWARD AND DEALT WITH IMMEDIATELY, was *MOVED* by Deputy Mayor EATON OAM and *SECONDED* by Councillor WRIGHT:

CARRIED

FOR: UNANIMOUS

A PROCEDURAL MOTION WAS *MOVED* by Councillor STANTON and *SECONDED* by Councillor MOULAND:

EPC1/25

1 That with the exception of the following reports, the Committee adopts the recommendations contained in the remaining reports:

- **Item 1.5**
- **Item 1.6**
- **Item 1.8**
- **Item 1.11**
- **Item 1.13**

2 That the Committee adopts the following items en-masse and in accordance with the report recommendations:

- **Item 1.3**
- **Item 1.4**
- **Item 1.7**
- **Item 1.9**

Minutes of the Ordinary Meeting Environment and Planning Committee of Council (cont'd)

- **Item 1.12**
- **Item 1.14**

CARRIED

FOR: UNANIMOUS

THAT THE ORDER OF BUSINESS BE CHANGED SO ITEM 1.6 - 1A Jaques Street, Ourimbah Masterplan and Public Domain Plan - For Public Exhibition BE BROUGHT FORWARD AND DEALT WITH IMMEDIATELY, was *MOVED* by Councillor STANTON:

CARRIED

FOR: UNANIMOUS

1.3 Outcomes of Public Exhibition and Finalisation of Planning Proposal for 126 Somersby Falls Road, Somersby and adjoining road reserves

RESOLVED by EXCEPTION on the MOTION of Councillor STANTON and SECONDED by Councillor MOULAND:

EPC2/25

That the Committee recommends that Council:

- 1 Endorses finalisation of the Planning Proposal for 126 Somersby Falls Road, Somersby (RZ/1/2024).***
- 2 Requests the Chief Executive Officer to exercise delegation issued by the Department of Planning, Housing, and Infrastructure for RZ/1/2024 or, if required, request the Minister for Planning and Public Spaces to proceed with the steps for drafting and making of the amendment to the Central Coast Local Environmental Plan 2022.***
- 3 Notifies those who made submissions during the public exhibition of Council's decision.***

1.4 DA Statistics

7:40pm

EPC3/25

That the Committee notes the Development Application statistics contained within the report.

CARRIED

FOR: UNANIMOUS

Minutes of the Ordinary Meeting Environment and Planning Committee of Council (cont'd)

1.5 Central Coast Thematic History For Adoption

7:53pm

The Section Manager of Strategic Planning Projects spoke to the 'Central Coast Thematic History - For Adoption' Presentation.

A MOTION was *MOVED* by Deputy Mayor EATON OAM and *SECONDED* by Councillor SMITH:

EPC4/25

That the Committee recommends that Council:

- 1 Endorses the adoption of the Central Coast Thematic History (Attachment 1).***
- 2 Endorses publishing on Council's website the 'Closing the Loop' Statement (Attachment 2).***
- 3 Supersedes the following Thematic Histories for the former Gosford City Council and Wyong Shire Council Local Government Areas:***
 - a) Wyong Shire-Wide Heritage Review Thematic History (2010)***
 - b) A Thematic History of the City of Gosford (2016)***

The Motion was put to the vote and declared **CARRIED**

FOR: CRS WALSH, SMITH, CASTLES, STANTON, EATON OAM, MCKINNA, JW WRIGHT AND TMC
MCWAIDE

AGAINST: CR MOULAND

1.6 1A Jaques Street, Ourimbah Masterplan and Public Domain Plan - For Public Exhibition

7:43pm

The Section Manager of Strategic Planning Projects spoke to the '1a Jaques Street, Ourimbah Masterplan and Public Domain Plan' Presentation.

A MOTION was *MOVED* by Councillor CASTLES and *SECONDED* by Councillor SMITH:

EPC5/25

That the Committee recommends that Council:

- 1 Resolves to place the Draft 1A Jaques Street Masterplan on public exhibition for a period of not less than 42 days.***
- 2 Notifies those people who made submissions during the initial consultation period that the Draft 1A Jaques Street Masterplan is on public exhibition.***
- 3 Considers a further report on the outcome of public exhibition.***

CARRIED

FOR: UNANIMOUS

Minutes of the Ordinary Meeting Environment and Planning Committee of Council (cont'd)

1.7 Burns Place Conservation Management Plan - Public Exhibition

RESOLVED by EXCEPTION on the MOTION of Councillor STANTON and SECONDED by Councillor MOULAND:

EPC6/25

That the Committee:

- 1 Recommends that Council endorses the draft Burns Place Heritage Conservation Management Plan, as per Attachment 1, to be placed on public exhibition for a minimum of 28 days.**
- 2 Receives a report on the outcome of the community consultation.**

1.8 Update on progress on the Biodiversity Strategy

8:12pm

The Section Manager of Catchments to Coast spoke to the 'Biodiversity Strategy' Presentation

A MOTION was MOVED by Councillor WALSH and SECONDED by Councillor SMITH:

EPC7/25

That the Committee notes the information in the report.

CARRIED

FOR: UNANIMOUS

1.9 Request to amend Central Coast Local Environmental Plan 2022 to rezone 30 and 32 Caroline Street and 2A Melbourne Street, East Gosford

RESOLVED by EXCEPTION on the MOTION of Councillor STANTON and SECONDED by Councillor MOULAND:

EPC8/25

That the Committee recommends that Council:

- 1 Endorses the Planning Proposal provided in Attachment 1 in relation to Lot 1 DP 996521 – 32 Caroline Street, Lot 2 DP 518926 – 30 Caroline Street and Lot 1 DP 518926 – 2A Melbourne Street, East Gosford, to amend the Central Coast Local Environmental Plan (LEP) 2022 to:**
 - a) Rezone the sites to R1 General Residential.**
 - b) Apply a floor space ratio of 0:5:1.**
 - c) Include the land in 'Area 1' on the Floor Space Ratio Additional Controls Map.**

Minutes of the Ordinary Meeting Environment and Planning Committee of Council (cont'd)

- 2 Forwards the Planning Proposal to the Minister for Planning and Public Spaces in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.**
- 3 Undertakes community and public authority consultation in accordance with the Gateway Determination requirements.**

7:02PM

A PROCEDURAL MOTION was *MOVED* by Councillor WRIGHT and *SECONDED* by Councillor SMITH:

To allow Alison McNeill, President of the MacMasters Beach Surf Lifesaving Club to address the Committee regarding Item 1.10- MacMasters Beach Temporary Coastal Protection Works.

CARRIED

FOR: UNANIMOUS

1.10 MacMasters Beach Temporary Coastal Protection Works

7:02pm

Alison McNeill, President of the MacMasters Beach Surf Lifesaving Club addressed the Committee.

A MOTION was *MOVED* by Councillor SMITH and *SECONDED* by Councillor CASTLES:

EPC9/25

That the Committee recommends that Council;

- 1 Notes the results of the community consultation.**
- 2 Requests the Chief Executive Officer include an action in the draft Open Coast Coastal Management Program for the construction of the temporary coastal protections works as designed.**
- 3 Include the project in Council's capital works program for 2025-26 and adjust Council's current project budget for 2024-25.**
- 4 Notes that subject to Council's resolution of item 3 above, that staff will advise the NSW Coastal and Estuary Grants Branch that the project will proceed to construction and seek an extension to the grant completion date.**
- 5 Endorses an action being included in the Open Coast Coastal Management Program to complete a coastal risk and options assessment for Marine Parade at MacMasters Beach.**

Minutes of the Ordinary Meeting Environment and Planning Committee of Council (cont'd)

The Motion was put to the vote and declared **CARRIED**

FOR: CRS MOULAND, SMITH, CASTLES, STANTON AND EATON OAM

AGAINST: CR WALSH

1.11 Review of Central Coast Section 7.12 Local Infrastructure Contribution Plan 2024 - Public Exhibition

8:17pm

A MOTION was *MOVED* by Councillor MOULAND and *SECONDED* by Councillor WALSH:

EPC10/25

That the Committee recommends that Council:

- 1 *Endorses the draft Central Coast Section 7.12 Local Infrastructure Contributions Plan 2024 for public exhibition (see Attachment 1).***
- 2 *Repeals the following contribution plans in accordance with the provisions of the Environmental Planning & Assessment Act 1979, and the Environmental Planning and Assessment Regulation 2000:***
 - Contribution Plan No 47A - Terrigal – Local Open Space, Pedestrian Footpaths, Town Centre Improvements, Cycleways, Stormwater and Flood Mitigation***
 - Contribution Plan No 9 - Budgewoi District***
 - Contribution Plan No 5 - Ourimbah District***
- 3 *Provides public notice of Council's decision to repeal the contribution plans, in accordance with the Environmental Planning and Assessment Regulation, 2000.***
- 4 *Redirects any outstanding funds from the proposed repeal of Local Infrastructure Contribution Plans as nominated in Attachment 2.***
- 5 *Notes that a further report will be provided following the public exhibition period.***
- 6 *Provides a workshop for all Councillors to be held on the Contributions Plans whilst it is out on exhibition.***

CARRIED

FOR: UNANIMOUS

Minutes of the Ordinary Meeting Environment and Planning Committee of Council (cont'd)

1.12 2025-26 Regulatory Priorities Statement - For Public Exhibition

RESOLVED by EXCEPTION on the MOTION of Councillor STANTON and SECONDED by Councillor MOULAND:

EPC11/25

That the Committee:

- 1 Recommends that Council endorses public exhibition of the Draft Central Coast Regulatory Priorities Statement (Attachment 1) for a period of not less than 28 days.**
- 2 Receives a further report that considers the community feedback received during the exhibition period.**

1.13 Update on Coastal Management Programs

Time: 8:25pm

The Section Manager of Catchments to Coast spoke to the Coastal Management Presentation.

A MOTION was MOVED by Councillor EATON OAM and SECONDED by Councillor CASTLES:

EPC12/25

That the Committee notes the report.

CARRIED

FOR: UNANIMOUS

1.14 Community Participation Plan - Draft for public exhibition

RESOLVED by EXCEPTION on the MOTION of Councillor STANTON and SECONDED by Councillor MOULAND:

EPC13/25

That the Committee considers the Community Participation Plan prior to it being exhibited as part of the place-based engagement occurring in May 2025.

The next meeting is to be held at 7:00pm on Tuesday 3 June 2025 at the Wyong Administration Building.

The Meeting concluded at 8:41pm.

Item No: 1.4
Title: Items Resolved by Exception
Department: Corporate Services

3 June 2025 Environment and Planning Committee

Reference: F2025/00483 - D16831578



Recommendation

That the Committee determines the items on Environment and Planning Committee Agenda that will be adopted without debate.

Summary

In accordance with Council's Code of Meeting Practice, items that are dealt with by exception are items where the recommendations contained in the staff reports in the agenda are adopted without discussion.

Item No: 1.5
Title: Local Strategic Planning Statement - For Public Exhibition
Department: Environment and Planning



3 June 2025 Environment and Planning Committee

Reference: F2025/00483 - D16759907
Author: Rianan Rush, Senior Strategic Planner Local Planning and Policy
Kathryn Heintz, Principal Strategic Planner Local Planning and Policy
Manager: Scott Duncan, Section Manager Local Planning and Policy
Executive: Shannon Turkington, Acting Director Environment and Planning

Recommendation

That the Committee:

- 1 Recommends to Council, that Council endorses the draft Central Coast Local Strategic Planning Statement to proceed to community consultation for a minimum of 42 days (refer to Attachment 1).***
- 2 Notes a further report will be prepared for the Committee with the outcome of the public exhibition period.***

Report purpose

To seek a resolution to publicly exhibit the draft Local Strategic Planning Statement (LSPS) for a minimum of 42 days.

Executive Summary

The draft LSPS has been prepared following the adoption of Council's first LSPS as an interim document, and to ensure alignment with recently introduced local and state strategies and policies. The draft LSPS has been informed by prior consultation undertaken during the previous LSPS, as well as pre-exhibition consultation with community stakeholders.

The draft LSPS contains planning priorities, region and place statements, and actions related to land use that were developed to align with the diverse and changing needs and values of the Central Coast community. The draft LSPS covers a 20-year planning horizon.

Background

In March 2018, amendments to the *Environmental Planning and Assessment Act 1979* introduced a new requirement for each Local Government Area to prepare and make an LSPS. The LSPS was to be made and in place by 1 July 2020.

The LSPS was required to include or identify the following:

- (a) the basis for strategic planning in the area, having regard to economic, social and environmental matters,
- (b) the planning priorities for the area that are consistent with any strategic plan applying to the area and (subject to any such strategic plan) any applicable community strategic plan under section 402 of the *Local Government Act 1993*,
- (c) the actions required for achieving those planning priorities,
- (d) the basis on which the Council is to monitor and report on the implementation of those actions.

On 29 June 2020, Council adopted the first LSPS for the Central Coast as an interim document due to the short timeframes imposed by the NSW Government and the difficulties with face-to-face consultation during the COVID 19 pandemic. This was determined with the intention of undertaking a further review of the LSPS after this time.

Additionally, since the adoption of the LSPS in 2020, several relevant planning strategies for the Central Coast have been prepared or are in development, including the Central Coast Regional Plan 2041, Central Coast Local Housing Strategy and Central Coast Employment Lands Strategy. There have also been several changes to NSW Government's State Environmental Planning Policies. The LSPS therefore requires updating to align with these documents.



Report

Many of the planning principles in the first LSPS remain relevant five years on, including the need to direct our growth to Gosford City, strategic centres, growth corridors and planned precincts. Priorities such as renewing existing centres, providing a good mix of housing, building the health and wellness industries, protecting and cherishing natural areas and ecosystems, enlivening cultural spaces, and providing efficient public transport continue to be key considerations for the Central Coast. The Planning Priorities in the draft LSPS reflect these region-wide land use considerations and are aligned to the themes of the CSP.

The Region Statements underneath each Planning Priority provide further guidance to the community, developers and Council on how our Planning Priorities can be achieved. During the preparation of the first LSPS, Councillors indicated a desire to include a character or place element into the LSPS. Consequently, 'Place Statements' have been introduced as a step toward identifying the uniqueness of our places, as well as place-specific concerns and opportunities within local communities.

The draft LSPS actions are directly linked to the Planning Priorities and Region Statements, as well as the CSP themes and strategies in the Central Coast Regional Plan 2041. The detailed priorities, statements and actions can be viewed in the draft document in (Attachment 1).

An example of the structure and strategic alignment of the draft LSPS is provided below:

| CSP Theme |  |  |
|-------------------------|-----------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|
| LSPS Priority | Planning Priority 1 | Planning Priority 2 |
| Region Statement | PE1, PE2 | LA1, LA2 |
| Place Statement | MV1 Mountains and Valleys | SL1 Southern Lakes |
| Action | PE-A1 | LA-A1 |
| CCRP Strategy | CCRP 5.1 | CCRP 6.2 |

Note: The CEO's message and Mayor's message are not available in the Final Draft but will be provided in the document prior to public exhibition.

Stakeholder Engagement

The draft LSPS is informed by consultation with council staff and the local community between September 2023 and May 2024, incorporating feedback from:

- Community surveys
- Targeted interviews
- Collaborative workshops

Further ward-based consultation occurred in May 2025 and feedback from this consultation will be incorporated in the finalised document after the public exhibition phase.

The proposed community engagement plan for public exhibition will include:

- A 42-day community consultation period – Your Voice Our Coast Page.
- 4 x online sessions (3hrs in each, various times) – Community members can book a one on one session to provide feedback and/or ask staff questions about the draft LSPS.
- 5 x Ward Based information sessions – Offering an opportunity for community members to drop in and provide feedback.
- Online media – Social media campaign, media release to raise awareness of the project.
- Council will also consult with the Department of Planning, Housing and Infrastructure and other relevant agencies during the public exhibition phase.

Internal consultation has also been undertaken across Council to request feedback on the draft document and actions contained within. This feedback has been incorporated into the draft LSPS.

At a workshop will be held with Councillors following the public exhibition to discuss the feedback received, prior to finalisation of the Local Strategic Planning Statement.

Financial Considerations

Financial Year (FY) Implications.

The proposal does not have financial implications for the current year or outer years in the LTFP.

Budget and Long-Term Financial Plan (LTFP) Impact.

The proposal does not have financial implications for the current year but impacts outer years in the LTFP. The LTFP includes an allowance for the ongoing impact.

Exhibition of the draft LSPS will not have direct material financial implications for Council. If adopted, the actions contained within the draft LSPS will need to be considered when setting priorities for Council's work program under Council's Operational Plan.

Link to Community Strategic Plan

Theme 4: Responsible

Goal E: Environmental resources for the future

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

There are no material risks to Council of seeking further community input into the draft LSPS. There are reputational and financial risks of both implementing and not implementing proposed actions. These risks are mitigated through stakeholder consultation and incorporation of proposed actions into strategic plans.

Critical Dates or Timeframes

The draft Local Strategic Planning Statement is to be reported to Council by 30 June 2025 as outlined in Council's Operational Plan.

Attachments

| | | | |
|--------------------------------------------------------------------------------------------|-------------------------------------------|-------------------------|-----------|
| 1  | Local Strategic Planning Statement 2025 - | Provided Under Separate | D16861317 |
|  | Final Draft | Cover | |

Item No: 1.6
Title: Draft Open Coast Coastal Management Program -
For Public Exhibition
Department: Environment and Planning



3 June 2025 Environment and Planning Committee

Reference: F2025/00483 - D16808387
Author: Ben Fullagar, Section Manager Catchments to Coast
Manager: Luke Sulkowski, Unit Manager Environmental Management
Executive: Shannon Turkington, Acting Director Environment and Planning

Recommendation

That the Committee recommends to Council that Council places the draft Open Coast Coastal Management Program on public exhibition for not less than 28 calendar days.

Report purpose

This report provides an overview of the draft Open Coast Coastal Management Program (CMP) and recommends that Council place the draft CMP on exhibition for not less than 28 calendar days.

Executive Summary

This report provides an overview of the draft Open Coast Coastal Management Program (CMP) and recommends that Council place the draft CMP on exhibition for not less than 28 calendar days.

The overview includes the following:

- Background of the Coastal Management Program development process,
- Overview of the management actions,
- Business Plan summary,
- Coastal Zone Emergency Action Sub-plan summary, and
- Overview of the completed and proposed Stakeholder Consultation.

Background

In accordance with the NSW Coastal Management Framework, Central Coast Council is required to develop Coastal Management Programs (CMPs) for the local government area

(excluding National Parks estate). Acknowledging the size and diversity of the coastal zone of the Central Coast, Council is involved in the development of five (5) CMPs:

- Tuggerah Lakes
- The Open Coast
- Coastal Lagoons
- Hawkesbury-Nepean River including Brisbane Water and Broken Bay Beaches (multi-council collaboration)
- Lake Macquarie (collaboration with Lake Macquarie City Council) – COMPLETED.

The study area of the Open Coast CMP covers the open coastline and beaches from Budgewoi Beach in the north to Killcare Beach in the south as shown in Figure 1.

Figure 1: Study area of Open Coast CMP

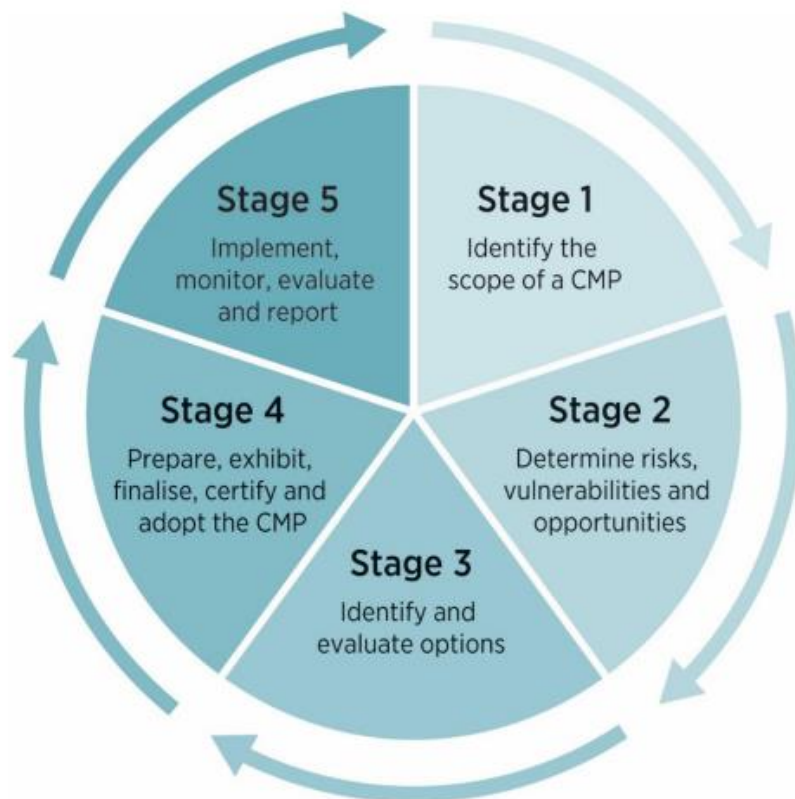


The areas of the estuary mouths of Tuggerah Lakes and the four (4) coastal lagoons are excluded from the Open Coast CMP and included in the respective CMPs covering these estuaries as areas can only be covered by one CMP.

In particular, the study area includes those areas mapped as Coastal Wetlands/Coastal Wetland Proximity Areas, Littoral Rainforest/Littoral Rainforest Proximity Areas, Coastal Environment Areas and Coastal Use Areas under the *State Environment Planning Policy (Resilience and Hazards) 2021* (the SEPP).

As per the process described in the NSW Coastal Management Manual, the CMP procedure is divided into five stages (see Figure 2), Council is currently in Stage 4 of the process.

Figure 2: The five stages of the Coastal Management Program



The following Stages have been completed and a summary of the outcomes are as follows:

Stage 1 (Royal Haskoning DHV, 2021) included a review of relevant background information, a first pass risk assessment, data gap analysis and proposed a forward program for the CMP.

Stage 2 included a Coastal Hazard Study, which investigated beach erosion/recession, cliff recession, coastal inundation, and tidal inundation for immediate, 2040, 2050, 2070 and 2120 planning periods throughout the Central Coast LGA. The updated coastal hazard mapping (Bluecoast Consulting Engineers, 2024) provides probabilistic coastal hazard extents for coastal erosion events up to the 100-year Average Recurrence areas are at risk from beach erosion/recession, cliff recession and coastal inundation over the various planning periods, to

assist in defining which assets are subject to the highest level of risk, with these risks considered in defining coastal management options in Stage 3.

Stage 2 also included a Recreational Use Study (Vision Environment, 2022) that comprised an audit and mapping of recreational facilities in the coastal environment with recommendations on how facilities can be improved in the future.

Stage 3 (Worley Consulting 2024) involved the identification and evaluation of management actions based on the information gleaned in the previous two stages. The Open Coast CMP is currently at Stage 4 which includes preparation, exhibition, certification by the NSW Minister for Environment and adoption of the CMP by Council.

Overview of CMP Report

The CMP aims to ensure the integrated and effective management of the coastal zone, considering environmental, social, and economic factors. The CMP outlines specific actions over a 10-year management cycle and provides details on how the actions will be delivered, monitored, funded, and evaluated.

The CMP has been developed in accordance with the Mandatory Requirements set out in the CM Act and the NSW Coastal Management Manual (CM Manual, OEH 2018). The CMP has been developed with funding and support by the Department of Climate Change, Energy, the Environment and Water (DCCEEW), and in consultation with state agencies and various other stakeholders.

Overview of Management Actions

The CMP structure includes:

- Management actions based on the six categories of management issues:
 - Access and Safety
 - Amenities
 - Coastal Hazards
 - Communities and Social
 - Development
 - Ecological Environment
- Management actions that apply across the entire study area
- Location-specific management actions to manage localised risks and opportunities.

There are a total of 37 actions applying across the coast and at specific locations, aimed at addressing the issues identified during Stages 1, 2 and 3.

Some of the key high profile management actions include:

- Investigate feasibility and responsibilities of long-term sand nourishment licences (including working with the NSW Reconstruction Authority, NSW DCCEEW and other Councils on a state-wide project),
- Review and update coastal development planning controls and undertake Planning Proposal to adopt Coastal Vulnerability Area,
- Implement whole of embayment terminal protection solution for Council owned land at Wamberal Beach in accordance with the principles of the Engineering Design Requirements and the resolutions of Council,
- Identify the extent, nature, and condition of existing coastal emergency works (including potential removal or remediation),
- Continue to nourish The Entrance North Beach with sand from The Entrance channel berm management or dredging activities when available to increase beach amenity and resilience.

As per the requirements of the Manual the CMP outlines the actions that Council and other public authorities will fund and complete. The Manual and the CMP does not provide for any actions for private residents to undertake. Therefore, even with the completion of the actions in this CMP there will still be a significant residual risk to private property on the Central Coast from coastal hazards over the life of this plan.

The draft CMP proposes that property owners that own properties at risk of coastal erosion, continue to be responsible for the funding and implementation of any coastal protection works for their own properties. Private coastal protection works will continue to have a planning pathway under the NSW planning legislation and the NSW Coastal Framework. The CMP does not outline where private residents should or should not lodge development applications for coastal protection works. These development applications will continue to be assessed on their merits by the Regional Planning Panel.

Business Plan

A Business Plan has been developed for the CMP which outlines the key components of the funding strategy for the CMP, including the cost of proposed actions, proposed cost-sharing arrangements, and other potential funding mechanisms. Delivery of the CMPs for the Central Coast Open Coast is estimated to cost \$23.99 Million (2025 dollars) over 10 years.

Sustainable funding and financing arrangements for management actions will be established in consultation with key stakeholders. Funding for management actions may be gained from various sources, including Council's internal funds, competitive State Government grant programs, and local third parties.

Investment in the CMP provides an opportunity to directly improve and preserve the resilience of the CMP Study Area to coastal hazards, water quality, environmental habitats,

cultural values, and recreational amenity of the coastline – and in doing so, bring significant public benefits.

A range of management actions have been proposed in this CMP to mitigate risks to social, environmental, and economic values, for the benefit of the public. For this reason, there are no cost-sharing arrangements in this CMP for funding of actions by private beneficiaries, and there is no provision for implementing a coastal protection service charge in accordance with section 496B of the *Local Government Act 1993*.

Coastal Zone Emergency Action Subplan

The Study Area is subject to a high level of risk from coastal inundation and erosion events. A Coastal Zone Emergency Action Subplan (CZEAS) has been developed for the Central Coast Open Coast areas, for those areas subject to immediate hazards from coastal inundation and erosion. The objectives of the CZEAS are to:

- outline measures to reduce the risk to public safety, the coastal environment and public assets arising from coastal inundation.
- identify key actions to be carried out by Council before, during and following a coastal emergency to reduce the risk to public safety, the coastal environment, and public assets.
- identify the responsibilities of other public authorities during a coastal emergency, and defining a protocol for communication and engagement before, during and after an emergency event.
- identify key areas and assets subject to immediate hazards from coastal erosion and inundation and prioritise actions to reduce the risks to those areas and assets.

Stakeholder Engagement

The management actions have been informed by a series of community consultation activities throughout Stage 1, 2 and 3 of the CMP process.

During Stage 3, the engagement process aimed to inform, engage and obtain input from stakeholders and the wider community on coastal management actions and their viability and acceptability, including timing.

From December 2023 to March 2024, Council undertook the Stage 3 community consultation and engagement. This phase included:

- Project dedicated website Your Voice Our Coast – Open Coast Coastal Management Program with project background, FAQ's, links to studies and coastal staff contact email.
- Interactive Social Pinpoint page
- Six community pop up events
- Two targeted community stakeholder sessions.

The feedback received during the Stage 3 consultation activities has been invaluable in refining and updating the list of potential management actions.

The proposed Stage 4 community engagement is planned to include the public exhibition of the draft CMP via the Your Voice Our Coast website, together with public information sessions to gain community and stakeholder feedback on the draft management actions. Following this a report is to be brought back to Council summarising the outcomes of the consultation, prior to the CMP being finalised and submitted to the Minister for certification.

Financial Considerations

Financial Year (FY) Implications.

The proposal has cost financial implications for the current FY and outer years in the LTFP.

Budget and Long-Term Financial Plan (LTFP) Impact.

The FY adopted budget does not include the impact of this proposal and the amount will need to be included in a future Quarterly Budget Review. The LTFP does not allow for the ongoing impact and will need to be updated in the next review.

The recommendation from this report which places the CMP on exhibition and is accompanied by public information sessions as discussed in this report, is funded by existing adopted budgets.

Should the CMP be adopted by Council following exhibition then as per the Coastal Management Act 2016, ensuing actions would need to be supported by Council funds identified in the Long-Term Financial Plan (LTFP). The LTFP includes allowances for the implementation of Council's CMP's, but actions would need to be aligned with available annual budgets in each year of the program. As discussed in this report, other funding sources will be made available to support delivery of these actions following the gazettal of the CMP.

Link to Community Strategic Plan

Theme 3: Green

Goal E: Environmental resources for the future

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

Risk Management


It is proposed to mitigate the risks to Council on the development and adoption of this CMP through public exhibition and community engagement to ensure that the community values are met.

As outlined above it is acknowledged that even with the completion of the actions in this CMP there will still be a significant residual risk to private property on the Central Coast from coastal hazards over the life of this plan. There is limited scope for Council or other public authorities to mitigate this risk over the life of the plan.

Critical Dates or Timeframes

Nil

Attachments

- | | | | |
|-------------------------------------------------------------------------------------|-------------------------------------|-------------------------|-----------|
| 1 | Draft Open Coast Coastal Management | Provided Under Separate | D16838575 |
|  | Program RevA | Cover | |

Item No: 1.7
Title: Land Acquisition - Mannering Park - Shared Pathway
Department: Environment and Planning



3 June 2025 Environment and Planning Committee

Reference: F2025/00483 - D16795532
Author: John Lowrie, Special Projects Officer
Manager: Chris Barrett, Commercial Property Manager.Commercial Property
Executive: Shannon Turkington, Acting Director Environment and Planning

Recommendation

That the Committee recommends to Council, That Council:

- 1 Acquires land pursuant to Section 177 of the Roads Act 1993, for the public purpose of creating a shared pathway linking Mannering Park and Chain Valley Bay. The land to be acquired is part of Lot C DP 349733 and part of Lot D DP 34973. Both lots are in Mannering Park (see Attachment 1).***
- 2 Endorses that the Chief Executive Officer be authorised to negotiate, finalise and execute the purchase of the land in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991 (the Just Terms Act) with consideration given to the current market value of the land as determined by an independent valuer.***
- 3 Endorses that the Chief Executive Officer (being General Manager under the Local Government Act 1993) be authorised to make an application to the Minister for Local Government for approval to acquire all or part of the land by compulsory process pursuant to the Just Terms Act, if negotiations with property owners are not finalised within the time period specified in the Just Terms Act.***
- 4 In accordance with provisions of Section 11(3)) of the LG Act, confirms that Attachment 4 remain confidential in accordance with Section 10A(2)(d) of the LG Act as it contains commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it or confer a commercial advantage on a competitor of Council.***

Report purpose

To authorise the acquisition of part of Lot C DP 349733 being land adjacent to Vales Road Mannering Park and part of Lot D DP 349733, being land abutting Tall Timbers Road Mannering Park. The acquisitions are required for the purpose of creating a public pathway, specifically to facilitate the construction of a shared pathway linking Mannering Park and Chain Valley Bay.

Executive Summary

This section of the proposed shared pathway will provide a missing link through Mannering Park, as identified in the 2019 Central Coast Bike Plan (see Attachment 2). The acquisition of the land in question is required to complete the preferred pathway route.

The project will create an array of benefits for the community, including:

- Improved pedestrian and cyclist safety,
- Increased connectivity between local destinations,
- Additional recreational infrastructure for the community.

This Land is to be acquired for the public purpose of opening and constructing a road pursuant to Section 177 of the *Roads Act 1993*.

The purchase of the land in question will be undertaken in accordance with the requirements of the *Land Acquisition (Just Terms Compensation) Act 1991*.

There are considerations of confidentiality that apply in respect of the level of compensation that is payable for acquisition of the land referred to in this report.

Background

The 2019 Central Coast Bike Plan and Central Coast Council Regional Section 7.12 Development Contribution Plan 2019 identified the need for investigation and design of a shared pathway linking Mannering Park and Chain Valley Bay.

At its meeting held 9 September 2019, Council resolved the following:

850/19 That Council receive and endorse the Central Coast Bike Plan and Central and Pedestrian Access and Mobility Plan.

Currently there is no shared pathway for cyclists or pedestrians wishing to travel between Mannering Park and Chain Valley Bay. The proposed shared pathway will provide this missing link, increasing pedestrian and cyclist safety and improve on transport facilities.

In 2017 Council commissioned a feasibility study for both a land-based and foreshore-based path extension between Mannering Park and Kingfisher Shores. The feasibility study identified the heritage, ecological, contamination, environmental, social, cost and constructability impact for both options. The shared pathway route options that were considered are shown in (Figure 1). Following stakeholder and community consultation, the foreshore route was adopted as the preferred option.



Figure 1 – Mannering Park shared pathway route options.

The foreshore route follows a 2.9 km pathway along the foreshore from Griffith Street, Mannering Park crossing the inlet channel and through privately owned land to Tall Timbers Road, Kingfisher Shores connecting to the existing path. The acquisition of part Lot C DP 349733 and part of Lot D DP 349733 is required to complete the preferred pathway route. The following properties will be affected:

220 Vales Road Mannering Park NSW 2259 (Lot C DP 349733)

- C2 Environmental Conservation, R2 and SP2 Infrastructure
- Current land size is 17.51 Hectares.
- Approximate area of 364m² is required for this acquisition.
- Proposed acquisition area is zoned C2 Environmental Conservation.

240 Tall Timbers Road, Mannering Park NSW 2259 (Lot D DP 349733)

- C2 Environmental Conservation, R2 and SP2 Infrastructure
- Current land size is 5.066 Hectares.
- Approximate area of 916m² is required for this acquisition.
- Proposed acquisition area is zoned C2 Environmental Conservation.

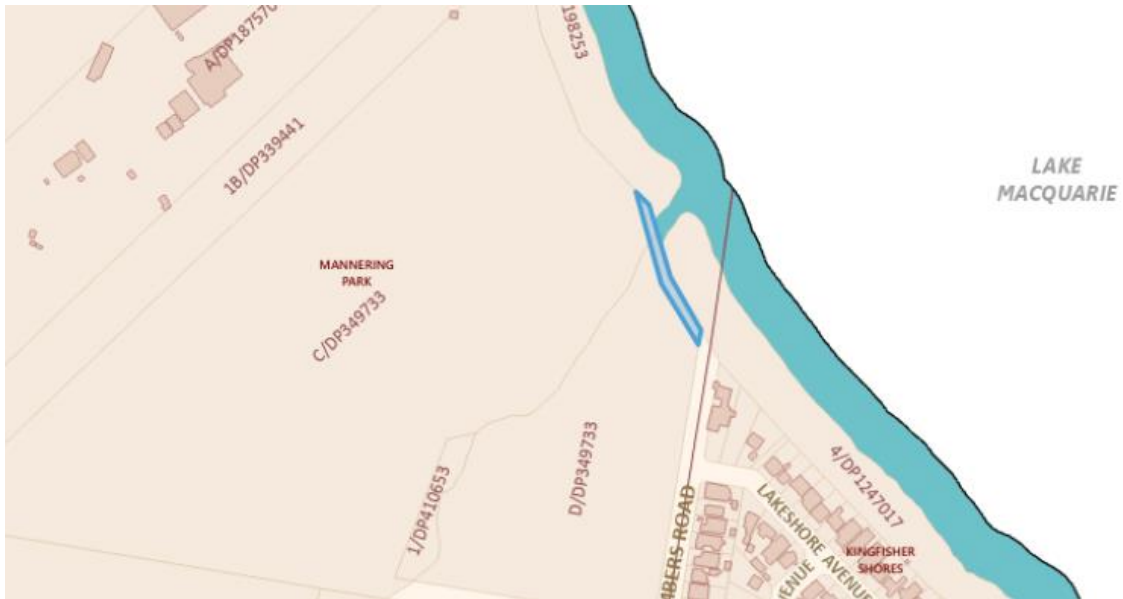


Figure 2 - General location of proposed Mannering Park acquisitions.

The general context of the pathway acquisitions area is shown in the map view at (Figure 2) (above) and a close-up view of the affected area is shown at (Figure 3) (below).



Figure 3 – Aerial view of properties affected by Mannering Park acquisitions.

Report

Subject to the recommendations in this report being adopted, the Commercial Property & Business Enterprise Unit will commence the formal consultation and negotiation process with the affected property owners regarding the proposed acquisitions.

The Just Terms Act encourages acquisition by agreement and provides a minimum six-month period for both parties to agree on the terms of the acquisition.

Under the Just Terms Act, the period required for negotiation can be reduced by agreement. It is Council's express desire to complete the acquisition in a timely fashion and accordingly it is hoped that the period of negotiation will be less than the period specified in the legislation. Nonetheless, a reduced period of negotiation can only occur by agreement.

The Commercial Property & Business Enterprise Unit will procure a suitable valuer from Council's prequalified contractors register to provide market valuations for the proposed land acquisitions. Such valuations provide a baseline for the land component of compensation offers. Council is also required to meet legal and conveyancing costs that are reasonably incurred by landowners as part of the acquisition process.

If negotiations for the acquisition of the land with the owners are not satisfactorily resolved within the statutory period, acquisition of the land by compulsory process will commence. In the event of compulsory acquisition, Council must make an application to the Minister for Local Government for approval to acquire by compulsory process.

Compulsory acquisition starts with the landowner receiving a proposed acquisition notice (PAN), which formally states Council's intention to compulsorily acquire the property. However, even if a compulsory acquisition process is started, efforts can be made to reach an agreement with relevant landowners.

Stakeholder Engagement

Council held a Community Information session at Mannering Park Community Hall in March 2021 and provided information on the "Your Voice Our Coast" website to engage with interested residents and community members on the options available for construction of a shared pathway between Mannering Park and Kingfisher Shores (see Attachment 3).

The consultation resulted in the foreshore route being adopted as the preferred option.

Mannering Park Precinct Committee and Chain Valley Bay Progress Association Inc both provided Council with letters of support for the shared pathway grant funding submission.

The owners of Lot C DP 349733 and part of Lot D DP 349733 Sunset Power International (Delta Electricity) have written to Council to confirm they understand the importance of the project to the local community and have no issue with the concept of a pathway.

Financial Considerations

Financial Year (FY) Implications.

The proposal has cost financial implications for the current FY and outer years in the LTFP.

Budget and Long-Term Financial Plan (LTFP) Impact.

The FY adopted budget includes funding for this proposal and the LTFP includes funding for the ongoing impact.

Works and acquisitions for this project are being funded from Section 7.12. Contributions & Grant Funding. The total budget for the project is \$12.7 M with funds available for FY 2024-25, FY 2025-26, FY 2026-27, and FY 2027-28.

Total land acquisition costs include initiation, documentation, valuations, purchase of the land, property remediation, special value considerations, finalisation of agreement and associated legal expenses.

Costs of property acquisitions are estimated to be in the range of \$95,000 to \$125,000. For confidentiality reasons the details of individual acquisition costs are presented in a confidential attachment only (see Confidential Attachment 4).

Link to Community Strategic Plan

Theme 5: Liveable

Goal E: Environmental resources for the future

L-K2: Design and deliver pathways, walking trails and other pedestrian movement infrastructure to maximise access, inclusion and mobility to meet the needs of all community members.





Risk Management

There are minimal risks in terms of outcomes, if Council adheres to the process set out in the Just Terms Act. The period for acquisition will be affected by the willingness of the affected landowner to reach agreement. The acquisition timeline may run from 9 months to 18 months depending on the progress of negotiations and the individual circumstances of property owner (for example, acquisition will take longer if the land is mortgaged).

Critical Dates or Timeframes

Nil.

Attachments

| | | | |
|-----------------------------------------------------------------------------------|-------------------------------------------------|----------------|-----------|
| 1 | Mannering Park Shared Pathway - Plan Showing | Provided Under | D16795609 |
|  | Land Acquisition Areas | Separate Cover | |
| 2 | Central Coast Bike Plan 2019-2029 | Provided Under | D16816564 |
|  | | Separate Cover | |
| 3 | Mannering Park Shared Pathway - Your Voice | Provided Under | D16795621 |
|  | Our Coast Published Content | Separate Cover | |
| 4 | Confidential Attachment - Estimated Acquisition | Provided Under | D16800765 |
|  | Costs - Mannering Park | Separate Cover | |



Item No: 1.8
Title: Land Acquisition - Davistown Road Saratoga - Road Widening
Department: Environment and Planning

3 June 2025 Environment and Planning Committee

Reference: F2025/00483 - D16708045
Author: Debbie Blundell, Property Officer Land Sales Acquisitions
John Lowrie, Special Projects Officer
Manager: Chris Barrett, Commercial Property Manager Commercial Property
Executive: Shannon Turkington, Acting Director Environment and Planning

Recommendation

That the Committee recommends to Council, That Council:

- 1 Acquires the following land pursuant to Section 177 of the Roads Act 1993 for the public purpose of road widening to enable road and pathway and drainage upgrades of Davistown Road Saratoga. The subject land is part of each of Lot 16 DP 22807, Lot 17 DP 22807, Lot 2 DP 1212395, Lot 1 DP 1212395, and Lot 20 DP 22807 (see Attachment 1).***
- 2 Authorises the Chief Executive Officer to negotiate, finalise and execute the purchase of the land in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991 (the Just Terms Act) with consideration given to the current market value of the land as determined by an independent valuer.***
- 3 Authorises the Chief Executive Officer (being General Manager for the purposes of the Local Government Act 1993 (the LG Act)) to make an application to the Minister for Local Government and the Governor for approval to acquire the Lands by compulsory process pursuant to the Just Terms Act, if the acquisition of the land from the relevant property owners is not finalised within the statutory negotiation period set out in the Just Terms Act.***
- 4 In accordance with provisions of Section 11(3)) of the LG Act, confirms that Attachment 3 remain confidential in accordance with Section 10A(2)(d) of the LG Act as it contains commercial information of a confidential nature that would if disclosed prejudice the commercial position of the person who supplied it or confer a commercial advantage on a competitor of Council.***

Report purpose

To authorise the acquisition of parts of Lot 16 DP 22807, Lot 17 DP 22807, Lot 2 DP 1212395, Lot 1 DP 1212395, and Lot 20 DP 22807 being land abutting Davistown Road Saratoga. The acquisitions are required for the purpose of road widening, specifically, to enable road and pathway and drainage upgrades to bring the roadworks up to current standards.

Executive Summary

This part of the Davistown Road upgrade project will improve the local road network for all transport and pedestrian users of Davistown Road Saratoga from the roundabout at the intersection with Jirramba Avenue Saratoga to the roundabout at the intersection with High Street Saratoga. The acquisition of the land in question has been identified as essential for the necessary transport upgrades to be carried out.

Specific benefits to the public include:

- Improved parking
- Upgraded street lighting
- Installation of kerb and guttering
- Improved drainage/road runoff
- Upgrading of pedestrian and cyclist connectivity.

This land is to be acquired for the public purpose of widening of a road pursuant to Section 177 of the *Roads Act 1993*.

The purchase of the land will be undertaken in accordance with the requirements of the *Just Terms Act*.

Background

This project is Stage 16 of the ongoing upgrade of Davistown Road which started at the intersection with Avoca Drive in Green Point. This stage is approximately 340m between Jirramba Avenue and High Street in Saratoga.

It includes road widening and reconstruction, kerb and gutter, shared path, and footpath, retaining walls, stormwater drainage upgrade, water main replacement, driveways and utility pit adjustments. This stage of work will tie into existing infrastructure at either end of Davistown Road.

This project is identified in the CCC Operational Plan 2024-25 and CAPEX Program 2024/25 under Work Program ID 100548. It is included in CAPEX budget for FY 2025/26 and FY 2026/27.

To meet the requirements for this Project, it will be necessary to acquire land approximately 1.5m wide (actual width varies) along the front boundaries of five (5) properties.

The general context of the road widening is shown in the map view at (Figure 1) and a close-up view of the affected area is shown at (Figure 2).

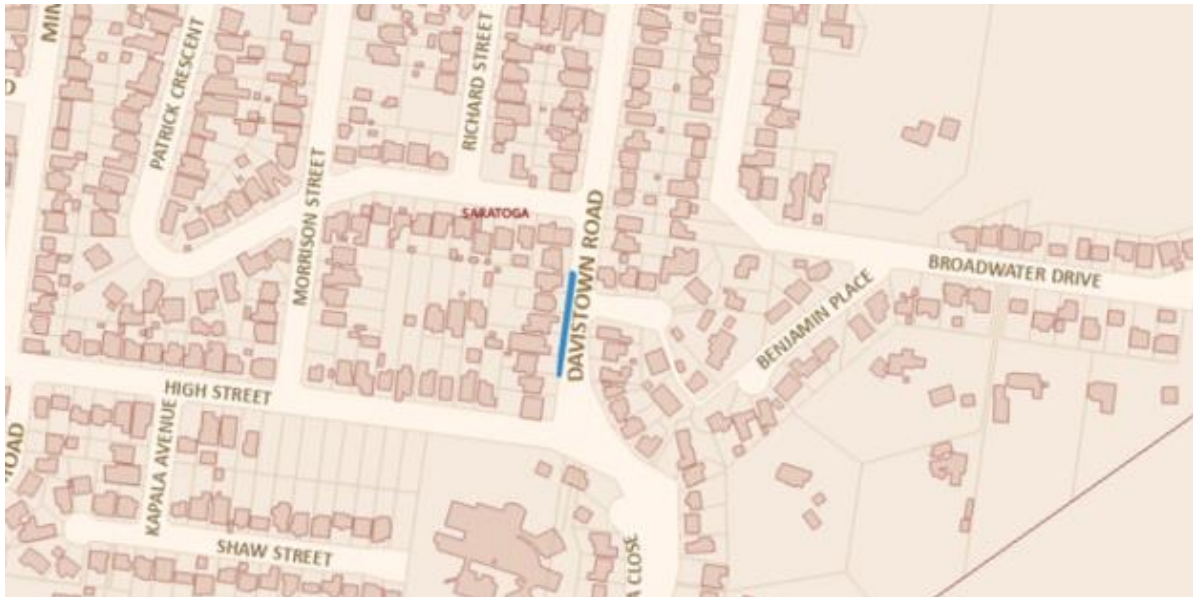


Figure 1 - General location of proposed Davistown Road acquisitions.



Figure 2 – Aerial view of properties affected by Davistown Road acquisitions.

The following properties will be affected:

114 Davistown Road Saratoga NSW 2251 (Lot 16 DP 22807)

- Zoned R2 Low Density Residential.
- Current land size is 651.3m²
- Area of 11.4m² is required for this acquisition.

116 Davistown Road Saratoga NSW 2251 (Lot 17 DP 22807)

- Zoned R2 Low Density Residential.
- Current land size is 891.56m².
- Area of 22.9m² is required for this acquisition.

118 Davistown Road Saratoga NSW 2251 (Lot 2 DP 1212395)

- Current land size is 1177m².
- Zoned R2 Low Density Residential.
- Area of 23.2m² is required for this acquisition.

120 Davistown Road Saratoga NSW 2251 (Lot 1 DP 1212395)

- Current land size is 601.4m².
- Zoned R2 Low Density Residential.
- Area of 22.5m² is required for this acquisition.

122 Davistown Road Saratoga NSW 2251 (Lot 20 DP 22807)

- Current land size is 891.56m².
- Zoned R2 Low Density Residential.
- Area of 23.2m² is required for this acquisition.

Report

Concept plans showing the proposed road widening over the affected properties have been prepared (see Attachment 1).

A suitably qualified surveyor has also been engaged to complete a "*Plan of Land to be Acquired for the Purposes of Roads Act 1993*".

Subject to the recommendations in this report being adopted, the Commercial Property & Business Enterprise Unit will commence the formal consultation and negotiation process with the affected property owners regarding the proposed acquisitions.

The *Just Terms Act* encourages acquisition by agreement and provides a minimum six-month period for both parties to agree on the terms of the acquisition.

Under the *Just Terms Act*, the period required for negotiation can be reduced by agreement. It is Council's express desire to complete the acquisition in a timely fashion and accordingly

it is hoped that the period of negotiation will be less than the legislative specification. Nonetheless, a reduced period of negotiation can only occur by agreement. The Commercial Property & Business Enterprise Unit will procure a suitable valuer from Council's prequalified contractors register to provide valuations for the proposed land acquisitions. These independent valuations will be a baseline for our land acquisition compensation offers.

Council will also meet any legal and conveyancing costs that are reasonably incurred by the landowners as part of the acquisition process.

If the negotiations for the acquisition of the land with the owners cannot be satisfactorily resolved within the statutory period, Council will look to acquire the land by compulsory process. In the event of compulsory acquisition, Council would be required to make an application to the Minister for Local Government and the Governor for approval to acquire by compulsory process.

Compulsory acquisition starts with the landowner receiving a proposed acquisition notice (PAN), which will formally state Council's intention to compulsorily acquire the property.

However, even if a compulsory acquisition process is started, efforts will also be made to reach an agreement with affected landowners. In this regard Council can continue to negotiate with the landowner after a PAN is issued.

Stakeholder Engagement

In November 2024 Council staff sent letters to the affected property owners as part of the community consultation process. These letters included a copy of the concept design plan (which is shown in Figure 3 below), which indicated the mooted acquisitions. A copy of the community consultation letter and associated plans is included as (Attachment 2).

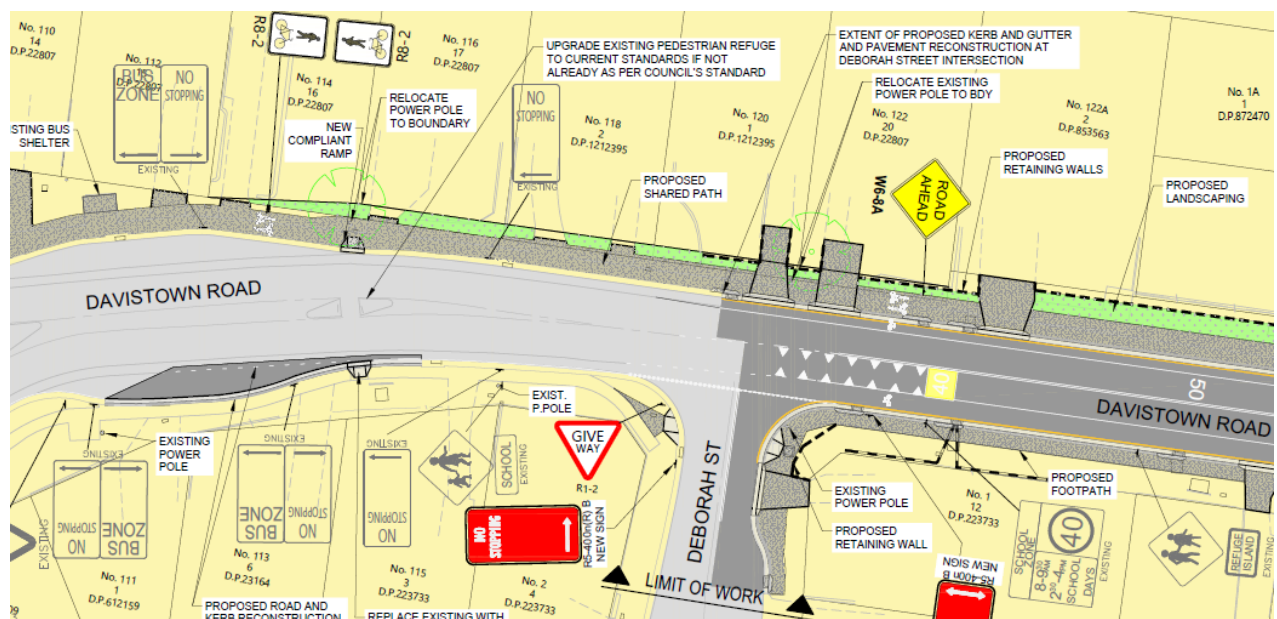


Figure 3 – Extract from public consultation drawings provided to local residents.

Financial Considerations

Financial Year (FY) Implications.

The proposal has cost financial implications for the current FY and outer years in the LTFP.

Budget and Long-Term Financial Plan (LTFP) Impact.

The FY adopted budget includes funding for this proposal and the LTFP includes funding for the ongoing impact.

The upgrade works and acquisitions for this project are being funded from General Revenue, a portion from Federal funding and CAPEX budget of \$1.26M available for FY 2025-26 and \$2.29M for FY 2026-27.

Total land acquisition costs are inclusive of initiation, documentation, valuations, negotiations based on Just Terms Act compensation principles, purchase of the land, property remediation, special value considerations, finalisation of agreement and associated legals expenses.

Costs of property acquisitions are estimated to be in the range of \$140,000 to \$180,000. For confidentiality reasons the details of individual acquisition costs are presented in a confidential attachment only (see Confidential Attachment 3).

Link to Community Strategic Plan

Theme 4: Responsible

Goal H: Delivering essential infrastructure

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

Risk Management




There are minimal risks in terms of outcomes, if Council adheres to the process set out in the Just Terms Act.

The period for acquisition will be affected by the willingness of each affected landowner to reach agreement. The acquisition timeline may run from 9 months to 18 months depending on the progress of negotiations and the individual circumstances of property owners (for example, acquisition will take longer if the land is mortgaged or if a deceased estate is encountered).

Critical Dates or Timeframes

Nil.

Attachments

- | | | | |
|-----------------------------------------------------------------------------------|---------------------------------------------------|----------------|-----------|
| 1 | Plans Showing Proposed Road Widening Affecting | Provided Under | D14230194 |
|  | 114, 116, 118, 120 & 122 Davistown Road, Saratoga | Separate Cover | |
| 2 | Community Consultation Letter & Plans sent to | Provided Under | D16526728 |
|  | Davistown Rd Residents - Proposed Road and | Separate Cover | |
| | Drainage Reconstruction | | |
| 3 | Confidential Attachment - Estimated Acquisition | Provided Under | D16800749 |
|  | Costs - Davistown Road Saratoga | Separate Cover | |

Item No: 1.9
Title: Winney Bay - Outcome of Consultation
Department: Environment and Planning

3 June 2025 Environment and Planning Committee

Reference: F2016/02202 - D16430464
Author: Larry Melican, Section Manager Natural Assets and Biodiversity
Manager: Luke Sulkowski, Unit Manager Environmental Management
Executive: Shannon Turkington, Unit Manager Strategic Planning



Recommendation

That the Committee:

- 1 Receives the report on community consultation undertaken for the concept designs for the Clifftop Walk which includes an upgrade of Captain Cook Lookout and the carpark.***
- 2 Notes that due to current financial considerations and based on the four-year delivery program, Council is currently unable to facilitate major upgrades relating to the Clifftop Walk or the Captain Cook Lookout over the next four years.***
- 3 Recommends to Council that Council suspends further planning for major upgrades to the Winney Bay Clifftop Walk and Captain Cook Lookout subject to any future Council resolutions.***
- 4 Recommends to Council that Council requests that the Chief Executive Officer, develops and implements a plan for safety barriers at appropriate locations along the cliff edge between Captain Cook Lookout and the existing Winney Bay Stairs to mitigate public safety risks and enable the informal walking trail to be used by the community.***

Report purpose

To consider the Winney Bay Clifftop Walk Project – Stage 2 community consultation results.

Executive Summary

Community consultation was undertaken between 9 November 2020 and 15 December 2020 on three (3) concept plans for the Winney Bay Clifftop Walk. The community consultation also included four (4) concept plans for a proposed upgrade to the access between Captain Cook Lookout and the carpark: a proposed change to the barrier around the viewing platform at the lookout and a proposed upgrade to the carpark. The feedback received during the community consultation indicates that there is a diversity of opinion in the community about solutions for the Clifftop Walk and that there was a preference for changing the barrier around Captain Cook Lookout and for upgrading the carpark.

Background

In March 2018, Council submitted a successful application to the Regional Growth – Environment and Tourism Fund for \$4.651 million to construct a walkway, viewing platform and bridge of the sea chasm along the Winney Bay clifftop. There was a delay in finalising the funding agreement with the NSW Government due to the diversity of opinion within the community and subsequent resolutions of Council for further community consultation on the preferred solution for establishing a pathway along the Winney Bay Clifftop.

Council considered reports on the Winney Bay Clifftop Walk on 28 May 2018, 10 December 2018, 11 February 2019, 27 May 2019, and 9 September 2019.

The following resolutions were made by Council at its meeting of 9 September 2019:

- 853/19 *That Council request that subject to the public consultation report being favourable to the construction of Winney Bay Cliff Top Walk – Stage 2 and a clear preference for either "Plan A" or "Plan B", and no irresolvable issue are identified that the Chief Executive Officer formally accept the funding offer, instruct staff to finalise the funding agreement and progress the development of the project in accordance with identified changes.*
- 854/19 *That Council note the diversity of community opinion on the scope of Winney Bay Cliff Top Walk – Stage 2.*
- 855/19 *That Council request the Chief Executive Officer provide plans and costings for Winney Bay Cliff Top Walk – Stage 2 in line the Council resolution of 10 December 2018, with this be known as "Plan A". That a concept of "Plan C" be included in any consultation which would comprise an upgrade of the informal track, fencing in locations where there is a safety risk, weed removal and rehabilitation and an upgrade of Captain Cook Lookout.*
- 856/19 *That Council note the Infrastructure NSW letter (see attachment) dated 28 August 2019.*

- 857/19 *That with consideration of Infrastructure NSW endorsing a number of the changes requested by Council, that Council request the Chief Executive Officer to instruct staff to produce plans and costings for a revised design including the bridge spanning the chasm, and the north facing lookout, but retaining Council's other previously adopted design changes. These plans to be known as "Plan B"*
- 858/19 *That both Plans A and B provide for the provision of walking tracks that are in the style of those in Bouddi National Park, Wyrabalong National Park and Kincumba Mountain Regional Reserve.*
- 859/19 *That Council commit to the remediation of the native vegetation in Winney Bay Reserve.*
- 860/19 *That Council exhibit the revised designs for "Plan A" and "Plan B" for community consultation.*
- 861/19 *That Council request the result of the community consultation be brought back to Council prior to construction commencing on Winney Bay Cliff Top Walk – Stage 2*

On 20 September 2019 the offer of \$4.651 million by the NSW Government for the Winney Bay Clifftop Walk was withdrawn. There were no other funds available to progress the design option that Council may have endorsed following community consultation on the three options. The withdrawal of the offer of \$4.651 million by the NSW Government was communicated as Item 20 in the Councillor Update of 8 November 2019.

Council undertook geotechnical surveys as part of the design phase of Stage 2 of the Winney Bay Clifftop Walk. A 130m section of the informal track has been found to be within the unacceptable risk zone due to its proximity to the sheer cliff faces and has been temporarily closed.

Report

A consultant prepared concept plans and was involved in the community consultation process that was undertaken between 9 November 2020 and 15 December 2020. A survey available on the Your Voice Our Coast site asked for feedback and preferences from the community on:

- three concept plans and construction materials for the Clifftop Walk,
- four options for upgrading access to Captain Cook Lookout,
- a proposed change to the barrier around Captain Cook Lookout,
- upgrading the carpark adjacent to Captain Cook Lookout.

The Your Voice Our Coast site received 3,381 visits, and social media posts reached 28,000 people. A total of 570 surveys were received, however not all surveys provided a response to every question. The community survey responses indicated a continued diversity of opinion on the preferred design of the project. There was no majority preference for any one of the three Clifftop Walk options that were the subject of community consultation. The full description of the methods undertaken, and the results of the community consultation can be found in (Attachment 1) The Winney Bay Clifftop Walk (Stage 2) and Captain Cook Lookout Consultation Report.

Clifftop Walk

As with previous community consultation on the Clifftop Walk undertaken in 2018, the community survey responses indicated a diversity of opinion on the design of the project with respondents generally split in their preferred future approach to the management of the reserve. There was no majority preference for any one of the three (3) options that were the subject of community consultation.

Access to Captain Cook Lookout

Of the four (4) concepts for the upgraded access to Captain Cook Lookout there was not a majority first preference for any of the concepts. 54.3% of respondents however identified C(iv), the stairs only concept, as their least preferred option indicating support for the inclusion of a ramp in any upgrade of the access to Captain Cook Lookout.

Captain Cook Lookout barrier/balustrade

There was a strong preference expressed (84.6%) by the survey respondents for changing the existing barrier/balustrade around the Captain Cook Lookout platform.

Captain Cook Lookout Carpark.

The upgrade to the Captain Cook Carpark was supported by 61.3% of respondents, with 38.7% of respondents not supporting the proposed upgrade.

While the results of community consultation provide important feedback to Council, a range of factors including construction and maintenance costs need to be considered in informing Council's decisions about how to proceed with Winney Bay Clifftop Walk – Stage 2. It is anticipated that further community consultation would be required should Council resolve in the future to proceed with upgrading the clifftop route at Winney Bay.

Stakeholder Engagement

Community consultation was undertaken between 9 November 2020 and 15 December 2020 on the three options for the Winney Bay Clifftop Walk as recommended by Council. This was the second round of community consultation, the first of which was conducted between 27 October 2018 and 22 October 2018 on a single option.

Financial Considerations

Financial Year (FY) Implications

The proposal has cost financial implications for the current FY and outer years in the LTFP.

Budget and Long-Term Financial Plan (LTFP) Impact.

The FY adopted budget includes the impact of this proposal but the LTFP does not allow for the ongoing impact and will need to be updated in the next review.

Design of appropriate safety barriers, as identified in the recommendation, can be accommodated within existing operating budgets. Following completion of designs, staff will have a greater understanding of cost implications associated with those designs, and whether the project will trigger capitalisation thresholds for delivery. When costs are better ascertained consideration can be given to whether upgrade of the safety barriers can be accommodated within existing budgets, or whether additional operating or capital budget is required to facilitate the works. Safety barrier works have the potential to extend into the 2025-26 financial year pending Council's resolution relating to this matter.

Council's current 4-year delivery program has no capacity to deliver a new asset at the Clifftop Walk or upgrades to Captain Cook Lookout. Progression of the project is likely to be reliant on grant funding, and if these opportunities were presented, Council would need to consider its capacity to sustain ongoing depreciation and maintenance costs.

Link to Community Strategic Plan

Theme 1: Belonging

Goal B: Creativity, connection and local identity

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


Risk Management

Current informal access to the clifftop areas of Winney Bay Reserve presents a potential public safety risk and uncontrolled access to the surrounding natural environment.

Critical Dates or Timeframes

Nil

Attachments

| | | | |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------|
| 1 | Winney Bay Clifftop Walk (Stage 2) and Captain  Cook Lookout Consultation Report | Provided Under Separate Cover | D14551164 |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------|

Item No: 1.10
Title: Draft Flood Risk Management Policy - for Public Exhibition
Department: Environment and Planning



3 June 2025 Environment and Planning Committee

Reference: F2004/00144 - D16489730
Author: Peter Sheath, Unit Manager Environmental Management
Manager: Luke Sulkowski, Unit Manager Environmental Management
Executive: Shannon Turkington, Acting Director Environment and Planning

Recommendation

That the Committee

- 1 Recommends to Council that Council endorses the public exhibition of the draft Flood Risk Management Policy for a period of not less than 28 days.***
- 2 Notes that a further report will be provided following the public exhibition period.***

Report purpose

To seek a resolution to publicly exhibit the draft Flood Risk Management Policy for not less than 28 days.

Executive Summary

The draft Policy clarifies Council's flood risk management responsibilities and identifies an emissions scenario for considering the impacts of climate change.

The emissions scenario will allow metrics to be determined for projected sea level rise which can be applied for planning purposes into the future. The policy also establishes appropriate planning horizons for different types of development and infrastructure assets.

Background

Council's flood risk management responsibilities are defined by NSW legislation and Gazetted guidelines. There is no existing flood policy for the Central Coast with the flood risk management impacts of sea level rise assessed differently between the former Gosford and Wyong Local Government Areas.

Statutory consideration of climate change is required as part of Council's flood risk management responsibilities, as outlined in the following legislation:

- NSW Flood Prone Land Policy
- NSW Flood Risk Management Manual
- Local Government Act 1993
- NSW Planning Circular PS 24-001 – *Update on addressing flood risk in planning decisions*
- Central Coast Local Environment Plan 2022.

Current Status

A draft Flood Risk Management Policy has been developed to clarify Council's approach to flood risk management in accordance with statutory responsibilities as defined by the NSW Government and to adopt a greenhouse gas emissions scenario for the sake of considering the impacts of climate change.

Report

The draft Flood Risk Management Policy has been prepared to provide a consistent approach for the management of flood risk across the Central Coast. The draft policy applies to:

- Activities or development carried out on flood prone land, including land use planning, development control, infrastructure planning, and capital works.
- Advice about flood prone land provided by any Council staff member to any internal or external customer.

The objectives of this Policy are:

- To clarify Council's Flood Risk Management statutory responsibilities as defined by the NSW Government.
 - a) The relevant legislation is listed at part 3.1 of the draft policy.
- To adopt a greenhouse gas emissions scenario for the sake of considering the impacts of climate change.
 - a) The draft policy includes the recommended emissions scenario (Medium SSP2-4.5), as shown by the yellow line in the figure below. This is the most likely emissions trajectory based on the most recent Intergovernmental Panel on Climate Change advice.

- b) Note that Council may alternatively consider adopting the High SSP3-7.0 emissions scenario (red line), or the Very High SSP5-8.5 emissions scenario, which is a more precautionary approach.

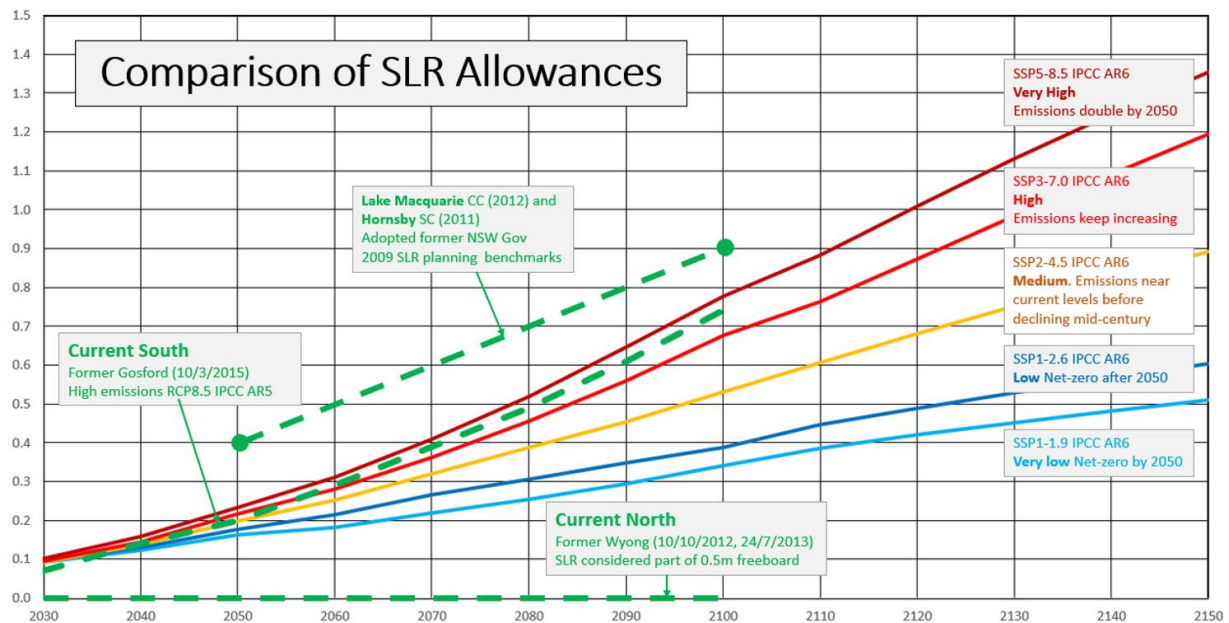


Figure 1: Comparison of Sea Level Rise (SLR) allowances under different emissions scenarios and compared to current south (former Gosford LGA) current north (former Wyong LGA) and Lake Macquarie and Hornsby Council's.

Stakeholder Engagement

The draft Policy was considered in presentations to Council on both 18 February 2025 and 18 March 2025.

After each of the above stages of consultation the draft Policy was amended to address the comments and to develop a draft policy intended for public exhibition.

Consultation with external stakeholders will be undertaken as part of the public exhibition.

Financial Considerations

Financial Year (FY) Implications

The proposal does not have financial implications for the current year or outer years in the LTFP.

Budget and Long-Term Financial Plan (LTFP) Impact

The FY adopted budget includes funding for this proposal.

There is no financial impact arising from the recommendations of this report. The policy will however help guide well considered future investment in more financially sustainable and resilient infrastructure and development across the Central Coast.

Link to Community Strategic Plan

Theme 3: Green

Goal F: Cherished and protected natural beauty

G-F4: Address climate change and its impacts through collaborative strategic planning and responsible land management and consider targets and actions.

Risk Management

The policy promotes the appropriate consideration of risk to life and property, as part of development and infrastructure decisions, as well as consideration of safe and efficient evacuation routes on the road network.

Critical Dates or Timeframes

Nil.

Attachments

- 1  DRAFT Flood Policy Provided Under Separate Cover D16300632

Item No: 1.11
Title: Review of Policy for Asbestos Management
Department: Environment and Planning



3 June 2025 Environment and Planning Committee

Reference: F2010/00542 - D16666484
Author: Colleen Birch, Environmental Management Coordinator
Environmental Health and Systems
Manager: Shann Mitchell, Unit Manager Environmental Compliance Services
Executive: Shannon Turkington, Acting Director Environment and Planning

Recommendation

That the Committee Recommends to Council that Council endorses the Draft Policy for Asbestos Management (Attachment 1) to be placed on public exhibition for a period of not less than 28 days with a further report to be presented after the public exhibition period.

Report purpose

To enable the Committee to consider the draft Policy for Asbestos Management for the purpose of public exhibition.

Executive Summary

This Report summarises the draft Policy for Asbestos Management for public exhibition. The draft Policy has been reviewed and is based on the Office of Local Government Model Asbestos Policy 2012. The Draft Policy sets out how Council will manage Asbestos.

Background

Central Coast Council approved the Policy for Asbestos Management in 2017 (integrating the former Gosford City Council and Wyong Shire Council versions). This review process began in 2024, in accordance with the new Governance Policy Framework, identifying that the Model Asbestos Policy and Council's Asbestos Policy were significantly out-of-date, due to legislative changes. This revision has been carried out to address these changes.

The Model Asbestos Policy was developed in 2012 by the Local Government and Shires Associations of NSW (LGSA) on behalf of the Heads of Asbestos Coordination Authorities (HACA) Working Group, to assist NSW councils to develop an asbestos policy and to promote a consistent approach to asbestos management by Local Government across NSW. The Model Policy was issued under section 23A of the *Local Government Act 1993*, which requires councils to take the guidelines into account when exercising their asbestos-related functions. Councils Policy for Asbestos Management is consistent with these guidelines.

Report

The draft policy has been reviewed with minor changes to wording and updates to changes in legislation and guidelines. The intent of the policy has not changed from previous versions. The draft Policy has been reviewed in-line with the new Governance Policy Framework, to comply with all legislation, guidelines and codes of practice and is consistent with all council policies, strategies and Councils EMS and WHS Systems.

The Policy will continue to set out Council's moral and legal responsibility to minimise exposure to asbestos, for residents, members of the public, workers, and contractors in council workplaces. The draft Policy addresses Council's legislative obligations regarding:

- contaminated land management,
- council land, building and asset management,
- emergency response,
- land use planning (including development approvals and demolition),
- management of naturally occurring asbestos,
- regulation of activities (non-work sites),
- waste management and regulation, and
- Employer responsibilities.

Changes to the Policy include moving to the new Policy template and some minor edits, date, and reference changes.

Stakeholder Engagement

Given the Policy for Asbestos Management is based on the model asbestos policy developed by Local Government and Shires Associations of NSW, consultation with other agencies and external stakeholders has not been undertaken through the preparation of the amended Policy.

Internal consultation has been undertaken with relevant Sections and Units with consultation with external stakeholders to be undertaken as part of the public exhibition process.

Financial Considerations

Financial Year (FY) Implications.

The proposal does not have financial implications for the current year or outer years in the LTFP.

Budget and Long-Term Financial Plan (LTFP) Impact.

The FY adopted budget includes the impact for this proposal.

The Policy for Asbestos Management has been developed and delivered through in-kind resources and is currently appropriately budgeted for within the Environmental Compliance Services Unit.

Link to Community Strategic Plan

Theme 3: Green

Goal A: Our community spirit is our strength

B-A4: Enhance community safety within neighbourhoods, public spaces and places.

Risk Management

It is important to recognise that simply adopting a policy will not ensure Council achieves its objectives. The Policy must be integrated into the organisation and decision-making processes to ensure the principles outlined within the policy are adhered to.

Risks associated with the policy include:

1. Changes in legislation.
2. Changes in Council policies, processes, or activities.
3. Non-compliance with policy.

These risks will be managed by the EMS non-conformance and change management processes, Council's Policy Documents Framework, and Council's Code of Conduct.

Critical Dates or Timeframes

Nil

Attachments

- 1  Draft Policy for Asbestos Management Provided Under Separate Cover D16229690

Item No: 1.12
Title: DA Statistics
Department: Environment and Planning



3 June 2025 Environment and Planning Committee

Reference: F2025/00483 - D16837019
Author: Andrew Roach, Unit Manager Development Assessment
Executive: Shannon Turkington, Acting Director Environment and Planning

Recommendation

That the Committee: notes the Development Application statistics contained within the report.

Report purpose

To present to the Environment & Planning Committee current Development Application statistics.

Executive Summary

Development Application statistics are provided below for the information of the committee.

Report

The tables/figures on the following pages, represent a summary of the current Development Application assessment statistics (as at end April 2025).

The number of Development Applications under assessment, at the end of April 2025, stands at 780. This is a reduction from 918 at the start of the financial year. Development Applications 'in the system' for longer than 12 months, stands at 138 at the end of April 2025, which is a reduction from a peak of 186 in August 2024. There has been a month-on-month reduction in DA's older than 12 months for the period from August 2024 onwards.

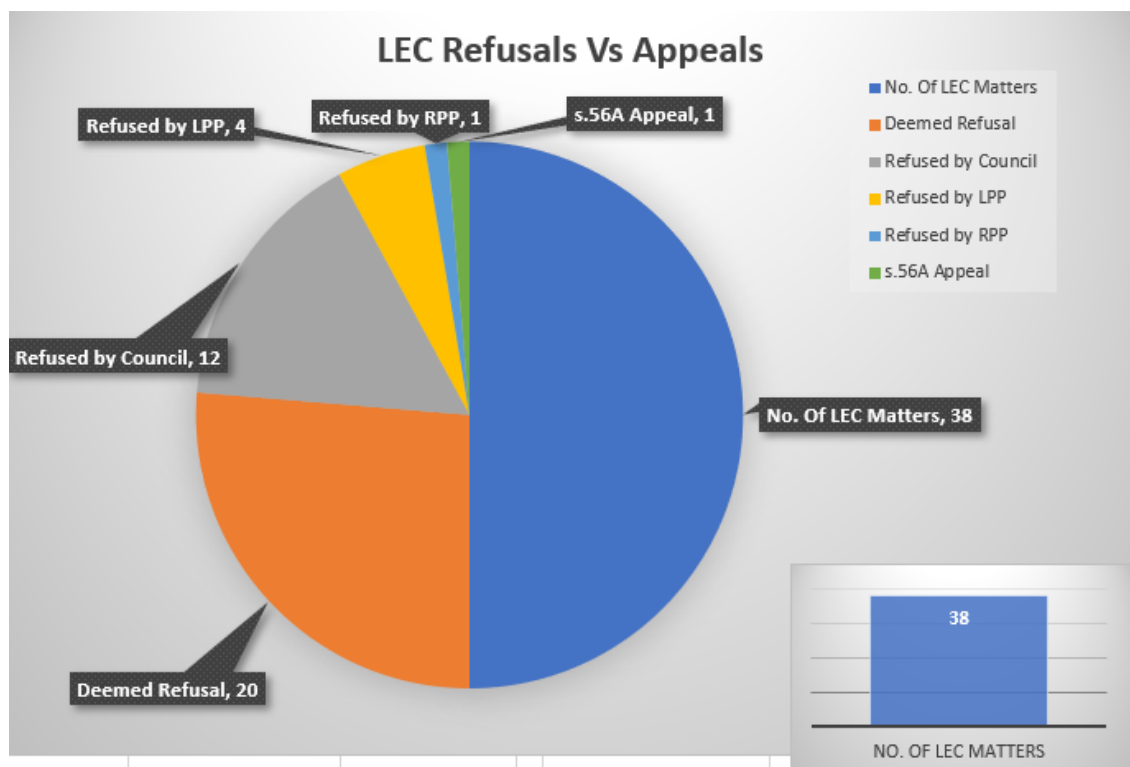
There are 38 current matters currently before the Land & Environment Court (broken down in Figure 3).

Figure 1: Development Application Data

| Measure | End April 2025 |
|--------------------------------|------------------|
| Total Outstanding DA's | 780 |
| DA's Over 12 Months Old | 129 |
| Value of DA's Determined (YTD) | \$583,476,337.77 |
| No. of Outstanding LEC Matters | 38 |
| DA's Before LPP | 19 |
| DA's Before RPP | 20 |

Figure 2: Development Application Assessment Timeframes

| Measure | April 2025 | Financial Year to Date (July 2024 – April 2025) |
|-------------------------------------------------|------------|----------------------------------------------------|
| DA Mean Assessment Days (Gross Calendar Days) | 183 | 142 |
| DA Median Assessment Days (Gross Calendar Days) | 86 | 78 |
| DA Mean Assessment Days (Net Business Days) | 95 | 80 |
| DA Median Assessment Days (Net Business Days) | 39 | 42 |

Figure 3: Land and Environment Court – All current matters

Development Applications for Childcare Centres

There have been a number of Councillor enquiries in relation to Development Applications for childcare centres. The following figures are provided in this respect.

- Since the commencement of the 2021-22 financial year (until the end of March 2025), 42 development applications for childcare centres, or modifications to existing centres have been determined. The vast majority of these applications (36 applications) have been determined by approval.
- Over that period, these approvals have included 11 entirely new childcare centres across a wide variety of suburbs and locations, accounting for 875 additional child care places. The new childcare centres have been approved in the following locations:
 - Warnervale Road, Hamlyn Terrace (120 places)
 - Springwood Street, Blackwall (81 places) – approved via mediation in the Land & Environment Court
 - Blackwall Road, Woy Woy (125 places)
 - Mann Street, North Gosford (110 spaces)
 - Alison Road Wyong (63 places)
 - Hue Hue Road, Jilliby (120 places)
 - Newling Street Lisarow (122 places)
 - Sunny Bank Road, Lisarow (30 spaces)
 - Howarth Street, Wyong (90 places)
 - Johns Road, Wadalba (119 places)
 - Thomas Road, Toukley (101 places).
- In addition, during the same period, 25 development applications have been approved for alterations and additions to existing childcare centres, including proposals that increase childcare places by expanding existing centres, as well as other ancillary works such as facility upgrades.
- On average, Council receives between 12 and 15 Development Application each year for childcare centres as well as alterations/additions to existing childcare centres.
- There are currently 13 development applications under assessment for new childcare centres across the Central Coast.
- Childcare Centre Applications can sometimes become complex as a result of number of factors, including:
 - Traffic, Access & Parking – Desirable locations for childcare centres often include those on/near to main arterial roads. This raises potential issues with the functioning of the road network. For applications near classified 'state roads', referral to Transport for NSW is required (who may raise their own concerns);

- Flood Planning – including sites impacted by flooding, or for which the main access routes/roads are impacted by flooding. Early education facilities are defined as a '*sensitive and hazardous development*' in the *NSW Standard Instrument Local Environmental Plan* (and therefore the *Central Coast Local Environmental Plan 2022*). Planning Circular PS 24-00, published by the Minister for Planning & Public Spaces on 1 March 2024, requires the consideration of flood impacts for child care centres up to and including the Probable Maximum Flood (ie the flood level of the largest flood possible for a given site), including whether the site itself is flood impacted, but also whether it can be safely evacuated in a large flood event.
- Public Submissions (Amenity, Noise & Impact on Neighbours) – Proposed childcare centres, and extensions to existing centres, are often the subject of objection and concerns from neighbours, particularly if they are proposed to be located near to residential areas.
- Bushfire – Childcare centres are defined as a '*special fire protection purpose*' under the provisions of Section 100B of the *NSW Rural Fires Act 1997*. Development Applications for childcare centres in bushfire impacted areas are required to be referred to the Commissioner of NSW Rural Fire Service in accordance with the *NSW Rural Fires Act 1997* for consideration in relation to compliance with the provisions of *NSW Planning Fire Bushfire Protection 2019*. *Development consent cannot be issued without the approval of the Commissioner of the NSW Rural Fire Service.*

Stakeholder Engagement

Nil.

Financial Considerations

Financial Year (FY) Implications.

The proposal does not have financial implications for the current year or outer years in the LTFP.

Budget and Long-Term Financial Plan (LTFP) Impact.

The FY adopted budget includes funding for this proposal and the LTFP includes funding for the ongoing impact.

Link to Community Strategic Plan

Theme 4: Responsible

Goal I: Balanced and sustainable development

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

Risk Management

The presentation of statistics presents no risk to Council.

Critical Dates or Timeframes

Nil.

Attachments

Nil.

Item No: 1.13
Title: Planning Proposal Statistics
Department: Environment and Planning



3 June 2025 Environment and Planning Committee

Reference: F2004/00550 - D16841452
Author: Marie Llamas, Research and Project Officer Local Planning and Policy
Manager: Scott Duncan, Section Manager Local Planning and Policy
Executive: Shannon Turkington, Acting Director Environment and Planning

Recommendation

That the Committee: notes the Planning Proposal information contained within this report.

Report purpose

To present to the Environment and Planning Committee current Planning Proposals under assessment by Council.

Executive Summary

Planning Proposal information is provided below for the information of the Committee.

Report

The information contained in this report provides a summary of the current Planning Proposals under assessment by Council staff as at time this report was finalised.

| Planning Proposal No. | Location & Description | Primary Purpose | Status | Comment |
|-----------------------|----------------------------------------------------------------|------------------------------------------------------------|-------------|-----------------------------------------------------|
| RZ/111/2020 | 945 Old Pacific Hwy & 66 Myoora Rd, SOMERSBY (Old Sydney Town) | Rezoning from C4 Environmental Living to multi zone | Pre-Gateway | Investigative studies being undertaken by applicant |
| RZ/2/2023 | 239 Debenham Rd North, SOMERSBY | Rezone from RU2 Rural Landscape to C4 Environmental Living | Pre-Gateway | Investigative studies being undertaken by applicant |

| | | | | |
|-----------|----------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| RZ/2/2020 | Jilliby - Stage 2 | Rezoning from RU2 Rural Landscape to C4 Environmental Living and C2 Environmental Conservation | Pre-Gateway | Investigative studies being undertaken by applicant |
| RZ/4/2024 | 32 Caroline St, EAST GOSFORD and 2A Melbourne St, EAST GOSFORD | To rezone the land from R2 Low Density Residential to R1 General Residential, and to adopt the development standards applying to adjoining R1 zoned land | Pre-Gateway | A report was considered by the Environment and Planning Committee on 6 May 2025, seeking a recommendation to forward the Planning Proposal to the Minister for Planning and Public Spaces requesting a Gateway Determination. The minutes of the E&P Committee will be reported to the 27 May 2025 Ordinary Council Meeting seeking to adopt the recommendations of the Committee. |
| RZ/6/2023 | 682a Coleridge Rd, BATEAU BAY | Rezoning site to R1 General Residential from SP2 Road and Traffic Facility (Red Bus Depot), apply minimum lot size of 450m ² , Building Height of 9.5m, FSR 0:6:1 and amend Schedule 1 of CCLEP | Gateway Issued | Gateway Determination was issued by the Department of Planning, Housing and Infrastructure. Staff are working through the requirements of the Gateway. |

1.13 Planning Proposal Statistics (cont'd)

| | | | | |
|-----------|-------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| RZ/1/2024 | 126 Somersby Falls, SOMERSBY | Proposal to rezone site from RU1 Primary Production to E4 General Industrial | Post Exhibition | A report was considered by the Environment and Planning Committee on 6 May 2025, seeking to proceed with the steps for drafting and making of the amendments to the Central Coast Local Environmental Plan 2022. The minutes of the E&P Committee will be reported to the 27 May 2025 Ordinary Council Meeting seeking to adopt the recommendations of the Committee. |
| RZ/1/2023 | 243 Green Park Parade, WOONGARRAH (WTC Stage 10) | Proposal to rezone part of the site from MU1 Mixed Use to E1 Local Centre and R1 General Residential. | Post Exhibition | The Planning Proposal was publicly exhibited from 8 April to 6 May 2025. Staff are currently reviewing the submissions received. |
| RZ/3/2023 | Reclassification of Council owned land – Community to Operational | Reclassification from Community to Operational Land (no rezoning) | Plan Making and Finalisation | Planning Proposal is with Department of Planning, Housing and Infrastructure for Plan Making and Finalisation. |

Table 1: Planning Proposals under assessment

Stakeholder Engagement

Nil.

Financial Considerations

Financial Year (FY) Implications.

The proposal does not have financial implications for the current year or outer years in the LTFP.

Budget and Long-Term Financial Plan (LTFP) Impact.

The FY adopted budget includes funding for this proposal and the LTFP includes funding for the ongoing impact.

Link to Community Strategic Plan

Theme 3: Green

Goal I: Balanced and sustainable development

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

Risk Management

Nil.

Critical Dates or Timeframes

Nil.

Attachments

Nil.

Item No: 1.14
Title: FOGO (Food Organics Garden Organics) Facility
Business Case Report - referral to Council to seek
Expression of Interest
Department: Infrastructure Services



3 June 2025 Environment and Planning Committee

Reference: F2020/00328 - D16755679
Author: Darren North, Section Manager Waste Services
Andrew Pearce, Unit Manager Waste and Resource Recovery
Executive: Boris Bolgoff, Director Infrastructure Services

Recommendation

That the Committee:

- 1** ***Accepts the attached Business Case remain confidential as the Business case contains:***
 - a) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.***
 - b) 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** ***Receives and notes the Confidential 'FOGO Facility Business Case (Final Draft)' and redacted versions of the attachments.***
- 3** ***Accepts the findings within the Business case and recommends:***
 - a) progression to the Expression of Interest (EOI) stage for the FOGO Facility,***
 - b) advising the Office of Local Government (OLG) of Councils intention to proceed with the Public Private Partnership (PPP) model.***
- 4** ***Notes that a report be provided to the Environment and Planning Committee that summarises all (EOI) submissions and provides a recommendation on next steps.***
- 5** ***Recommends to Council that Council:***
 - a) Receives and notes the recommendations and confidential Business Case and attachments from the Environment and Planning Committee.***
 - b) Agrees with the Business Case recommendations and findings and accepts the draft FOGO Facility Business Case as being the Final FOGO Facility Business Case.***

- c) Agrees that the development of at least 100,000 tonne p/a In Vessel Composting FOGO Facility constructed at Councils Buttonderry Waste Management Facility remains a viable project and will facilitate Council's compliance with upcoming regulatory change, and that this proceeds to an Expression of Interest (EOI).*
- d) Agrees to proceed to an EOI with the FOGO Facility project, as ascertained within the FOGO Facility Business Case, as a Build Own Operate and Transfer (BOOT) contract delivered via a Public Private Partnership (PPP) which requires assessment by Office of Local Government (OLG) prior to proceeding.*
- e) Authorises the Chief Executive Officer to certify that all documents put forward to the OLG from Council are prepared in accordance with The Public Private Partnership (PPP) Guidelines and lodge the authorised documents and FOGO Facility Business Case PPP proposal with OLG for assessment.*
- f) Endorses the FOGO Procurement Plan as identified in Attachment F of the FOGO Facility Business Case and subject to OLG agreement, authorises the release of an Expression of Interest for the development of a FOGO Facility under a BOOT and PPP contract.*
- g) Notes that a further report be provided to the Infrastructure and Assets Committee on the outcome of the EOI process, with recommendation(s) on subsequent actions, and that any Infrastructure and Assets Committee recommendations be included in a subsequent report to Council.*

Report purpose

This Report and Recommendations are required to allow the progression of the draft FOGO Facility Business Case to be accepted as a Final FOGO Facility Business Case and to enable Council to submit an application to the Office of Local Government (OLG) seeking approval to progress the development of a FOGO processing Facility at Councils Buttonderry Waste Management Facility via a Public Private Partnership delivery model, and subsequently release an Expression of Interest to the market inviting suitable contractors to engage in a Build Own Operate and Transfer procurement process.

Executive Summary

Central Coast Council (CCC or Council) is planning to develop and deliver a FOGO facility aimed at enabling the implementation of a FOGO collection Service for the Community that complies with the NSW FOGO Mandate. The facility is required to manage and process food and garden organic materials both collected and delivered from households and businesses within the Local Government Area (LGA). Increasing the region's processing capacity for organics and the availability of a FOGO service to Central Coast residents and

1.14 FOGO (Food Organics Garden Organics) Facility Business Case Report - referral to Council to seek Expression of Interest (cont'd)

businesses represents a key initiative of the CCC Resource Management Strategy 2020-2030 and aligns with the Protection of the Environment Legislation Amendment (FOGO Recycling) Bill.

Council in May 2024 resolved the following:

RESOLVED on the motion of Rik Hart:

That Council:

- 156/24 – Receives the attached Food Organics and Garden Organics (FOGO) Feasibility report findings and contents.*
- 157/24 – Notes the actions listed at Table 7-2 in the FOGO Feasibility report be undertaken to inform the FOGO Business Case.*
- 158/24 – Approve progression to Stage 3 - FOGO Business Case development, which is to be submitted to Council for consideration and approval prior to implementation of any FOGO Services or FOGO Tenders or FOGO Contract(s) commencing.*
- 159/24 – Resolves, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 2 remain confidential in accordance with section 10A(2)(c) and 10A(2)(d)(iii) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Council's ability to obtain value for money services for the Central Coast community.*

This Business Case is provided in response to the above resolution.

The proposed facility will be designed to process FOGO from Central Coast of approximately 100,000 tonnes annually. The proposed facility will divert a significant proportion of food and green waste generated in the CCC area, helping reduce methane generation and extending the current landfill lifespan. It will produce a compost product supporting circular economy objectives by recovering organics and using them beneficially to aid in soil health and plant growth. Regional economic benefits are expected from local employment opportunities arising during both construction and operations over a 20-year term.

The project is proposed to be delivered through a Public-Private Partnership (PPP) involving a Build Own Operate Transfer (BOOT). The FOGO Facility Business Case has been prepared to meet the requirements of a previous Council resolution and NSW OLG PPP requirements. The FOGO project is currently at a hold point pending Council decision to proceed to tendering stages.

Background

The Executive Leadership Team (ELT) have received and reviewed the FOGO Facility Business Case on 25 March 2025 and supported that the Draft FOGO Facility Business Case be submitted Council seeking instruction to proceed to the procurement stages as outlined in the FOGO Facility Business Case.

The following Figure 1 indicates the FOGO 'Journey' to date and highlights where Council sits along the approval's pathway.

Figure 1

FOGO Journey – 7 phases



FOGO Facility Business Case Development

The FOGO Facility Business Case has been developed via a staged and iterative approach. Each stage has identified a broad range of aspects and issues, analysed, and assessed options, and selected best solutions to inform subsequent stages and direction.

1.14 FOGO (Food Organics Garden Organics) Facility Business Case Report - referral to Council to seek Expression of Interest (cont'd)

The following key stages have previously been undertaken to inform and support the final approach and information within the Business Case.

Directions Paper – Noted and accepted by Council resolution February 2023

The Directions Paper reviewed and identified the following key aspects and recommended proceeding to the Feasibility Stage.

- Review of market capacity – current processing and facility availability
- Technology – review of available technologies and processing systems
- Delivery options – methodology for procurement of processing capacity
- Locations and availability – availability of existing or potential facilities or suitable development land
- Volumes and capacity estimates – estimated CCC FOGO generation tonnages
- High level cost estimates – estimation of potential cost scenarios
- Recommended to undertake Feasibility study to further refine assumptions.

Technical and Financial Feasibility Study – Received and accepted by Council resolution May 2024

The Feasibility Stage further explored the range of options within the directions paper and included the following actions and recommended that the project remained a viable solution and to proceed to Business Case.

- Narrow down the range of options available
- Refinement of location – site access, geotechnical assessment, constraints
- Refinement of feedstock – approximation of tonnages, facility sizing, growth
- High level financial modeling – funding sources, opportunities, delivery mechanisms
- Further analysis of delivery models – preliminary risk identification, delivery scope, procurement method.
- Identification of key detailed work to be undertaken – identified several key items requiring detailed assessment and decisions to inform the Business Case.

Central Coast Council faces growing regulatory and environmental pressures to improve resource recovery, with the Central Coast Resource Management Strategy 2020-2030, NSW Waste and Sustainable Materials Strategy 2041, and the FOGO Mandate requiring Councils to provide household FOGO collection services. Rising landfill levies, stricter Environment Protection Authority (EPA) waste regulations, and state-wide diversion targets necessitate scalable processing solutions to reduce costs and reliance on landfill.

At present, neither Council nor the private sector possess the necessary processing infrastructure within the broader region required to process FOGO materials derived from the Central Coast Local Government Area. The development of a large-scale FOGO processing facility represents a cost-effective and environmentally sustainable solution to improve landfill diversion, reduce greenhouse gas (GHG) emissions and promote circular economy outcomes.

Report

The Central Coast Council (CCC and Council), via a PPP process, is planning to develop and deliver a Food Organics and Garden Organics (FOGO) Facility (the Facility) aimed at managing and processing food and garden organic materials collected from households and businesses within its Local Government Area (LGA).

Increasing the region's processing capacity for organics is a key initiative of the CCC Resource Management Strategy 2020-2030. It also aligns with the Protection of the Environment Legislation Amendment (FOGO Recycling), an Act which amends the Protection of the Environment Operations Act 1997 (the FOGO Mandate) to enable the source-separated collection of FOGO. The development of the proposed facility is also consistent with the aims of the NSW Waste and Sustainable Materials Strategy 2041 and the NSW Net Zero Plan³.

The Facility will be designed to process approximately 100,000 tonnes of FOGO waste annually, with a nameplate capacity of 123,600 tonnes per annum (tpa) to accommodate seasonal fluctuations throughout the year. Initially, organic material will be sourced exclusively from CCC. However, there remains scope to engage neighbouring Councils, commercial entities, or other regions as future supply partners. The Facility will employ In-Vessel Composting (IVC) technology, consistent with Council objectives and in response to market requirements.

It is expected that the proposed Facility will divert a proportion of food and green waste generated in the CCC area, helping reduce methane generation and extending the current landfill lifespan. It will produce a compost product supporting the LGA's circular economy objectives by recovering waste organics and using them beneficially to support soil health and plant growth. Regional economic benefits are expected from local employment opportunities arising during both construction and operations over a 20-year term.

The project is proposed to be delivered through a Public-Private Partnership (PPP) involving a Build Own Operate Transfer (BOOT) contract, with capital expenditure financing from private sector investment, and with funding primarily from the payment of gate fees for the processing of FOGO material by Council. A Directions Paper and Feasibility Report have identified a suitable site at the Buttonderry Waste Management Facility (BWMF), located at 850 Hue Hue Road, Jiliby NSW 2259, based on factors including site access, proximity to the M1 motorway, land size and access to known easements.

This proposal represents a strategic investment in NSW's sustainable waste management infrastructure, delivering long-term environmental, economic, and social benefits while supporting local, state, and federal government waste diversion objectives.

Public-private partnerships (PPP) are defined in s. 400B of the *NSW Local Government Act*. Generally, PPPs are arrangements whereby a council joins with a private person or entity to provide public infrastructure, a facility and/or a service where the council retains an interest, liability, or responsibility.

Section 400B

1. For the purposes of this Act, a public-private partnership means an arrangement:
a. between a council and a private person to provide public infrastructure or facilities (being infrastructure or facilities in respect of which the council has an interest, liability or responsibility under the arrangement), and
b. in which the public infrastructure or facilities are provided in part or in whole through private sector financing, ownership or control, but does not include any such arrangement if it is of a class that has been excluded from the operation of this Part by the regulations.

1A. For the purposes of subsection (1), the provision of public infrastructure or facilities includes the delivery of services during the carrying out of any project under the public-private partnership.

In general terms, a public-private partnership is an arrangement between a council and a private entity/person to provide public infrastructure or facilities that are provided in part or in whole through private sector financing, ownership, or control.

As this project will fall under the definition of a PPP, Council must not enter a PPP or carry out works under a PPP without notification that it has satisfied OLG / PRC that the project complies with the OLG PPP guidelines and Council must submit all PPP proposals to OLG for initial assessment before entering any arrangement (written or verbal) with a private party.

The OLG PPP Guidelines state as per Section:

11.2.2 Certification and Council Resolutions GM Certification

The General Manager(s) of the council(s) involved must certify that all documents put forward by Council are prepared in accordance with the Guidelines. This will need to be attached to each submission made to the OLG.

Council Resolution on outcomes and deliverables of the project

It is vital at this early stage that council determines what the project will deliver so that it can make a clear and unambiguous resolution to that effect. It is expected that at this step council will have before it the material it is intending to submit to OLG for assessment under these guidelines.

Council is to provide a copy of the minutes showing that council resolved to agree with the specific outcomes and deliverables for the project and a copy of the relevant council reports is required.

Council Resolution to proceed with the project as a PPP and submit to OLG for assessment.

1.14 FOGO (Food Organics Garden Organics) Facility Business Case Report - referral to Council to seek Expression of Interest (cont'd)

A copy of the minutes showing that council resolved to proceed with the project as a PPP and authorising the GM to submit the proposal to OLG for assessment is required.

The subject report, the FOGO Facility Business Case, and the listed recommendations are intended to fulfil the OLG PPP requirements.

FOGO Facility Business Case

The FOGO Facility Business Case is attached (Attachment 1). All information and recommended pathways within the Business Case are supported by extensive background research, documentation, and evidence.

To inform the Business Case, and evidence the underlying information and drivers, the following summarises the key investigations and comprehensive reports that were completed as part of the Business Case Development. This detail can be referenced if a particular item within the Business Case needs further understanding.

- Market Sounding Insights Report: A summary of the key themes and discussion points relevant to assessing the interest, capacity, and capability of market participants in procuring a FOGO facility.
- Procurement workshop analysis: Comparative and Multi Criteria Assessment (MCA) of key procurement methods utilising industry feedback and risk impacts.
- FOGO Delivery Options MCA: An MCA was undertaken to determine the optimal contractual arrangement for the facility, collection and education activities to best align with Council's various requirements and objectives.
- FOGO Facility CAPEX and OPEX Estimates: Independent assessment by Quantity Surveyors on total CAPEX cost of project, and OPEX costs based on known operating projects and current market status.
- Financial Analysis Report: Analysis to quantify the anticipated Whole-of-Council cost impact of the overall FOGO project, including impacts of related activity, such as costs for new bins, caddies, education, and other associated expenses, as well as changes in waste collection and disposal approaches Directions Paper.
- FOGO Procurement Strategy: Detailed strategy integrating previous work and aligns with the NSW Office of Local Government (OLG) Public-Private Partnership (PPP) Guidelines, to provide a framework for the procurement of a Build Operate Own Transfer contract with emphasises on compliance, transparent and competitive processes, and to achieve Value for Money outcomes.

1.14 FOGO (Food Organics Garden Organics) Facility Business Case Report - referral to Council to seek Expression of Interest (cont'd)

Delivery of the FOGO facility is expected to achieve the following outcomes:

- Regulatory compliance – Ensure Council and businesses within the LGA can meet NSW waste regulations and the FOGO mandate.
- Landfill diversion – Reduce organic waste currently being landfilled as approximately 40% of the Red Bin content is Organic material.
- Emissions reduction – Reduce methane emissions from organics in landfill and support NSW's Net Zero 2050 target.
- Infrastructure capacity – Address processing gaps and attract private sector investment.
- Circular economy – Produce compost, and recoverable resources.
- Job creation – Boost employment in construction, operations, and waste recovery.
- Environmental emissions – Reduce odour, methane, and organic components of leachate.
- Scalability – Deliver a future-proof facility capable of handling anticipated increases in FOGO feedstock volume.
- Government leadership – Strengthen public trust and industry confidence in sustainable waste management; and
- Extension of useful life of landfills – Reduce volumes of waste disposal to slow the rate at which existing landfills reach capacity, thereby increasing the useful life of the asset and deferring expansion cost.

The Business Case has been laid out and written to align with NSW PPP Business Case requirements and structure, thereby leading to several areas of repetition.

The Business Case concludes stage 3 of the FOGO project and provides the necessary information to support decisions regarding progression to the implementation and delivery stages.

Stakeholder Engagement

The following list includes the range of Stakeholders engaged as part of developing all stages and culminating in the FOGO Business Case.

| Internal | External |
|---------------------------------------|-----------------------------------------|
| Council and Executive Leadership Team | Community (as part of Waste Strategy) |
| Procurement and Contracts Staff | Specialist Consultants |
| Communications and Media Staff | Industry specialists |
| Waste and Resource Recovery Staff | Current FOGO industry service providers |
| Finance Staff | EPA and the NSW Government |

Financial Considerations

Financial Year (FY) Implications.

The proposal does not have financial implications for the current year but impacts outer years in the LTFP. The LTFP will need to be updated in the next review.

Budget and Long-Term Financial Plan (LTFP) Impact.

The FY adopted budget includes funding for this proposal.

Council's draft 2025-26 budget also incorporates provision to progress with the procurement phases of the project in accord with the Business Case and the recommendations in this report.

Funding for this project in 2025-26 is derived from the restricted Domestic Waste Management Fund.

The attached confidential report (CPA3628 07.05.25_FOGO Facility Business Case (Final Draft *Confidential)) contains detailed financial modeling which identifies that the development of a FOGO processing Facility at Councils Buttonderry Landfill remains a viable and cost-effective solution to receive and process FOGO materials from the community.

The detail of this modelling is required to be kept confidential as the release of specific financial elements would likely undermine Councils position during the EOI and Tender stages and supply prospective service providers an insight into Councils anticipated costs, and this could influence pricing within any EOI and Tender submissions. The Business Case also includes current pricing and costs which are commercial in confidence under existing contracts.

The financial information within the Business Case has been developed to indicate the potential cost of developing a FOGO processing facility to receive and process FOGO materials from current domestic sources and to substantiate that the cost of providing such a facility under a PPP process is not a cost prohibitive solution, the Business Case is not intended to provide a final detailed breakdown of budgets and costs as these will be subject to any tender submissions. However, the details contained within the Business Case will be utilised to compare and assess any submission provided through the EOI and Tender stages and to ensure any submissions are in line with Council expectations.

The implementation of a FOGO collection service by July 2030 is a legislative requirement placed on all NSW Councils and carries significant penalties for non-compliance and such penalties could exceed \$19m in the first year.

The Business Case also includes key financial information that contributes to the overall cost of delivering the FOGO Services such as the collection and education costs. These costs have been used to assess the overall impact of introducing a FOGO Collection Service, and combined with the Processing Facility costs, the Business Case includes an estimate of the cost increase to Households, noting that further development on actual service delivery methods and costs are yet to be finalised.

It is expected that the introduction of a FOGO service will increase the cost of the Domestic Waste Charges for ratepayers. However, during the engagement undertaken to develop Central Coast Resource Management Strategy 2020-2030, feedback indicated that the community was willing to pay more for increased waste diversion and services. Whilst the exact cost of the future FOGO service cannot be determined until after the EOI and tender stages, the increase indicated by other FOGO services is shown to be within the \$50-\$100 per year per rateable property. At this stage Council has sufficient restricted reserves to reduce financial impacts on ratepayers, and subject to tender outcomes, further details of how the restricted reserve may be utilised will be provided.

Whilst a future FOGO processing solution and contract is expected to be a long-term commitment with significant associated value and costs, approval of this report recommendations does not commit Council to any additional expenditure above current budget allocation.

Link to Community Strategic Plan

Theme 3: Green

Goal E: Environmental resources for the future

G-E3: Reduce littering, minimise waste to landfill and educate to strengthen positive environmental behaviours.

Risk Management

The overarching objective of the Phased approach taken by Council is to ensure the project risks are appropriately identified and managed. Additional oversight from the OLG as part of the PPP process ensures integrity of the project and risk management applied.

Project specific risks have also been identified, assessed, and documented through a comprehensive risk assessment conducted to serve as an input to the Feasibility Report and in refining the commercial aspects of the project. A summary of the high-level risk categories and risks are detailed below.

- Procurement and stakeholder management
- Site risk
- Design and construction risk
- Commercial risks
- Feedstock risks
- Operating risks
- Financial risks
- Regulatory/political risks
- Force majeure; and
- Default risk.

A key risk that this Business Case and recommended solution seeks to address relates to Councils legislative requirement to provide a FOGO collection service by July 2030 to comply with the *NSW Protection of the Environment Legislation Amendment (FOGO Recycling) Act 2025*. Failure to do so would be a breach of the legislation and carries significant penalties. Council would be at risk of receiving annual fines potentially exceeding \$19m.

Further detailed assessment and information on risks is contained in Section 8 – Risk Analysis (pg. 52) of the attached FOGO Business Case.

The Business Case demonstrates that the recommended solution provides a suitable Value for Money solution which remains financially viable. The supported recommendation allows Council to proceed to EOI stages to seek industry feedback and further cost estimates to inform the next stages.

Critical Dates or Timeframes

NSW Councils are required to provide households who receive a residual (red lid) waste collection service with a food organics and garden organics (FOGO) waste service by 1 July 2030.

1.14 FOGO (Food Organics Garden Organics) Facility Business Case Report - referral to Council to seek Expression of Interest (cont'd)

Councils Operational Plan Action incorporates the following relevant Service Activity and Target date.

| ID. | Service Activity | Target |
|--------|---------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| DP_071 | Investigate and plan for a large-scale processing solution for Food Organics and Garden Organics (FOGO) | Detailed business case completed by 30 June 2025 |

Attachments

- | | | | |
|---|----------------------------------------------------------------------------|-------------------------------|-----------|
| 1 | CPA3628 FOGO Facility Business Case (Final Draft) - Redacted | Provided Under Separate Cover | D16824170 |
| 2 | CPA3628 07.05.25_FOGO Facility Business Case (Final Draft *Confidential) - | Provided Under Separate Cover | D16824225 |