



# **ENVIRONMENT AND PLANNING COMMITTEE**

**01 July 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.



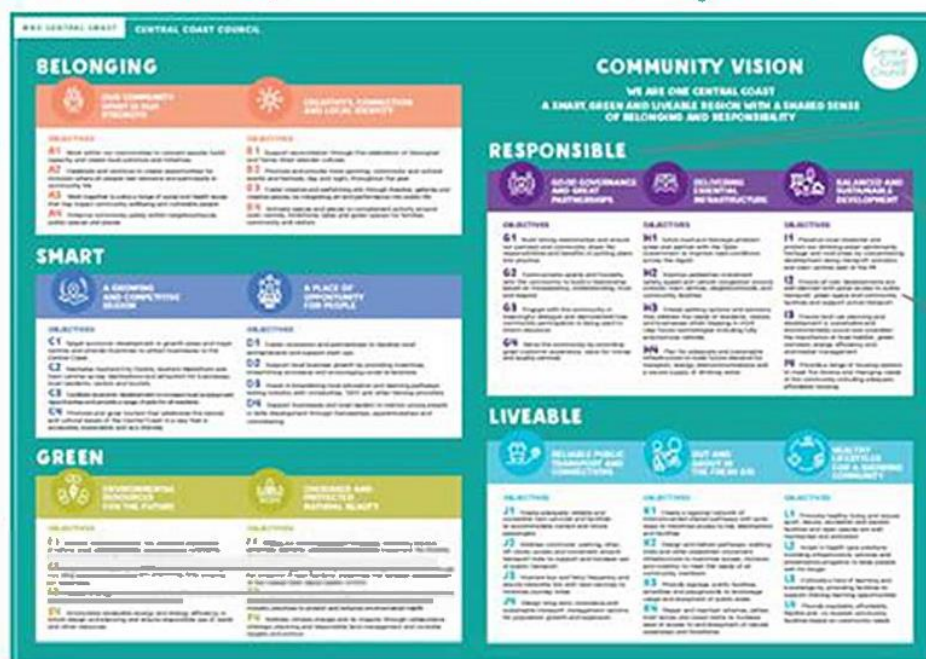
**Good governance and great partnerships**

**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.



## 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 1 July 2025 at 7:00pm,  
for the transaction of the business listed below:**

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## **Membership**

Deputy Mayor Doug Eaton OAM	Chairperson
Cr Sharon Walsh	Deputy Chairperson
Cr Margot Castles	Member
Cr John Mouland	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 conflict 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 No:** 1.3  
**Title:** Confirmation of Minutes of Previous Meeting  
**Department:** Corporate Services

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1 July 2025 Environment and Planning Committee

Reference: F2025/00483 - D16917928



### ITEM 1.3

#### CONFIRMATION OF MINUTES



##### Recommendation

***That the Committee confirms the minutes of the previous Environment and Planning Committee held on Tuesday 3 June 2025, and 10 June 2025.***

##### Summary

Confirmation of minutes of the previous Environment and Planning Committee held on Tuesday 3 and 10 June 2025.

##### Attachments

- |   |   |   |           |
|---|---|---|-----------|
| 1 |  | MINUTES - Environment and Planning Committee - 3 June 2025  | D16875025 |
| 2 |  | MINUTES - Environment and Planning Committee - 10 June 2025 | D16887641 |



Central Coast Council

## Environment and Planning Committee

Held in the Function Room 2  
2 Hely Street, Wyong

03 June 2025

# MINUTES

## Attendance

### Members

Cr Doug Eaton OAM, Chairperson	Present
Cr Sharon Walsh, Deputy Chair	Present
Cr Margot Castles, Member	Present
Cr John Moulard, Member	Apology
Cr John McNamara, Member	Present
Cr Jane Smith, Member	Present
Cr Rachel Stanton, Member	Present (remotely)

### Status

### Guest Councillor

Cr Helen Crowley	Present (remotely)
Cr Corrine Lamont	Present (remotely)

### Status

### Staff

Shannon Turkington, Acting Director Environment and Planning	Present
Luke Sulkowski, Unit Manager Environmental Management	Present
Peter Sheath, Section Manager Bushfire and Flood Risk Management	Present
Ben Fullagar, Section Manager Catchments to Coast	Present
Shann Mitchell, Unit Manager Environmental Compliance Services	Present
Scott Duncan, Section Manager, Local Planning and Policy	Present
Ben Fullagar, Section Manager, Catchments to Coast	Present

### Status



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

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The Chairperson, Deputy Mayor Doug Eaton OAM, declared the meeting open at 7:03pm

***That in accordance with clause 6.20 of the code of meeting practice, remote attendance via audio visual link to the Environment and Planning Committee meeting on 3 June 2025 be granted to Councillor Stanton due to personal reasons, was MOVED by Councillor EATON and SECONDED by Councillor CASTLES.***

**CARRIED**

FOR: UNANIMOUS

**REPORTS**

**1.1 Introduction: Welcome, Acknowledgement of Country, and Apologies**

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7:05pm

The Chair read an Acknowledgement of Country statement.

The Chair noted the written apology of Mayor McKinna and Cr John Mouland.

**1.2 Disclosures of Interest**

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7:00pm

No disclosures of interest were disclosed.

**1.3 Confirmation of Minutes of Previous Meeting**

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7:06pm

A MOTION was *MOVED by Councillor STANTON and SECONDED by Councillor MCNAMARA:*

**EPC14/25**

***That the Committee confirms the minutes of the previous Environment and Planning Committee held on Tuesday 6 May 2025 with the below amendments:***

- a) Item 1.1 – Strike out the motion to accept apologies as it is not required.***
- b) Item 1.5 - Remove Mayor McKinna from the voting as he was an apology.***
- c) Item 1.5 – Remove the reference to the vote count of Councillor Wright and Councillor McWaide as not they are not voting members of the committee.***

**CARRIED**

FOR: UNANIMOUS

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

**1.4 Items Resolved by Exception**

7:08pm

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

**EPC15/25**

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

- a) Item 1.7 - Land Acquisition - Mannering Park - Shared Pathway.***
- b) Item 1.8 - Land Acquisition - Davistown Road Saratoga - Road Widening.***
- c) Item 1.11 - Review of Policy for Asbestos Management.***
- d) Item 1.12 - DA Statistics.***

**CARRIED**

FOR: UNANIMOUS

**1.5 Local Strategic Planning Statement - For Public Exhibition**

7:13pm

Section Manager, Local Planning and Policy talked the presentation 'Local Strategic Planning Statement'.

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

**EPC16/25**

***That the Committee recommends that Council directs the Chief Executive Officer to allocate relevant planning staff to meet with interested ward Councillors by 30 July 2025 to discuss how they would like to be involved in community consultation to develop the Local Strategic Planning Statement (LSPS) which is to be finalised by end of the year.***

**CARRIED**

FOR: UNANIMOUS

**1.6 Draft Open Coast Coastal Management Program - For Public Exhibition**

7:38pm

A MOTION was *MOVED* by Councillor CASTLES AND *SECONDED* BY COUNCILLOR SMITH:

**EPC17/25**

- 1 That the Committee recommends that Council place the draft Open Coast Coastal Management Program on public exhibition for not less than 42 calendar days.***
- 2 That the draft Terms of Reference for The Coastal, Estuary and Floodplain Risk Management Sub-Committee be brought to the Extraordinary Meeting on 10 June 2025, if possible.***

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

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- 3 *That the Committee recommends that Council directs the Chief Executive Officer expedite the process around formation of the sub-committees to for Coastal, Estuary and Floodplain Risk Management Committee and Mangrove Mountain Advisory Committee.*
- 4 *That the outcomes of the public exhibition of the draft Open Coast Coastal Management Program be reported to the Coastal, Estuary and Floodplain Risk Management Committee.*

CARRIED

FOR: UNANIMOUS

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**1.7 Land Acquisition - Mannering Park - Shared Pathway**

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RESOLVED by EXCEPTION on the MOTION of Councillor WALSH and SECONDED Councillor MCNAMARA.

**EPC18/25**

***That the Committee:***

- 1 *Recommends to Council to acquire 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 as at Attachment 1.*
- 2 *Recommends to Council 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 *Recommends to Council 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 *Recommends to Council that Council, in accordance with provisions of Section 11(3)) of the LG Act 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.*

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

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**1.8 Land Acquisition - Davistown Road Saratoga - Road Widening**

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RESOLVED by EXCEPTION on the MOTION of Councillor WALSH and SECONDED Councillor MCNAMARA

**EPC19/25**

***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 Notes that in accordance with provisions of Section 11(3)) of the LG Act that Attachment 3 is to 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.***

**1.9 Winney Bay - Outcome of Consultation**

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8:34pm

A MOTION was MOVED by Councillor WALSH and SECONDED by COUNCILLOR MCNAMARA:

**EPC20/25**

***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***

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

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*years.*

- 3**     *Recommends 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.*

**CARRIED**

FOR:     UNANIMOUS

**1.10       Draft Flood Risk Management Policy - for Public Exhibition**

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**EPC21/25**

*This item is deferred to the Extraordinary meeting to be held on 10 June 2025 on the MOTION of Councillor MCNAMARA and SECONDED by Councillor CASTLES:*  
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.*

**1.11       Review of Policy for Asbestos Management**

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**EPC22/25**

RESOLVED by EXCEPTION on the MOTION of Councillor WALSH and SECONDED Councillor MCNAMARA

Recommendation

*That the Committee recommends 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.*

**1.12       DA Statistics**

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**EPC23/25**

RESOLVED by EXCEPTION on the MOTION of Councillor WALSH and SECONDED Councillor MCNAMARA

Recommendation

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

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

**1.13 Planning Proposal Statistics**

**EPC24/25**

***That this item be deferred to the Extraordinary meeting to be held on 10 June 2025*** on the MOTION of Councillor MCNAMARA and SECONDED by Councillor CASTLES:  
Recommendation

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

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

**EPC25/25**

***That this item be deferred to the Extraordinary meeting to be held on 10 June 2025*** on the MOTION of Councillor MCNAMARA and SECONDED by Councillor CASTLES:

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 *Receive and note the Confidential 'FOGO Facility Business Case (Final Draft)' and redacted versions of the attachments.*
- 3 *Accepts the findings within the Business case and recommends,*
  - i) *progression to the Expression of Interest (EOI) stage for the FOGO Facility,*
  - ii) *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 adopts the following:*
  - i. *receives and notes the recommendations and confidential Business Case and attachments from the Environment and Planning Committee.*
  - ii. *agrees with the Business Case recommendations and findings and accepts the draft FOGO Facility Business Case as being the Final FOGO Facility Business Case.*
  - iii. *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*

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

*Council's compliance with upcoming regulatory change, and that this proceeds to an Expression of Interest (EOI).*

- iv. 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.*
- v. authorises the CEO 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.*
- vi. 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.*
- vii. 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.*

8:38pm

**EPC26/25**

A PROCEDURAL MOTION WAS MOVED by Councillor MCNMARA SECONDED by Councillor CASTLES **to defer the following to the extraordinary meeting 10 June 2025:**

- a) Item 1.10 – Draft Flood Risk Management Policy – for Public Exhibition.**
- b) Item 1.13 – Planning Proposal Statistics**
- c) Item 1.14 – FOGO (Food Organics Garden Organics) Facility Business Case Report – referral to Council to seek Expression of Interest.**

**CARRIED**

FOR: UNANIMOUS

The next Extraordinary Meeting is to be held at 7:00pm on Tuesday 10 June 2025 at the Wyong Administration Building.

The next Ordinary Meeting is to be held at 7:00pm on Tuesday 1 July 2025 at the Wyong Administration Building.

**The Meeting** concluded at 8:39pm.



Central Coast Council

## Extraordinary Environment and Planning Committee

Held in the Function Room 2

2 Hely Street, Wyong

10 June 2025

## MINUTES

### Attendance

#### Members

Cr Doug Eaton OAM, Chairperson  
Cr Sharon Walsh, Deputy Chairperson  
Cr Margot Castles  
Cr John Moulard  
Cr Jane Smith  
Cr Rachel Stanton  
Mayor Lawrie McKinna

#### Status

Present  
Present  
Present  
Present (remotely)  
Present  
Apology  
Apology

#### Councillor Guest

Cr Helen Crowley  
Cr Corrine Lamont

#### Status

Present (remotely)  
Present (remotely)

#### Staff

Shannon Turkington, Acting Director  
Environment and Planning  
Luke Sulkowski, Unit Manager  
Environmental Management  
Peter Sheath, Section Manager Bushfire  
and Flood Risk Management  
Ben Fullagar, Section Manager  
Catchments to Coast  
Briony Stiles, Team Leader Civic Support  
Officer  
Tess McGown, Civic Support Officer

#### Status

Present  
Present  
Present  
Present  
Present  
Present  
Present  
Present



**Minutes of the Extraordinary Environment and Planning Committee meeting of Council (cont'd)**

The Chairperson, Deputy Mayor Doug Eaton OAM, declared the meeting open at 7:02pm

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

***That the Committee approves the request by Councillor John Mouland to attend the Environment and Planning Committee Meeting on 10 June 2025 at 7:00pm by audio-visual link because he is unable to attend in person due to personal reasons.***

**CARRIED**

FOR: UNANIMOUS

**REPORTS****1.1 Introduction: Welcome, Acknowledgement of Country, and Apologies**

7:02pm

The Chairperson read an Acknowledgement of Country statement.

AN APOLOGY was *MOVED* by Deputy Mayor EATON OAM:

***That the Committee notes the apologies received from Mayor Lawrie McKinna and Councillor Rachel Stanton.***

**CARRIED**

FOR: UNANIMOUS

**1.2 Disclosures of Interest**

7:04pm

No disclosures of interest were declared.

**1.3 MacMasters Beach Temporary Coastal Protection Works**

7:05pm

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

**EPC27/25**

***That the committee:***

- 1 Notes Council's resolution of 27 May 2025 delegating to the committee "..the authority to determine the EPC9/25 – MacMasters Beach Temporary Coastal Protection Works matter, in relation to the acceptance or dismissal of NSW Government Grant funding."***

Minutes of the Extraordinary Environment and Planning Committee meeting of Council (cont'd)**2 Recommends that Council:**

- I. Under Council's delegation, requires that the Chief Executive Officer request an extension of the current Coast and Estuary grant to 31 December 2026 (noting that the likely construction window would now be mid 2026).**
- II. Directs the Chief Executive Officer to include an action in the Open Coast Coastal Management Program (CMP) for the future possibility of temporary coastal protection works.**
- III. Notes the inclusion of the action in the draft CMP to "Complete coastal risk and options assessment for Marine Parade at MacMasters Beach".**
- IV. Requests the Chief Executive Officer obtain a risk assessment from an appropriately qualified arborist for the Norfolk Island Pines along the foreshore of MacMasters Beach fronting the surf club.**
- V. Directs the Chief Executive Officer to disconnect the beach shower at the southern end of the surf club due to the erosion impacts on the embankment fronting MacMasters Beach SLSC.**
- VI. Investigates and undertakes short term safety works to the embankment fronting the MacMasters Beach SLSC with a view to replacing the deteriorating rock filled "Bulka Bags".**
- VII. Allocates the unspent portion of the 2024-25 project budget be rephased into the 2025-26 Council works program to allow delivery of Temporary Coastal Protection Works in 2025-26.**
- VIII. Endorses that MacMasters Beach Coastal Management becomes a standing agenda item for the Coastal Estuary and Floodplain Management subcommittee.**

**CARRIED**  
**FOR: UNANIMOUS**

**Minutes of the Extraordinary Environment and Planning Committee meeting of Council (cont'd)****1.4 FOGO (Food Organics Garden Organics) Facility Business Case Report - referral to Council to seek Expression of Interest**

7:25pm

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

*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 adopts the following:*
  - 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 CEO 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.*

**Minutes of the Extraordinary Environment and Planning Committee meeting of Council (cont'd)**

- 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) *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.*
- 6 *When seeking the EOI for FOGO project, Council is interested in alternate options for processing, site selection and any other commercial opportunities.*
- 7 *Council notes that red bin collection will remain weekly.*

The Motion was put to the vote and declared LOST

FOR: CRS MOULAND, AND EATON OAM  
AGAINST: CRS WALSH, SMITH AND CASTLES

A MOTION WAS MOVED by Councillor SMITH and SECONDED by Councillor CASTLES:

**EPC28/25*****That the Committee:***

- 1 *Further considers FOGO (Food Organics Garden Organics) Facility Business Case Report at the next Environment and Planning Committee meeting on 1 July 2025.***
- 2 *Recommends that Council circulate the feasibility report and decision of the Administrator from May 2024 to all Councillors.***

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

FOR: CRS WALSH, SMITH AND CASTLES  
AGAINST: CRS MOULAND, AND EATON OAM

**1.5 Draft Flood Risk Management Policy - for Public Exhibition**

7:50pm

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

**EPC29/25*****That the Committee:***

- 1 *Notes a further report will be prepared for the Committee with the outcome of the public exhibition period.***

### Minutes of the Extraordinary Environment and Planning Committee meeting of Council (cont'd)

#### **2 Recommends that Council:**

- I. Endorses the draft Flood Risk Management Policy to proceed to community consultation for a minimum of 42 days (refer to Attachment 1).**
- II. Amends the draft policy to reflect 35 year house life and 50 year other building life.**
- III. Requests that this policy be reviewed every (five) 5 years.**

**CARRIED**

FOR: UNANIMOUS

#### **1.6 Planning Proposal Statistics**

8:02pm

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

*That the Committee:*

- 1 Notes the Planning Proposal information contained within this report.**
- 2 Recommends that Council:**
  - I. Encourages interested property owners, investors, and those that operate within the tourism sector to put forward proposals for high quality tourist accommodation and associated facilities, either via Development Applications or Planning Proposals. Council particularly encourages proposals for accommodation cabins, hotels, and resorts, noting importance of the tourism sector to the Central Coast economy, and the recognised undersupply of these accommodation types, as set out in the Visitor Accommodation Futures Study, considered at the Economic Development Committee meeting on 3 June 2025.**

AN AMENDMENT was *MOVED* by Councillor SMITH and *SECONDED* by Councillor WALSH:

**EPC30/25**

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

The Amendment was put to the vote, declared **CARRIED**, and became the Motion

FOR: CRS WALSH, SMITH, CASTLES  
AGAINST: CRS MOULAND AND EATON OAM

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

FOR: CRS WALSH, SMITH AND CASTLES  
AGAINST: CRS MOULAND AND EATON OAM

**Minutes of the Extraordinary Environment and Planning Committee meeting of Council (cont'd)**

The next meeting is to be held at 7:00pm on Tuesday 1 July 2025 at the Wyong Administration Building.

**The Meeting** concluded at 8:11pm.

UNCONFIRMED

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

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1 July 2025 Environment and Planning Committee

Reference: F2025/00483 - D16842776



## **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:** Draft Terms of Reference - Coastal, Estuary and Floodplain Risk Management Sub-Committee - For Adoption  
**Department:** Environment and Planning

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1 July 2025 Environment and Planning Committee

Reference: F2025/00984 - D16853239  
Author: Luke Sulkowski, Unit Manager Environmental Management  
Manager: Edward Hock, Unit Manager Governance Risk and Legal  
Executive: Shannon Turkington, Acting Director Environment and Planning

### **Recommendation**

***That the Committee notes Council's resolution of 23 June 2025 that Council "Delegates the finalisation of the Terms of Reference for the Coastal, Estuary and Floodplain Risk Management Sub-Committee (Sub-Committee) to the Environment and Planning Committee meeting on 1 July 2025."***

***Under Council's delegation, adopts the Coastal, Estuary, and Floodplain Risk Management Sub-Committee Terms of Reference, included as Attachment 1 to this report.***

### **Report purpose**

To present the Committee with the draft Terms of Reference to guide the activities and oversight provided by the Coastal, Estuary, and Floodplain Risk Management Sub-Committee and to recommend to Council to adopt the Terms of Reference (Attachment 1).

### **Executive Summary**

In April 2025, Council resolved that the scope of two (2) previously convened committees be merged into one committee, titled 'Coastal, Estuary, and Floodplain Risk Management Sub-Committee'.

Council also resolved that the Terms of Reference for the Committee be drafted and brought to the Environment and Planning Standing Committee for review and consideration.



## **Background**

At the 29 April 2025 Ordinary Council meeting, Council resolved:

*651/25*

*That Council:*

- 4 Merges the scope of the Catchments to Coast Committee and Dredging and Water Management Advisory Panel to become the Coastal, Estuary and Floodplain Risk Management Sub-Committee.*
- 5 Finalises the establishment of the Coastal, Estuary and Floodplain Risk Management Sub-Committee by:*
  - a) Drafting Terms of Reference that will be presented to Council after consideration by the Environment and Planning Committee.*
  - b) Appoints Councillor Stanton to Chair the subcommittee.*
  - c) Appointing Councillor members to the sub-committee.*
- 9 Calls for Expressions of Interest (EOI) from interested community groups that actively participate in Council's engagement program and that a further report be received by Council on the outcomes of that EOI process and methods to engage with community representative groups.*

## *Matters Arising*

*652/25*

*That the following Councillors be appointed to the Coastal, Estuary and Floodplain Risk Management Sub-Committee:*

- Cr Stanton (Chair)*
- Cr Wright*
- Cr Smith*
- DM Eaton OAM*
- Cr Lamont*
- Cr McNamara*
- Cr Castles*
- Cr Walsh*
- Cr Neal*

## **Report**

The draft Terms of Reference provided as an attachment to this report have been prepared in accordance with Council's resolution of 29 April 2025.

The draft Terms of Reference have been prepared to assist in wider community engagement on the matters relating to the management of coastal areas, estuaries, and floodplains within the Central Coast local government area.

The Sub-Committee will operate for an initial period of two (2) years from the first meeting. It is proposed that meeting will be held quarterly on a Thursday commencing at 3:00pm (September, November, March, May) at the Council Administration Building at 2 Hely Street Wyong, unless otherwise notified.

The Sub-Committee will provide relevant advice for the consideration of Council via the Environment and Planning Committee of Council. The Sub-Committee is also intended to serve as a Local Floodplain Risk Management Committee as described in the NSW Government's Flood Risk Management Manual 2023.

The broader scope of the Sub-Committee is proposed to include:

- Short, medium, and long-term management of coastal, estuarine, and floodplain areas.
- Issues related to pollution risks and water quality management.
- Flood risk management and mitigation strategies including Flood Studies and Floodplain Risk Management Plans.
- Environmental health and sustainability of coastal and estuarine ecosystems.
- Development and implementation of Coastal Management Programs for the Central Coast.

## **Next steps**

Once the Council endorses the draft Terms of Reference, expressions of interest will be requested from community representatives to join Council's Coast, Estuary and Floodplain Management Sub-Committee. The criteria for community representation are outlined in the draft Terms of Reference.

The expressions of interest will be promoted through Council's channels (LinkedIn, Facebook, and website), as well as through Councillor word of mouth. Nominations must be in writing and must address the specific criteria as part of the merit-based process.

Following the expression of interest process, the Coordinator of the Sub-Committee will prepare a report shortlisting eligible community candidates and will circulate the report to Councillors who are members of the Sub-Committee for consideration and selection. Council staff will not be involved in the selection process; it is a matter for Council. Community representatives will be appointed for the initial 2-year term by resolution of Council.

### **Stakeholder Engagement**

Internal engagement with Council's Environmental Management Unit and the Governance, Risk and Legal Unit has taken place.

### **Financial Considerations**

Financial Year (FY) Implications.

**This proposal has cost and revenue 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 but the LTFP does not include funding for the ongoing impact and will need to be updated in the next review.**

Although the recommendation made to the committee in this report has no direct financial impact, and adoption of the Terms of Reference by Council will have no direct financial impact, the facilitation and administration of the committee is expected to have a considerable impact on staff time and resources and may impact other deliverables.

### **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**

There are no risks identified from this recommendation.


**1.5 Draft Terms of Reference - Coastal, Estuary and Floodplain Risk  
Management Sub-Committee - For Adoption (cont'd)**

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**Critical Dates or Timeframes**

*Nil.*

**Attachments**

<b>1</b>	Draft Terms of Reference - Coast, Estuary and  Floodplain Management Sub-Committee	Provided Under Separate Cover	D16868125
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**Item No:** 1.6  
**Title:** Draft Terms of Reference - Mangrove Mountain  
Advisory Sub-Committee - For Adoption  
**Department:** Environment and Planning

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1 July 2025 Environment and Planning Committee

Reference: F2025/01065 - D16886323  
Author: Shann Mitchell, Unit Manager Environmental Compliance Services  
Manager: Edward Hock, Unit Manager Governance Risk and Legal  
Executive: Luke Nicholls, Director Environment and Planning

### **Recommendation**

- 1. That the Committee recommends that Council adopts the proposed Terms of Reference for the Mangrove Mountain Advisory Sub-Committee, included as Attachment 1 to this report.***
- 2. That the Committee note, the Terms of Reference resolved at Council on 29 April 2025, included as Attachment 2 to this report, have been updated to be consistent with those drafted and adopted for other Sub-Committees and to strengthen the eligibility criteria to ensure community members are suitably qualified to advise.***

### **Report purpose**

To present Terms of Reference to guide the activities and oversight provided by the Mangrove Mountain Advisory Sub-Committee.

### **Executive Summary**

On 29 April 2025, Council resolved to establish the Mangrove Mountain Advisory Sub-Committee.

The draft Terms of Reference at Attachment 1 have been drafted for the review and endorsement of the Environment and Planning Committee, to then recommend to Council for adoption.

## **Background**

At the 29 April 2025 Ordinary Council meeting, Council resolved:

*651/25*

*That Council:*

*Finalises the establishment of the Mangrove Mountain Advisory Sub-Committee by:*

- a) Adopting the draft Terms of Reference as attached to this report including the amendment that the sub-committee will report to Council through the Environment and Planning Committee.*
- b) Appointing a Chair of the sub-committee.*
- c) Appointing interested Councillors as members of the sub-committee.*

and

*653/25*

*That the following Councillors be appointed to the Mangrove Mountain Advisory Committee:*

- Cr Smith (Chair)*
- Cr Neal*
- Cr MacGregor*

## **Report**

The draft Terms of Reference provided as an attachment to this report have been prepared in accordance with Council's resolution of 29 April 2025. The Terms of Reference have been prepared to assist in wider community engagement on the matters outlined within the Terms of Reference.

## **Stakeholder Engagement**

Consultation has occurred with both Council's Environmental Compliance Services Unit, and the Governance, Risk and Legal Unit.

## **Financial Considerations**

Financial Year (FY) Implications.

**This proposal has cost and revenue 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 but the LTFP does not include funding for the ongoing impact and will need to be updated in the next review.**

Although the recommendation made to the committee in this report has no direct financial impact, and adoption of the Terms of Reference by Council will have no direct financial impact, the facilitation and administration of the committee is expected to have a considerable impact on staff time and resources and may impact other deliverables.

### **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**

There are no risks identified from this recommendation.

### **Critical Dates or Timeframes**

*Nil.*

### **Attachments**

<b>1</b>	Proposed Draft Terms of Reference – Mangrove Mountain Advisory Sub-Committee	Provided Under Separate Cover	D16799906
<b>2</b>	Terms of Reference – Mangrove Mountain Advisory Sub-Committee – Resolved 19 April 2025	Provided Under Separate Cover	D16928281

**Item No:** 1.7  
**Title:** Review of Keeping of Animals Policy  
**Department:** Environment and Planning

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1 July 2025 Environment and Planning Committee

Reference: F2010/00542 - D16666608  
Author: Shann Mitchell, Unit Manager Environmental Compliance Services  
Executive: Luke Nicholls, Director Environment and Planning



## **Recommendation**

***That the Committee recommends that Council endorses the Draft Policy for Keeping of Animals, at 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 Keeping of Animals Policy for the purpose of public exhibition.

## **Executive Summary**

This Report summarises the draft Keeping of Animals Policy for public exhibition. The draft Policy has been reviewed and updated with relevant information based on feedback from the community and staff. The Draft Policy sets out how Council will manage the keeping of animals in residential areas.

## **Background**

Central Coast Council approved the Keeping of Animals in Residential Areas Policy in 2020 (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 Keeping of Animals in Residential Areas Policy required review under the Policy Framework. This revision has been carried out to address these changes.

## **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.

The Policy will continue to set out Council's the requirements for keeping of animals in residential areas (properties under 1200m<sup>2</sup>) to ensure the protection of health and the environment. The primary intent of the Keeping of Animals Policy is to:

- Establish minimum standards for keeping animals in residential areas.
- Reduce adverse impacts on the community and environment.
- Promote animal welfare and protect native wildlife and vegetation.
- Provide clear guidelines for residents to ensure responsible animal ownership.

This policy excludes cats and dogs, which are governed under the Companion Animals Act, and does not apply to animals kept for commercial breeding or racing.

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

### **Stakeholder Engagement**

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 Keeping of Animals 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 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 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 Regulatory Policy, processes, Council's Policy Documents Framework, and Council's Code of Conduct.

**Critical Dates or Timeframes**

*Nil.*

**Attachments**

- 1  Draft Keeping of Animals Policy 2025   Provided Under Separate Cover   D16279717

**Item No:** 1.8  
**Title:** Draft Species Management Plan – Squirrel Glider  
for Public Exhibition  
**Department:** Environment and Planning

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1 July 2025 Environment and Planning Committee

Reference: F2020/03017 - D16787837  
Author: Deanne Frankel, Section Manager Strategic Planning Projects  
Manager: Richard Griffiths, Acting Unit Manager Strategic Planning  
Executive: Shannon Turkington, Acting Director Environment and Planning

## Recommendation

### *That the Committee:*

- 1** *Notes a further report on the outcome of public exhibition will be prepared for the Environment and Planning Committee.*
- 2** *Recommends that Council endorses the draft Squirrel Glider Species Management Plan (SMP), as per Attachment 1, proceeding to public exhibition for a minimum of 28 days.*

## Report purpose

To seek endorsement for the Draft Species Management Plan (SMP) to proceed to public exhibition for a minimum of 28 days.

## Executive Summary

The biodiversity legislative framework at both state and federal level is transitioning to nature positive. Parts of the *NSW Biodiversity Conservation Act 2016 (BC Act)* reforms have already been enacted by the recent *BC Amendment Bill 2024*. The *BC Amendment Bill 2024* has increased the level of protection of threatened species by requiring development proponents to actively demonstrate that they have taken all reasonable steps to avoid and minimise impacts on biodiversity, prior to the calculation and retirement of biodiversity credits. This requirement has been confirmed by numerous Land and Environment Court judgments and now forms Case Law in NSW. Many Councils are taking action to formalise these protections. For example, Lake Macquarie City Council has developed management plans for several threatened and iconic plants and animals which have been widely accepted by the development industry. These plans have been used as a framework for the proposed Squirrel Glider SMP.

The Squirrel Glider is threatened with extinction and is listed as a Vulnerable Species under the *Biodiversity Conservation Act 2016*.

In response to the legislative requirement to avoid and minimise impacts to biodiversity, and commitments/actions in Council's adopted Biodiversity Strategy and Sustainability and Climate Change Action Plan, the Squirrel Glider SMP has been developed. The SMP provides for an understanding of the specific ecology of the Squirrel Glider on the Central Coast, sets out a framework for Planning Proposals and Development Applications in areas that are critical to the survival of the Squirrel Glider, and outlines management requirements of this species on the Central Coast.

## **Background**

The Squirrel Glider is a medium sized hollow-dependent, gliding-arboreal marsupial which occurs in a range of forested habitats, including eucalypt forests, paperbark swamps and on the periphery of rainforest. Much of the Squirrel Glider habitat has been cleared, and the remaining habitat is under considerable development pressure due to habitat loss, degradation, and fragmentation. As such, the Squirrel Glider is threatened with extinction and is listed as a Vulnerable Species under *Biodiversity Conservation Act 2016*.

In the early 2000s the Central Coast was identified as one of the most important areas for the conservation of the Squirrel Glider based on work completed for the 2002 Wyong Shire Council Squirrel Glider Conservation Management Plan. Resurveys of these areas by Council using the same and contemporary methods indicate that in recent times a large decline has occurred. Based on field surveys completed since 2019, it is likely the Central Coast Squirrel Glider population is at a high risk of local extinction if population recovery does not occur.

Planning Proposals and Development Applications are regularly submitted in areas that are critical to the survival of the Squirrel Glider. Currently, when the Squirrel Glider is proposed to be impacted by a development, an assessment is made on a case-by-case basis as to the type of mitigation measures required and if the development represents an acceptable impact or not. When the species occurs on land that is proposed for rezoning, the most suitable zoning to protect the habitat and/or individuals/population occurs, also on a case-by-case basis.

## **Report**

The Squirrel Glider SMP has been developed setting out the specific ecology of the Squirrel Glider on the Central Coast and providing a framework for management of this threatened species on the Central Coast. The SMP had been drafted in response to:

- the legislative requirement to avoid and minimise impacts to biodiversity.
- Council's endorsed Biodiversity Strategy which requires the protection of biodiversity through land use planning and information management (Theme 4).
- Council's endorsed Sustainability and Climate Change Action Plan which requires the preparation of SMPs for key threatened species, including a monitoring component to track the status of species over time (Action 1b).

This SMP will apply to Planning Proposals, Development Applications, works completed by Council under a Review of Environmental Factors, and for restoration and management opportunities. Recent Land and Environment Court decisions, including *White v Ballina Shire Council [2021] NSWLEC 1468* have reinforced that no adverse effects on this species is to occur because of the development process.

The Squirrel Glider SMP includes a review of the species biology and ecology, a procedure for assessing impacts and a series of recovery actions. The SMP has been prepared in consultation with relevant Units, Sections and qualified staff within Council and an external recognised Squirrel Glider expert. The Squirrel Glider SMP is included as an attachment to this Report.

To support the Squirrel Glider SMP (and other SMPs already adopted by Council), a biodiversity chapter is currently being drafted following internal consultation for inclusion in Council's Development Control Plan (DCP), following public exhibition. The SMPs will be referred to in the new DCP chapter but will not form part of the DCP to allow the documents to be readily reviewed and updated as required, as well as allowing additional SMPs to be prepared without triggering additional DCP amendments.

## **Stakeholder Engagement**

The draft SMP was provided to two (2) external stakeholders in February 2025. Mr Matt Owen, a local Urban Development Institute of Australia (UDIA) representative and Mr Gary Chestnut a representative from the Community Environment Network (CEN). Mr Owen and Mr Chestnut were both supportive of the SMP. The Closing the Loop statement (Attachment 2) provides an overview of the comments received and how the final Draft SMP has been amended to respond to the comments received.

Council engaged Dr David Sharpe, a recognised expert in Squirrel Glider ecology to review relevant scientific literature, provide critical design requirements for Squirrel Glider corridors and undertake validation of inputs that were used to develop the habitat suitability model included in the document.

Further consultation will be undertaken as part of the public exhibition process.

### **Financial Considerations**

Financial Year (FY) Implications.

**The proposal has revenue 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 but the LTFP does not include funding for the ongoing impact and will need to be updated in the next review.**

There is an ongoing cost to implement the Squirrel Glider SMP if endorsed. This is currently estimated to be a maximum of \$8000 per year, for ongoing surveys. The implementation of the SMPs can be budgeted through the Environment and Planning Directorate's operational budget.

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

Theme 3: Green

#### **Goal F: Cherished and protected natural beauty**

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

Theme 3: Green

#### **Goal F: Cherished and protected natural beauty**

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

Theme 3: Green

#### **Goal F: Cherished and protected natural beauty**

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



### **Risk Management**

There is no risk to Council in proceeding to public exhibition of the draft Species Management Plan. Early stakeholder consultation was undertaken to allow for the document to be reviewed and updated prior to reporting to the Environment and Planning Committee, as well as review of the document by a Squirrel Glider ecology expert. The public exhibition of the document will allow for the document to be reviewed by the broader community and industry stakeholders.

### **Critical Dates or Timeframes**

*Nil.*

### **Attachments**

<b>1</b>	Squirrel Glider Management	Provided Under Separate	D16778677
	Plan_2025_F	Cover	
<b>2</b>	Closing the Loop Statement	Provided Under Separate	D16803612
		Cover	

**Item No:** 1.9  
**Title:** Fire Safety Report - 10 Fielders Street West Gosford  
**Department:** Environment and Planning

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1 July 2025 Environment and Planning Committee

Reference: 017.2021.00002277.001 - D16847557  
Author: Wes Bailey, Senior Building Surveyor  
Manager: Wayne Herd, Section Manager Building Assessment and Certification  
Executive: Andrew Roach, Unit Manager Development Assessment

## **Recommendation**

### ***That the Committee:***

- 1 Notes the Fire Safety Inspection Report received from Fire and Rescue NSW, enclosed as Attachment 1, in accordance with Section 17(2)(a) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979.***
- 2 Resolves to receive a further report on the matter in accordance with Section 17(2)(b) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979, following staff review of the Fire Safety Inspection Report.***

## **Report purpose**

To table a Fire Safety Inspection Report from Fire and Rescue NSW regarding a property at 10 Fielder Street, West Gosford

## **Executive Summary**

In response to correspondence received concerning adequacy of the provision for fire safety, officers from Fire and Rescue NSW have undertaken an inspection of a property identified as Strata Plan 98484, 10 Fielder Street, West Gosford.

In accordance with Section 17(2)(a) of Part 8 of Schedule 5 of the *Environmental Planning and Assessment Act 1979*, Fire and Rescue NSW inspection reports received by Council are required to be tabled at the next available Council meeting.



## Background

The subject land (Strata Plan 98484, 10 Fielder Street, West Gosford) is situated on the northern side of Fielder Street. The land contains a multi storey residential building, inclusive of a basement level carpark.

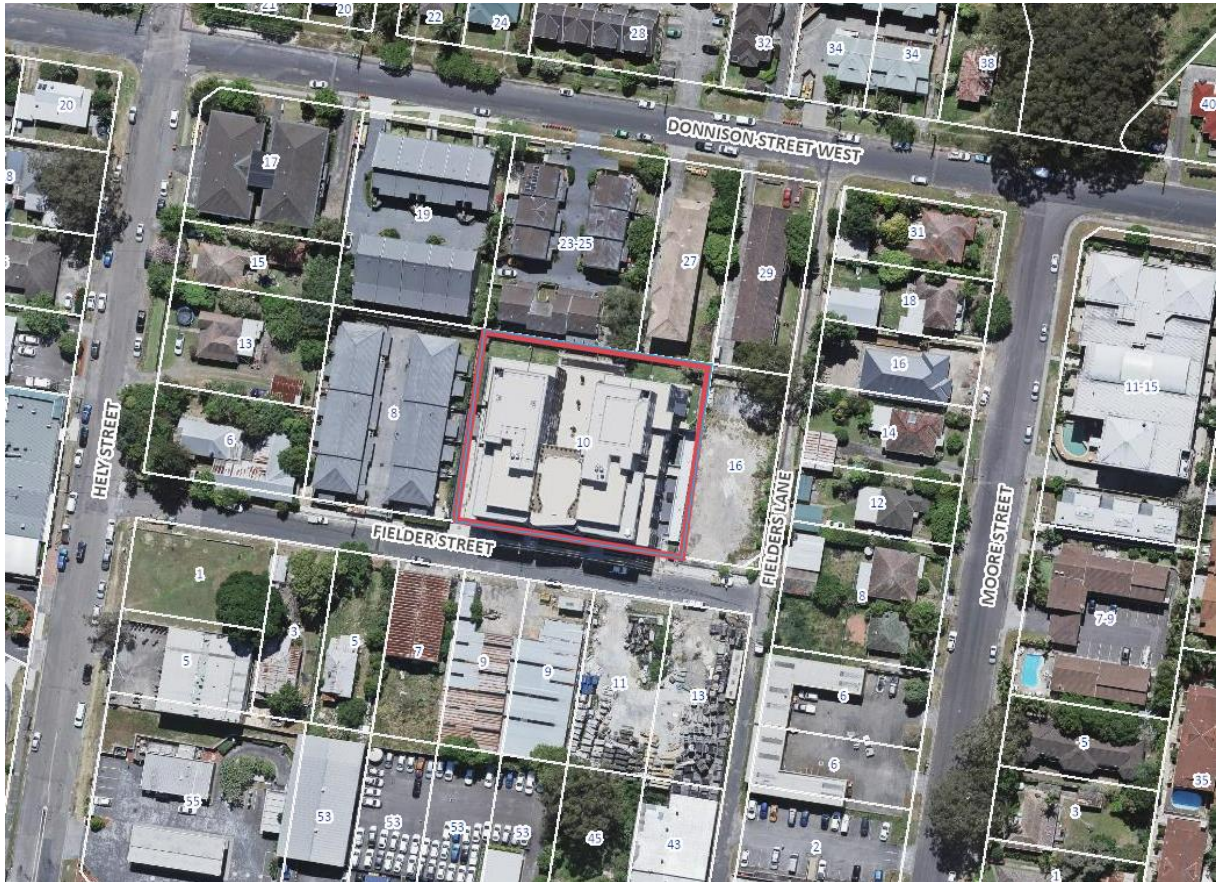


Figure 1: Subject site

A Fire Safety Inspection Report was subsequently submitted to Council (dated 29 April 2025) identifying a number of fire safety issues. The Fire Safety Inspection Report is included as (Attachment 1).

## Report

As required under the *Environmental Planning & Assessment Act 1979*, Fire and Rescue NSW has provided to Council a Fire Safety Inspection Report for the premises at 10 Fielder Street, West Gosford.

The *Environmental Planning & Assessment Act 1979* requires that these inspection reports are tabled at an Ordinary Meeting of the Council on two occasions:

- Firstly, for Council to note the receipt of the Fire Safety Inspection Report from Fire and Rescue NSW (this is the purpose of this agenda item), and

- Secondly, for Council to then resolve as to whether a Fire Safety Order is to be issued, in accordance with the *Environmental Planning & Assessment Act 1979*, to rectify any outstanding fire safety matters raised within the inspection report.

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

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

### **Stakeholder Engagement**

Consultation has been undertaken with the owner of the affected property, with respect to access for inspection of the property by Council staff.

Following a review and further report to Council, advice on the outcome is required to be provided to the property owner and Fire and Rescue NSW

### **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.**

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

Theme 4: Responsible

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

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

### **Risk Management**


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

The operation of essential fire safety measures assists in minimising risk to building occupants, and the effective management is an important public safety matter.

### **Critical Dates or Timeframes**

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

### **Attachments**

<b>1</b>	Letter Out - 9_32 Inspection Report - 10 Fielder	Provided Under	D16918376
	Street West Gosford - Central Coast Council	Separate Cover	

**Item No:** 1.10  
**Title:** Fire Safety Report - 2 Alexandra Street Budgewoi  
**Department:** Environment and Planning

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1 July 2025 Environment and Planning Committee

Reference: CESS/49/1992 - D16848024  
Author: Wes Bailey, Senior Building Surveyor  
Manager: Wayne Herd, Section Manager Building Assessment and Certification  
Executive: Shannon Turkington, Acting Director Environment and Planning

## **Recommendation**

### ***That the Committee:***

- 1      *Notes the Fire Safety Inspection Report received from Fire and Rescue NSW, enclosed as Attachment 1, in accordance with Section 17(2)(a) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979.***
- 2      *Resolves to receive a further report on the matter in accordance with Section 17(2)(b) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979, following staff review of the Fire Safety Inspection Report.***

## **Report purpose**

To table a Fire Safety Inspection Report from Fire and Rescue NSW regarding a property at 2 Alexandra Street, Budgewoi.

## **Executive Summary**

In response to correspondence received concerning adequacy of the provision for fire safety, officers from Fire and Rescue NSW have undertaken an inspection of a property identified as Lot 1 Deposited Plan 859618, 2 Alexandra Street, Budgewoi.

In accordance with Section 17(2)(a) of Part 8 of Schedule 5 of the *Environmental Planning and Assessment Act 1979*, Fire and Rescue NSW inspection reports received by Council are required to be tabled at the next available Council meeting.



## Background

The subject land (Lot 1 Deposited Plan 859618, 2 Alexandra Street, Budgewoi) is situated on the corner of Alexandra Street, Natuna Street and Marina Street. The land contains a bowling club and associated bowling greens known as Halekulani Bowling Club.



Figure 1: Subject Land

A Fire Safety Inspection Report was subsequently submitted to Council (dated 1 April 2025) identifying a number of fire safety issues. The Fire Safety Inspection Report is included as (Attachment 1).

## Report

As required under the *Environmental Planning & Assessment Act 1979*, Fire and Rescue NSW has provided to Council a Fire Safety Inspection Report for the premises at 2 Alexandra Street, Budgewoi.

The *Environmental Planning & Assessment Act 1979* requires that these inspection reports are tabled at a meeting of Council on two occasions:

- Firstly, for Council to note the receipt of the Fire Safety Inspection Report from Fire and Rescue NSW (this is the purpose of this agenda item), and
- Secondly, for Council to then resolve as to whether a Fire Safety Order is to be issued, in accordance with the *Environmental Planning & Assessment Act 1979*, to rectify any outstanding fire safety matters raised within the inspection report.

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

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

## Stakeholder Engagement

Consultation has been undertaken with the owner of the affected property, with respect to access for inspection of the property by Council staff.

Following a review and further report to Council, advice on the outcome is required to be provided to the property owner and Fire and Rescue NSW.

## 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.**

**Link to Community Strategic Plan**

Theme 4: Responsible

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

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

**Risk Management**


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

The operation of essential fire safety measures assists in minimising risk to building occupants, and the effective management is an important public safety matter.

**Critical Dates or Timeframes**

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

**Attachments**

<b>1</b>	Letter Out - 9_32 Inspection Report - Halekulani	Provided Under	D16918276
	Bowling Club 50 Natuna Avenue Budgewoi - Central Coast Council	Separate Cover	

**Item No:** 1.11  
**Title:** Response to Notice of Motion - Deferred Lands  
Planning Proposal Information Report  
**Department:** Environment and Planning

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1 July 2025 Environment and Planning Committee

Reference: F2021/00583 - D16882822  
Author: Rodney Mergan, Senior 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 notes the information provided in this report.***

## **Report purpose**

To provide information on the Deferred Matters Lands Planning Proposal in response to a Notice of Motion.

## **Executive Summary**

At the Ordinary Council Meeting of 29 April 2025, Council resolved the following:

665/25

- 1 *That an information report be presented to the Environment & Planning Committee on the deferred lands planning proposal.*
- 2 *That Council write to the Minister for Planning requesting expedition of the gazettal of this planning proposal.*

This report has been provided in response to the resolution of Council.

## **Background**

The Deferred Matters Lands were excluded from the *Central Coast Local Environment Plan 2022* (CCLEP 2022) to allow further assessment of the most appropriate zoning in response to issues identified during the CCLEP 2022 public exhibition process.

The planning instruments that applied to the DM Lands were the 'Gosford Planning Scheme Ordinance' (GPSO) and 'Interim Development Order 122' (IDO 122). The GPSO and IDO 122 were originally gazetted in 1968 and 1979 respectively.



Most of the deferred land uses are rural-residential, hobby farms and conservation lifestyle blocks. The vast majority are currently zoned 7(c)2 – Scenic Protection – Rural Small Holdings or 7(a) Conservation but were required to be integrated into the CCLEP in accordance with the 'Standard Instrument (Local Environmental Plans) Order 2006', which requires all LEPs to be standardised across NSW.

## **Report**

Land subject to the Deferred Matters Planning Proposal consists of 3,438 parcels of land located east of the M1 Pacific Motorway and south of Ourimbah.

The Deferred Lands Planning Proposal was publicly exhibited from 11 October to 15 November 2023. A total of 328 submissions were received during the public exhibition period, with a total of 230 objections to the proposal, and 79 in support. The outcome of the public exhibition process was considered on 28 May 2024. Council endorsed the Planning Proposal and subsequently requested the Minister for Planning and Public Spaces to grant final approval.

The amendment to Central Coast LEP 2022 as an outcome of the approval of the Planning Proposal came into effect on the 9 May 2025. The completion of this process resulted in:

- Consistent LEP controls for all land across the Central Coast, (outside of Gosford City Centre which remains subject to a State Environmental Planning Policy (SEPP).
- secondary dwellings and dual occupancy now permissible with Council consent on specified rural residential land as it currently is under CCLEP for similar land.
- Council assuming the role as the responsible authority for land clearing or similar activities on the Deferred Matters Lands. This role was previously the responsibility of Local Land Services (LLS).

Further summary and detailed information (including mapping information) is available on Council's Website at <https://www.yourvoiceourcoast.com/deferred-matters-lands-planning-proposal>

## **Stakeholder Engagement**

*Nil.*

## **Financial Considerations**

**The proposal has cost financial implications for the current FY only.**

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

**The FY adopted budget includes the impact for this proposal.**

**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**

*Nil.*

**Critical Dates or Timeframes**

*Nil.*

**Attachments**

*Nil.*



**Item No:** 1.12  
**Title:** FOGO (Food Organics Garden Organics) Facility  
Business Case Report - referral to Council to seek  
Expression of Interest  
**Department:** Infrastructure Services

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1 July 2025 Environment and Planning Committee

Reference: F2020/00328 - D16907776  
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 Notes the receipt of associated confidential documents as per Extraordinary Environment and Planning Committee meeting 10 June 2025 which carried the following motion:**

*EPC28/25*

*That the Committee:*

- 1 Further considers FOGO (Food Organics Garden Organics) Facility Business Case Report at the next Environment and Planning Committee meeting on 1 July 2025.*
  - 2 Recommends that Council circulate the feasibility report and decision of the Administrator from May 2024 to all Councillors.*
- 2 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.**
- 3 Receive and note the Confidential 'FOGO Facility Business Case (Final Draft)' and redacted versions of the attachments.**

- 4 *Accepts the findings within the Business case and recommends,*
  - i) *progression to the Expression of Interest (EOI) stage for the FOGO Facility, and*
  - ii) *advising the Office of Local Government (OLG) of Councils intention to proceed with the Public Private Partnership (PPP) model.*
- 5 *Notes that a report be provided to the Environment and Planning Committee that summarises all (EOI) submissions and provides a recommendation on next steps.*
- 6 *Recommends to Council that Council:*
  - I. *Receives and notes the recommendations and confidential Business Case and attachments from the Environment and Planning Committee.*
  - II. *Agrees with the Business Case recommendations and findings and accepts the draft FOGO Facility Business Case as being the Final FOGO Facility Business Case.*
  - III. *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).*
  - IV. *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.*
  - V. *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.*
  - VI. *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.*
  - VII. *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 is being returned to the Environment and Planning Committee resulting from the Environment and Planning Committee decision to review previous documentation and decisions as noted at Recommendation 1. A detailed memo from the Infrastructure Services Director was circulated to all Councillors 16 June 2025 linking documentation to the following:

- i. FOGO Business Case
- ii. FOGO Directions Paper
- iii. FOGO Feasibility Study Report

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 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.*

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

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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 site 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.

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.

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

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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 Plan<sup>3</sup>.



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, Jilliby 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.*

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

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*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.*

*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.

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

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

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- 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.**

Councils 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.

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

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### 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.

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 |

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

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1 July 2025 Environment and Planning Committee

Reference: F2004/00550 - D16918336  
Author: Shannon Turkington, Unit Manager Strategic Planning  
Executive: Luke Nicholls, 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 the 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



**1.13**
**Planning Proposal Statistics (cont'd)**

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	The Planning Proposal has been forwarded to the Minister for Planning and Public Spaces requesting a Gateway Determination.
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 450m2, 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.
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.

## 1.13 Planning Proposal Statistics (cont'd)

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.
RZ/1/2024	126 Somersby Falls, SOMERSBY	Proposal to rezone site from RU1 Primary Production to E4 General Industrial	Finalisation	Council staff are undertaking the steps for drafting and making of the amendments to the Central Coast Local Environmental Plan 2022.

### 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 the impact for this proposal.**

### 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:** DA Statistics  
**Department:** Environment and Planning

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1 July 2025 Environment and Planning Committee

Reference: F2025/00483 - D16918493  
Author: Andrew Roach, Unit Manager Development Assessment  
Executive: Luke Nicholls, 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 May 2025).

The number of Development Applications under assessment, at the end of May 2025, stands at 724. 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 111 at the end of May 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.

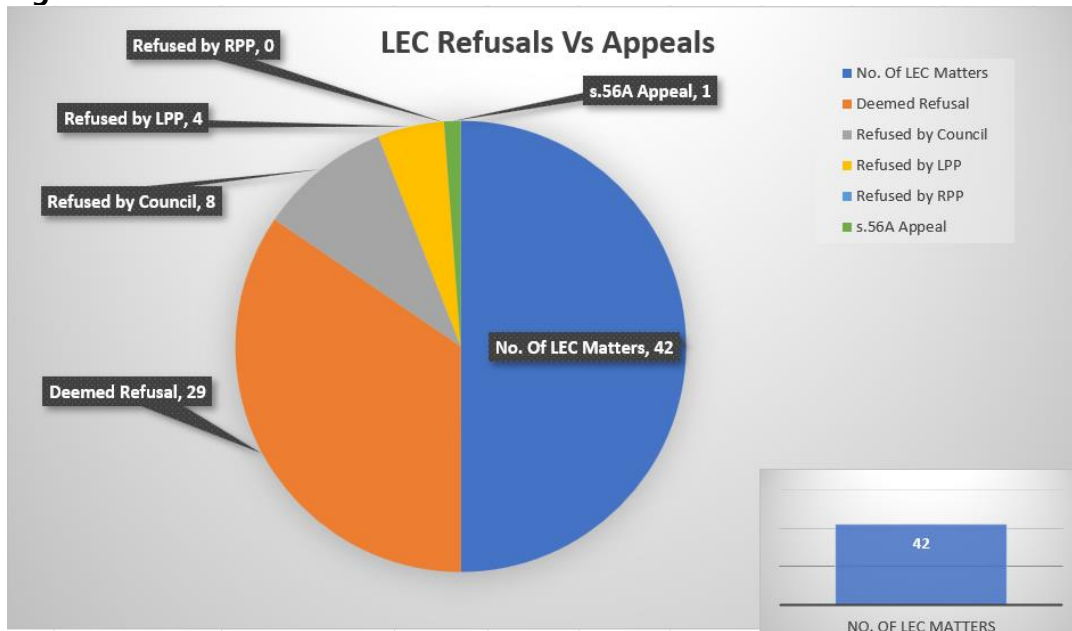
There are 42 current matters currently before the Land & Environment Court (broken down in Figure 3).

**Figure 1: Development Application Data**

Measure	End May 2025
Total Outstanding DA's	724
DA's Over 12 Months Old	111
Value of DA's Determined (YTD)	\$669,279,575
No. of Outstanding LEC Matters	42
DA's Before LPP	17
DA's Before RPP	19

**Figure 2: Development Application Assessment Timeframes**

Measure	May 2025	Financial Year to Date (July 2024 – May 2025)
DA Mean Assessment Days (Gross Calendar Days)	191	167
DA Median Assessment Days (Gross Calendar Days)	111	97
DA Mean Assessment Days (Net Business Days)	88	98
DA Median Assessment Days (Net Business Days)	50	54

**Figure 3: Land and Environment Court – All current matters****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.*