



Central Coast Council
Business Paper
Ordinary Council Meeting
27 July 2021





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.



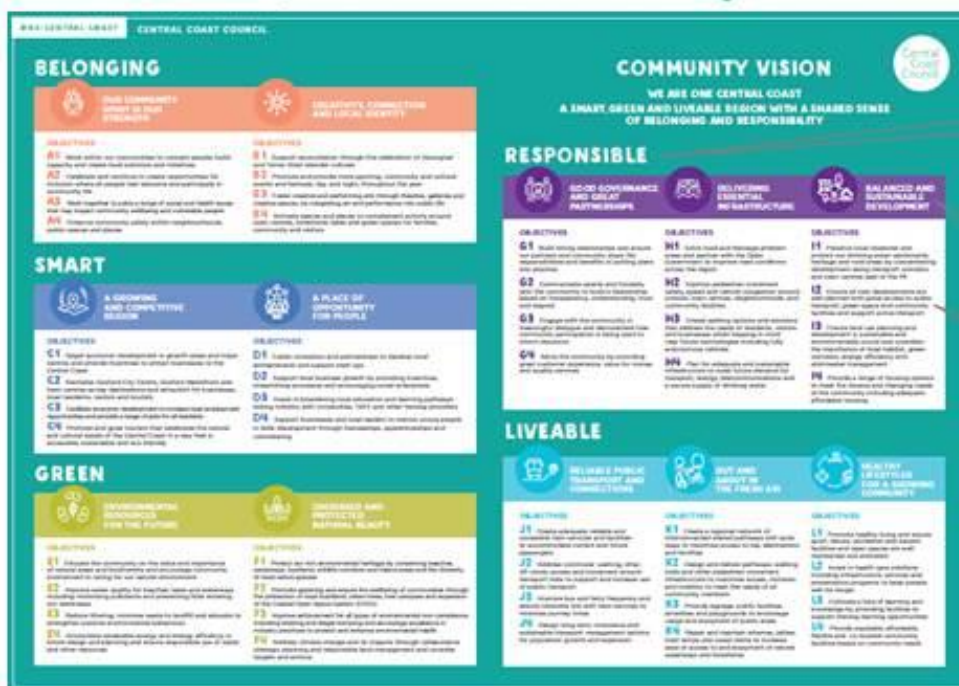
Good governance and great partnerships

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

There are 5 themes, 12 focus areas and 48 objectives

COMMUNITY STRATEGIC PLAN 2018-2028 FRAMEWORK

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



Theme

Focus Area

Objective

Meeting Notice

**The Ordinary Council Meeting
of Central Coast Council
to be held remotely – online,
Tuesday 27 July 2021 at 6.30 pm,
for the transaction of the business listed below:**

1 Procedural Items

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David Farmer
Chief Executive Officer

Item No: 1.1
Title: Disclosure of Interest
Department: Corporate Affairs

27 July 2021 Ordinary Council Meeting

Reference: F2021/00035 - D14711525



Recommendation

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

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

Section 451 of the LG Act states:

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

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

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

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

27 July 2021 Ordinary Council Meeting

Reference: F2021/00035 - D14711536



Recommendation

That Council confirm the minutes of the Ordinary Meeting of Council held on 29 June 2021.

Summary

Confirmation of minutes of the Ordinary Meeting of Council held on 29 June 2021.

Attachments

1	Minutes - Ordinary Meeting - 29 June 2021	Provided Under Separate Cover	D14706916
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Item No: 1.3
Title: Notice of Intention to Deal with Matters in Confidential Session
Department: Corporate Affairs

27 July 2021 Ordinary Council Meeting

Trim Reference: F2021/00035 - D14711546



Recommendation

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

Summary

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

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

Context

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

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

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

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

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

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

Attachments

Nil

Item No: 2.1
Title: Council's Asset Sales Program (Tranche 3) -
Outcome of Community Consultation
Department: Corporate Affairs



27 July 2021 Ordinary Council Meeting

Reference: F2020/03104 - D14729888
Author: Joe O'Connor, Commercial Property Manager
Manager: Jamie Barclay, Unit Manager Development and Property
Executive: Natalia Cowley, Director Corporate Affairs and Chief Financial Officer

Recommendation

1 That Council sell the following operational classified properties for not less than the market value as determined by an independent valuer through a competitive sales process;

- i. 50 Akora Road, Wyoming (Lot 2 DP 789440)**
- ii. 14 Elsiemer Street, Long Jetty (Lot 150 DP 519032)**
- iii. 17 Rankens Court, Wyong (Lot 15 DP 656584)**
- iv. 4 Tyrrell Place, Killarney Vale (Lot 479 DP 704452)**
- v. 6 Tyrrell Place, Killarney Vale (Lot 478 DP 704452)**
- vi. 82 Yarram Road, Bensville (Lot 41 Sec E DP 6113)
84 Yarram Road, Bensville (Lot 42 Sec E DP 6113)**
- vii. 435 Bushells Ridge Road, Bushells Ridge (Lot 192 DP 1032847)**

2 That Council sell the following operational classified properties for not less than the market value as determined by an independent valuer through a competitive sales process;

- i. 11 Church Street, Wyong (Lot 1 DP 421613)
11 Church Street, Wyong (Lot 2 DP 421613)
11 Church Street, Wyong (Lot 3 DP 421613)
11 Church Street, Wyong (Lot 4 DP 421613)
2W Ranken Street, Wyong (Lot 4 DP 659489)**
- ii. That Council close the unformed road located between 11 Church Street and 2W Ranken Street Wyong and sell for not less than market value as determined by an independent valuer;**

- iii. *That Council resolve to include a condition of sale that maintains the number of car parking previously provided on this site.*
- 3 *That Council sell the following operational classified land for not less than market value as determined by an independent valuer as a direct sale to the Mariners FC Developments Pty Ltd, noting the existing E3 zoning will be retained and land will be used as a vegetation buffer:*
 - i. *11 Wyong Road, Tuggerah (Lot 21 DP 25373)*
13 Wyong Road, Tuggerah (Lot 20 DP 25373)
15 Wyong Road, Tuggerah (Lot 19 DP 25373)
17 Wyong Road, Tuggerah (Lot 18 DP 25373)
19-23 Wyong Rd, Tuggerah (Lot 17 DP 25373)
19-23 Wyong Rd, Tuggerah (Lot 16 DP 25373)
19-23 Wyong Rd, Tuggerah (Lot 15 DP 25373);
 - ii. *Subject to an executed contract for sale, Council provide owner's consent to Mariners FC Developments Pty Ltd to lodge a development application over 11-23 Wyong Road, Tuggerah (being Lots 15-21 DP 25373).*
- 4 *That Council sell the following lots for not less than market value as determined by an independent valuer as a direct sale to the Salvation Army:*
 - 15-23 Hely St Wyong (Lot 1 Sec1 DP 3136)*
 - 15-23 Hely St Wyong (Lot 2 Sec1 DP 3136)*
 - 15-23 Hely St Wyong (Lot 3 Sec1 DP 3136)*
 - 15-23 Hely St Wyong (Lot 4 Sec1 DP 3136)*
 - 15-23 Hely St Wyong (Lot 5 Sec1 DP 3136)*
- 5 *That Council sell 3 Albert Street East Gosford (Lot 9 DP 819624) for not less than market value as determined by an independent valuer as a direct sale to the St. Joseph's Catholic College (or their preferred entity) and condition the sale that the number of parking will be maintained.*
- 6 *That Council sell the operational land at 8 Bay Village Road, Bateau Bay (Lot 51 DP 1154778) and 10 Bay Village Road, Bateau Bay (Lot 2 DP 1154356) once a new library facility is established, which is of an equal or better standard than the current library facility within the Bateau Bay Square shopping centre, and provided that ongoing tenure has been secured.*
- 7 *That Council reclassify 10W Woodcutters Road, Woongarra (Lot 32 DP 1044070) from community to operational land and sell for not less than market value as*

determined by an independent valuer as a direct sale to the adjoining neighbour (7 Chestnut Grove, Woongarra or their preferred entity) and;

- i. Subject to an executed Deed of Option to Purchase Agreement, Council provide owner's consent to the neighbour (7 Chestnut Grove, Woongarra or their preferred entity) to lodge a planning proposal over 10W Woodcutters Road, Woongarra (Lot 32 DP 1044070) to reclassify the land from community to operational land.*
- 8** *That Council reclassify part of 1 Austin Butler Acc, Woy Woy (Part Lot 9 in DP 235385) from community to operational land and sell for not less than the market value as determined by an independent valuer and;*
 - i. To condition the sale that there will be no reduction in car park spaces and access through the site to the existing car parks at Austin Butler Oval must be maintained;*
 - ii. Subject to an executed Deed of Option to Purchase Agreement, provide owner's consent for Peninsula Plaza to lodge a planning proposal for an amendment to the Gosford Local Environment Plan 2014 (GLEP) for the Land (Part Lot 9 in DP 235385) to be included in Schedule 1 Additional Permitted Use to facilitate this ancillary use;*
 - iii. Subject to an executed Deed of Option to Purchase Agreement, provide owner's consent for Peninsula Plaza to lodge a development application over part of Lot 9 in DP 235385, 1 Austin Butler Acc, Woy Woy, for the subdivision of the land as well as alterations and additions to the Plaza;*
- 9** *That Council reclassify 191 Wallarah Road, Kanwal (Lot 21 DP 813270) from community to operational land and sell for not less than the market value as determined by an independent valuer as a direct sale to the Wyong Rugby League Club Group and;*
 - i. Subject to an executed Deed of Option to Purchase Agreement, provide owner's consent to the Wyong Rugby League Club Group to lodge a planning proposal over 191 Wallarah Road, Kanwal (Lot 21 DP 813270) to reclassify the land from community to operational land.*
- 10** *That Council reclassify 48W Wallarah Road, Gorokan (Lot 2 DP 733448) from community to operational land and sell for not less than the market value as determined by an independent valuer as a direct sale to the Wyong Rugby League Club Group and;*

- i. Subject to an executed Deed of Option to Purchase Agreement, provide owner's consent to the Wyong Rugby League Club Group to lodge a planning proposal over 48W Wallarah Road, Gorokan (Lot 2 DP 733448 to reclassify the land from community to operational land.*
- 11 That Council reclassify part of 2-4 Park Road, The Entrance (Part Lot 1 DP 180642 and Part Lot 1 DP 406038) from community to operational land and sell for not less than market value as determined by an independent valuer as a direct sale to the The Mingara Leisure Group and;**
 - i. Subject to an executed Deed of Option to Purchase Agreement, provide owner's consent to the The Mingara Leisure Group to lodge a planning proposal over part of 2-4 Park Road, The Entrance (Part Lot 1 DP 180642 and Part Lot 1 DP 406038 to reclassify the land from community to operational land;*
 - ii. Subject to an executed Deed of Option to Purchase Agreement, provide owner's consent for The Mingara Leisure Group to prepare, lodge and manage a development application and all other consents to subdivide the land for sale.*
- 12 That Council lodge a planning proposal to reclassify the following land from community to operational land:**
 - i. 9 Yaralla Road, Toukley (Lot 76 DP 20493)
11 Yaralla Road, Toukley (Lot 77 DP 20493)
13 Yaralla Road, Toukley (Lot 78 DP 20493)
15 Yaralla Road, Toukley (Lot 79 DP 20493);*
 - ii. Noting that these sites have been identified as affordable housing sites and may be sold directly to a community housing provider for not less than market value as determined by an independent valuer.*
- 13 That Council reclassify 75 Bungary Road, Norah Head (Lot 1 DP 860696) and 75 Bungary Road, Norah Head (Lot 5 Sec 24 DP 758779) from community to operational land and sell for not less than the market value as determined by an independent valuer once construction has commenced on a new community facility.**
- 14 That Council authorise, subject to resolutions 1,2,3,4,5,6,7,8,9,10,11, 12, 13 the Chief Executive Officer to finalise the terms of sale for these properties.**

- 15 That Council undertake further investigation into the following sites, taking into account the revision of The Entrance Town Centre Masterplan as well as the acquisition clause and Wyong Local Environmental Plan 2013;**
- i. 8 Manning Road, The Entrance (Lot 4 DP 14527)
10 Manning Road, The Entrance (Lot 5 DP 14527)
14A and 14B Manning Road, The Entrance (Lot 7 DP 14527)
18 Manning Road, The Entrance (Lot 9 DP 14527)
20A Manning Road, The Entrance (Lot 10 DP 14527)
24A Manning Road, The Entrance (Lot 12B DP 408523).**
- 16 That Council will discontinue the consideration for sale of Tranche 3 land as listed below:**
- i. 31 Alison Road, Wyong (Lot 3 Sec 10 DP 3136)**
 - ii. 116 Evans Road Toukley (Lot 29 DP 21112)
49 Hammond Road Toukley (Lot 30 DP 21112)**
 - iii. 10 Lakeside Parade, The Entrance (Lot 61 DP 24151)**
 - iv. 3 Bullion Street, Umina Beach (Lot 48 Sec A DP 8872)
5 Bullion Street, Umina Beach (Lot 49 Sec A DP 8872)
7 Bullion Street Umina Beach (Lot 50 Sec A DP 8872)
9 Bullion Street, Umina Beach (Lot 51 Sec A DP 8872)
11 Bullion Street, Umina Beach (Lot 52 Sec A DP 8872)
4A Alfred Street, Umina Beach (Lot 41 Sec A DP 8872)
4B Alfred Street, Umina Beach (Lot 42 Sec A DP 8872)
6 Alfred Street, Umina Beach (Lot 43 Sec A DP 8872)
8 Alfred Street Umina Beach (Lot 44 Sec A DP 8872)
10 Alfred Street, Umina Beach (Lot 45 Sec A DP 8872)**
 - v. 148 Wyong Road, Killarney Vale (Lot 52 DP 1106508)
150 Wyong Road, Killarney Vale (Lot 511 DP 845787)**
 - vi. 305 Bushells Ridge Road, Kiar (Lot 185 & 186 DP 823132)**
 - vii. 9 Russell Drysdale Street East Gosford (Lot E DP 39240)**
 - viii. 219 Albany Street North, Gosford (Lot 201 DP 840680) comprising
Henry Wheeler Place (formally Lots 7 & 10 DP 238231)
219B Albany Street North, Gosford (Lot 203 DP 840680)
219C Albany Street North, Gosford (Lot 204 DP 840680)**
 - ix. Berrys Head Road, Narara (Lot 2 DP 1025043)**
 - x. 43A Ulana Avenue, Halekulani (Lot 2 DP 218406)**
 - xi. 7 Angler Street, Woy Woy (Lot 89 DP 6213)
9 Angler Street, Woy Woy (Lot 88 DP 6213)**
 - xii. 83-85 Brisbane Avenue, Umina Beach (Lot 195 DP 9894)
85 Brisbane Avenue, Umina Beach (Lot 196 DP 9894)**
 - xiii. 1-3 Fassifern Street, Ettalong Beach (Lot 121 DP 1179469)**
 - xiv. 40A George Street, East Gosford (Lot 1 DP 996535)**
 - xv. 6 Ithome Street, Wyong (Lot 4 DP 614523)**
 - xvi. 336-350 Terrigal Drive, Terrigal (Lot 10 DP 1187594)**

- xvii. 325 Pacific Hwy, Wyong (Lot 103/DP877557)*
- xviii. 77 Howarth Street, Wyong (Lot 2 DP 550364)*
- xix. 23 Memorial Avenue, Blackwall (Lot 197 DP 10172)*
23A Memorial Avenue, Blackwall (Lot 198 DP10172)

Report purpose

For Council to consider the sale, reclassification and rezoning of Council land within the Asset Sales Program – Tranche 3.

Executive Summary

On 27 April 2021 Council resolved to defer the consideration of the sale of Council assets in Tranche 3 to allow for community consultation. The consultation concluded on 28 May 2021 with the total number of responses received via the online survey totalling 1,333 submissions, 611 emails and letters. A copy of the consultation report which has also been provided on the Your Voice Our Coast website and distributed to all respondents is provided at Attachment 1. With conclusion of the consultation period, Council is now in a position to finalise the Asset Sales Program – Tranche 3. This includes recommendations that Council:

- Sell certain operational classified sites;
- Reclassify certain sites from community to operational classified land prior to sale;
- Sell Council land as a direct sale to a neighbour - in some circumstances this requires reclassification from community to operational land prior to sale;
- Undertake further investigation on land prior to consideration for sale;
- Unless otherwise noted in this report, discontinue consideration for sale of any other asset in the Tranche 3 group of properties.

Background

Council's Business Recovery Plan required a review of Council's property assets which could be disposed of to assist with its financial situation. A report to Council detailed properties (Tranche 3) which are surplus to Council's current and future needs was tabled at the 27 April 2021 Council meeting. Council deferred the decision and requested a 3-week community consultation be undertaken. This was later extended to 4 weeks.

This process has allowed Council to engage with the community to better understand the potential aspirations and concerns regarding any of the land being considered for sale. As a result, of the various properties being considered;

- 19 have been recommended to progress to sale,

2.1 Council's Asset Sales Program (Tranche 3) - Outcome of Community Consultation (contd)

- 1 requires further investigation,
- 19 have been removed from further consideration.

Report

Land Being Considered for Sale

Property reports for each site listed below are provided at Attachment 2:

- 50 Akora Road, Wyoming
- 14 Elsiemer Street, Long Jetty
- 17 Rankens Court, Wyong
- 4 Tyrrell Place, Killarney Vale
- 6 Tyrrell Place, Killarney Vale
- 82 and 84 Yarram Road, Bensville
- 435 Bushells Ridge Road, Bushells Ridge
- 11 Church Street and 2W Ranken Street, Wyong
- 11-23 Wyong Road, Tuggerah
- 15-23 Hely St, Wyong
- 3 Albert Street, East Gosford
- 10W Woodcutters Road, Woongarah
- Part of 1 Austin Butler Acc, Woy Woy
- 191 Wallarah Road, Kanwal
- 48W Wallarah Road, Gorokan
- Part of 2-4 Park Road, The Entrance
- 9-15 Yaralla Road, Toukley
- 8 and 10 Bay Village Road, Bateau Bay
- 75 Bungary Road, Norah Head

Land requiring further investigation

A property report for the site listed below is provided at Attachment 2:

- 8, 10, 14A, 14B, 18, 20A and 24A Manning Road, The Entrance

Consultation

Council conducted community consultation from 30 April 2021 to 28 May 2021 and the feedback from the consultation has informed the outcome of this report. The consultation report has been uploaded to Council's Your Voice Our Coast website, and each participant has also been provided with a copy of the report. Refer to Attachment 1 for a copy of this report.

Council has engaged with independent property development experts Michael Filo and Steve Rowe to execute the functions of the independent Property Advisory Committee. Their

2.1 Council's Asset Sales Program (Tranche 3) - Outcome of Community Consultation (contd)

function is to provide an independent panel to review the asset sales program prior to going to Council, review and advise on conditional sales for commercial and industrial sales and to review opportunities and advise Council on a potential highest and best use analysis to ensure Council is receiving value for the sale. They have also ensured that adequate probity measures around any direct sale are considered in evaluating the terms of the sale.

Financial Considerations

In order to meet the ongoing commitments to Council's financial partners, it is important to note that the proposed group of sales recommended in this report will help assist Council in reaching this target.

To date, Council has exchanged and settled on contracts within Tranche 1 and 2 to the value of approximately \$23.9 million.

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

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

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

The costs to facilitate the sales will be funded out of Council's asset disposal budget in current and future operational budgets and income from other asset sales.

Should Council resolve to sell these sites, then a budget allocation of approximately \$260,000 may be required for transaction costs associated with putting these sites on the market. The sale proceeds from Tranche 3 will provide council with a multi-million dollar return on expenditure as the sale process will far exceed the costs associated with the disposal of these properties.

The following budget allocations have been considered:

- Independent market Valuations \$70,000 (\$3,500 – \$10,500 per property depending on the size and complexity);
- Legal Fees / Conveyancing \$40,000 (with a range of between \$1,500-4,500 per contract);
- Marketing \$70,000 (5 properties on the open market);
- Planning Proposals (allowance of \$80,000, including consultant reports).

2.1 Council's Asset Sales Program (Tranche 3) - Outcome of Community Consultation (contd)

This budget is reasonable given the complexity of some of the sites which may require considerable work in preparing these sites for sale.

It should also be noted that many of the sites have been recommended for sale as these facilities require ongoing budget for maintenance and improvements, which will contribute to improving Council's financial sustainability through reduced maintenance costs.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Risk Management

Risk has been mitigated through upfront due diligence of these proposals, including a review of the land and any other impediments to the sale and/or reclassification of the land. Further, through Council's Property Advisory Panel, these sites have been considered and recommendations provided so as to ensure the best outcome for Council and the community. Notwithstanding these measures, there is potential reputation risk associated with these proposals as it may be considered a loss of community classified land. However, as Council has undertaken extensive community consultation, we have been able to ensure community concerns have been addressed in these recommendations.

Options

Option 1

That Council sell and / or reclassify the assets as proposed, for not less than an independent market valuation either as an open market transaction or a direct sale as recommended.

This is the preferred option.

Option 2

That Council sell and / or reclassify the **some** of the assets as proposed, for not less than an independent market valuation either as an open market transaction or a direct sale as recommended

Option 3



That Council does not reclassify or sell any of the Land recommended for sale.

2.1 Council's Asset Sales Program (Tranche 3) - Outcome of Community Consultation (contd)

Critical Dates or Timeframes

Given the high level of interest in Council's Asset Sales Program the finalisation of the land sales in Tranche 3, is important for the community. Further, Council is required to undertake the liquidation of its assets to fulfil its obligations with its lending providers, and a resolution on these matters will assist in this ongoing commitment.

Attachments

- | | | | | |
|----------|---|---------------------|-------------------------------|-----------|
| 1 |  | Consultation Report | Provided Under Separate Cover | D14747881 |
| 2 |  | Property Reports | Provided Under Separate Cover | D14755082 |

Item No: 2.2
Title: Investment Report for June 2021
Department: Corporate Affairs



27 July 2021 Ordinary Council Meeting

Reference: F2004/06604 - D14727997
Author: Devini Susindran, Team Leader
Manager: Peter Correy, Unit Manager, Finance
Executive: Natalia Cowley, Director Corporate Affairs and Chief Financial Officer

Recommendation

That Council receive the Investment Report for June 2021.

Report purpose

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

- 1 *The responsible accounting officer of a council*
 - a *must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented—*
 - i. *if only one ordinary meeting of the council is held in a month, at that meeting, or*
 - ii. *if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and*
 - b *must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.*
- 2 *The report must be made up to the last day of the month immediately preceding the meeting.*

Executive Summary

This report details Council's investments as at 30 June 2021.

Background

Council's investments are made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005, the amended Investment Policy adopted at the Ordinary Council Meeting on 3 February 2021, Ministerial Investment Order issued February 2011 and Division of Local Government (as it was then known) Investment Policy Guidelines published in May 2010.

Current Status

Council's current cash and investment portfolio totals \$484.43 million at 30 June 2021

Council's Cash and Investment Portfolio by Source of Funds

Source of Funds	Value (\$'000) June 2021
Investment Portfolio	\$447,221
Transactional accounts and cash in hand	\$37,210
Total	\$484,431
Restrictions as at 30 June 2021	\$425,893
Unrestricted Funds as at 30 June 2021	\$58,538
Total consolidated Funds	\$484,431

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

Fund	General Fund	Water Fund	Sewer Fund	Drainage Fund	Waste Fund	Total
External Restricted Funds	\$177,008	\$7,765	\$22,352	\$36,134	\$93,026	\$336,285
Internal Restricted Funds	\$90,940	\$1,026	\$877	\$55	-	\$92,898
Total Restricted Funds	\$267,948	\$8,791	\$23,229	\$36,189	\$93,026	\$429,183
Unrestricted Funds	(\$33,393)	(\$5,198)	\$120,679	(\$35,783)	\$8,943	\$55,248
Total funds by Fund	\$234,555	\$3,593	\$143,908	\$406	\$101,969	\$484,431

Detailed restrictions have been provided in Attachment 2. Council is managing the previously reported negative unrestricted funds balance, as part of Council's Business Recovery Plan with the negative unrestricted balance reducing to \$72.99M at 30 June 2021.

A summary analysis of Council's restricted and unrestricted monies by fund for 30 June 2021 compared to both 30 June 2020 and the 30 June 2021 forecast is tabled below.

2.2 Investment Report for June 2021 (contd)

	Actual	Actual	Forecast	Variance to	Variance to
	30-Jun-20	30-Jun-21	30-Jun-21	Forecast	FY20
Consolidated					
Restricted - external	338,747,185	336,284,234	312,626,040	23,658,193	(2,462,951)
Restricted - internal	111,158,471	92,898,641	107,690,068	(14,791,428)	(18,259,830)
Unrestricted	(89,485,271)	55,247,657	3,332,882	51,914,775	144,732,928
Total Funds	360,420,385	484,430,531	423,648,990	60,781,540	124,010,146
General Fund					
Restricted - external	160,569,234	177,007,958	148,756,346	28,251,612	16,438,724
Restricted - internal	109,199,558	90,939,727	105,731,155	(14,791,428)	(18,259,831)
Unrestricted	(175,401,287)	(33,392,815)	(112,620,724)	79,227,909	142,008,472
Total Funds	94,367,505	234,554,870	141,866,777	92,688,093	140,187,365
Water Fund					
Restricted - external	32,377,399	7,764,782	11,260,211	(3,495,429)	(24,612,617)
Restricted - internal	1,026,198	1,026,198	1,026,198	0	0
Unrestricted	833,432	(5,198,245)	(10,013,355)	4,815,110	(6,031,677)
Total Funds	34,237,029	3,592,736	2,273,054	1,319,682	(30,644,293)
Sewer Fund					
Restricted - external	22,701,879	22,352,179	28,122,235	(5,770,056)	(349,700)
Restricted - internal	877,389	877,389	877,389	0	0
Unrestricted	117,634,905	120,678,887	146,208,783	(25,529,896)	3,043,982
Total Funds	141,214,173	143,908,455	175,208,407	(31,299,952)	2,694,282
Drainage Fund					
Restricted - external	36,914,693	36,133,682	38,362,111	(2,228,429)	(781,011)
Restricted - internal	55,326	55,326	55,326	0	(0)
Unrestricted	(36,812,374)	(35,783,134)	(35,879,349)	96,215	1,029,240
Total Funds	157,645	405,874	2,538,088	(2,132,214)	248,229
Domestic Waste Fund					
Restricted - external	86,183,980	93,025,632	86,125,137	6,900,495	6,841,652
Restricted - internal	0	0	0	0	0
Unrestricted	4,260,053	8,942,964	15,637,527	(6,694,563)	4,682,911
Total Funds	90,444,033	101,968,596	101,762,664	205,932	11,524,563

Portfolio management

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

Total net return on the portfolio for Council in June, comprising entirely of interest earned, was \$476k. The total value of the Council's investment portfolio as at 30 June 2021 is outlined in Table 1 below.

Table 1 – Portfolio Movement

Description	2019-20 Financial Year \$'000	Jul-Sep Qtr 2020/21 \$'000	Oct-Dec Qtr 2020/21 \$'000	Jan-Mar Qtr 2020/21 \$'000	Apr-21 2020/21 \$'000	May-21 2020/21 \$'000	Jun-21 2020/21 \$'000	FYTD 2020/21 \$'000
Opening Balance	445,661	348,210	299,678	371,131	470,546	451,670	438,085	348,210
Movement for the period	-97,451	-48,532	71,453	99,415	-18,876	-13,586	9,136	99,011
Balance per Investment Summary	348,210	299,678	371,131	470,546	451,670	438,085	447,221	447,221
Interest earnings	8,547	1,152	1,012	1,144	404	408	476	4,596

The market value of Council's investment portfolio at 30 June is \$447.221M.

During June, Council's total cash and investments increased by \$1.42M for the month from \$483.01M to \$484.43M. Increase in investments were due to refinancing of loans of \$24.6M offset by employee redundancy payments and year end supplier payments.

Council's investments are evaluated and monitored against a benchmark appropriate to the risk (APRA Standards BBB long term or above) and time horizon of the investment concerned. A summary of the term deposit and floating rate notes maturities are listed in Table 2 below.

Table 2 - Investment Maturities as at 30 June 2021

Time Horizon	Percentage Holdings	Maturity on or before	Value \$'000
At Call	6.74%	Immediate	30,159
Investments			
0 - 3 months	18.45%	Sep-2021	82,512
4 - 6 months	4.47%	Dec-2021	20,000
7 - 12 months	13.62%	Jun-2022	60,900
1 - 2 years	6.53%	Jun-2023	29,223
2 - 3 years	10.90%	Jun-2024	48,729
3 - 4 years	14.33%	Jun-2025	64,068
4 - 5 years	24.96%	Jun-2026	111,630
Total Investments	93.26%		417,062
Total Portfolio	100.00%		447,221
Interest accrued to 30 June 2021 (excluding interest on call accounts)			1,377
Market value of investments per Portfolio Valuation Report (Attachment 5)			448,598

The investment portfolio is concentrated in AA above (12.73%), A (39.00%), and BBB (48.27%). Council monitors and manages the portfolio taking into consideration credit ratings of financial institutions, interest rates offered for the maturity dates required and counterparty exposure.

The current spread of investments and counterparty exposure for June 2021 are shown in Graphs 1 and 2 respectively in Attachment 3.

Environmental, Social and Green (ESG) Investments

Council continues to look for 'ESG' investment opportunities subject to prevailing investment guidelines. A list of current ESG investments held is contained on the investment listing, highlight in green. For the month of June, there have been no new green investments undertaken.

Council currently holds 6.44% or \$28.81 million in ESG investments as at 30 June 2021.

Portfolio Return

Interest rates on investments in the month, ranged from 0.30% to 3.18%, all of which exceeded the monthly Bank Bill Swap Rate (BBSW) benchmark of 0.01%.

The weighted running yield for June of 1.02% for Central Coast Council is favourable compared to benchmark bank bill swap (BBSW) *financial year to date* Calculated Bank Bill Index of 0.85% as shown in Graph 3 - Portfolio Returns in Attachment 3.

Market values reflected in the Portfolio valuation report in Attachment 5 have been used to record the unrecognised gains in tradeable fixed rate bonds and floating rate notes. Interest accrued has been recorded separately and is not reflected in portfolio valuations.

Financial Impact

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

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

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

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






Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Attachments

1	Summary of Investments at 30 June 2021	Provided Under Separate Cover	D14731646
			
2	Summary of Restrictions as at 30 June 2021	Provided Under Separate Cover	D14731852
			
3	Investment Report for June 2021 Graphs 1,2 and 3	Provided Under Separate Cover	D14731891
			
4	Treasury Direct Trading Limits Report at 30 June 2021	Provided Under Separate Cover	D14731632
			
5	Treasury Direct Portfolio Valuation Report at 30 June 2021	Provided Under Separate Cover	D14731612
			

Item No: 2.3
Title: Adoption of the Greener Places Strategy
Department: Environment and Planning



27 July 2021 Ordinary Council Meeting

Reference: F2021/00033 - D14491117
Author: Chris McLean, Senior Strategic Environmental Planner
Jared Phillips, Section Manager, City Planning and Design
Manager: David Milliken, Unit Manager Strategic Planning
Executive: Scott Cox, Director Environment and Planning

Recommendation

- 1 *That Council adopt the draft Central Coast Greener Places Strategy as amended.***
- 2 *That Council revoke the WSC013 Green Corridors Policy.***
- 3 *That Council monitor the implementation of the Actions in the Strategy with annual reporting to Council over the next decade.***
- 4 *That Council notify those people who lodged submissions of Council's resolution.***
- 5 *That Council implement the framework within the Central Coast Greener Places Strategy within future relevant strategic and operational planning documents.***

Report purpose

To enable Council to consider the outcomes of the public exhibition of the draft Greener Places Strategy (the 'draft Strategy') and recommend that Council adopt the Strategy.

Executive Summary

The draft Strategy addresses the maintenance and management of urban greenspace on the Central Coast, across both private and public land, with a strong focus on addressing Urban Heat Island Effects and improve liveability. The key objectives of the strategy are to revoke an existing policy of the former Wyong Council, to align Council processes for planning, project delivery and management, and to improve greening resulting from private development. It is intended that the strategic directions will make the Central Coast an even better place to live and visit. In 2019, the elected Council resolved to place the draft Strategy on public exhibition, which was completed in August 2019. The public exhibition resulted in 99 submissions, of which 95 were in full support. Some minor amendments have occurred to the draft Strategy as outlined in Attachment 4.

In consideration of the availability of funds into the medium term, actions included in the Strategy have been ranked according to the ability to implement within the current and future resourcing. Those ranked high being those that can be completed within current resourcing, while those ranked low or medium priority will require additional resourcing including grant funding.

Background

At its ordinary meeting of 8 July 2019, Council considered the draft Greener Places Strategy (the 'draft Strategy') and resolved:

- 627/19 *That Council endorse the draft Greener Places Strategy for the purpose of public exhibition.*
- 628/19 *That Council exhibit the draft Greener Places Strategy for a period of 28 days.*
- 629/19 *That Council consider a further report on the outcomes of the community consultation by the end of November 2019.*
- 630/19 *That the report to come back to Council also identifies two pilot projects (one in the north, one in the South) to undertake in partnership with communities focused on greening their neighbourhoods within the current financial year (19/2020).*

Pilot projects

The two pilot projects as requested by resolution 630/19 were scoped with the designs included as Attachment 2. It is not proposed to commence these projects until Council's financial situation improves due to an estimated cost up at least \$140,000.

Consultation

The results of the public consultation are included in Attachment 1. During public consultation, a total of 99 submissions were received. Of these, 95 were in full support of the draft Strategy, two had partial support and one did not support.

Financial Considerations

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

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

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

A ranking priority has been assigned to each of the actions within the Strategy. These consist of actions that are:

- **High priority**, which are either already being implemented or can be completed internally by existing staff resourcing. These relate to development of planning controls for urban greening (e.g. DCP changes) and other guidance and/ or design documents such as Water Sensitive Urban Design Guidelines and the Central Coast Street Design Manual. No further financial resources will be required to implement these actions.
- **Moderate priority**, which will only be completed once Council's financial situation improves or if external funding (grants and contributions) becomes available. These include urban greening projects or canopy tree replacement and embellishment. Respective business units already budget for any tree replacement in their project delivery cost. The cost of tree replacement or delivering any urban greening project cannot be quantified as they vary for individual projects and the budget will be allocated by the project such as the use of contributions.
- **Low priority**, which will only be completed if major external funding becomes available. For example, mass plantings in priority urban heat island suburbs which will be considered by relevant placemaking and Town Centre update future projects as they become feasible.

Link to Community Strategic Plan

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).

Risk Management




Resolution 629/19 required that the draft Strategy was to be reported back to Council in November 2019. This has not yet occurred due to bush fires and COVID-19. Failure to endorse this Strategy means that:

- 1 The policy of the former Council is not revoked.
- 2 A lack of alignment of Council processes for planning and project delivery management.

2.3 Adoption of the Greener Places Strategy (contd)

- 3 Absence of a framework will impact Council's ability to secure grant funding that is available.
- 4 Urban Heat Island Effects as identified will not be addressed.

Attachments

1	Greener Places Strategy Submissions	Provided Under Separate	D13709089
	Report	Cover	
2	Pilot Project Locations	Provided Under Separate	D13709090
		Cover	
3	Central Coast Greener Places Strategy	Provided Under Separate	D14511579
	2020-2030	Cover	
4	Amendments to draft Greener Places	Provided Under Separate	D14515584
	Strategy	Cover	

Item No: 2.4
Title: Mount Ettalong Masterplan
Department: Environment and Planning



27 July 2021 Ordinary Council Meeting

Reference: ECMP1073/3 - D14718510
Author: Brent Evans, Project Officer
Manager: Luke Sulkowski, Unit Manager, Environmental Management
Executive: Scott Cox, Director Environment and Planning

Recommendation

That Council adopt the Mount Ettalong Reserve Masterplan and, subject to resourcing, progress with a renewal program of assets identified in the masterplan.

Report Purpose

This report provides the results of the three-staged community consultation undertaken on the draft Mount Ettalong Masterplan held between 24 February 2020 and 16 July 2020 and recommends that Council adopt the Mount Ettalong Reserve Masterplan.

Executive Summary

Council engaged consultants, Beveridge Williams, to prepare a draft masterplan for Mount Ettalong Reserve located between Umina Beach and Pearl Beach.

The masterplan was initially proposed following inspections of the area which identified safety risks associated with the existing lookouts and the subsequent requirement for significant upgrades. These inspections also identified other aspects of the reserve that required improvement. Staff then progressed the development of a master plan to ensure a coordinated approach to upgrading the reserve that best considered the needs and expectations of the community.

The draft masterplan proposed upgrades to existing reserve infrastructure including lookouts, the carpark, access trail and picnic furniture. Community consultation on the draft masterplan was undertaken between February and July 2020.

Feedback from the community strongly supported that the proposed improvements should be made with minimal impact to existing reserve.

A quantity surveyor's estimate to implement the Mount Ettalong Masterplan is \$1,711,657 inclusive of GST.

Most responses received during both consultation phases expressed support for the proposal. Based on the feedback provided the key items identified for improvements were:

- The carpark and access
- Repairs to the eastern viewing platform
- Additional rubbish bins
- Improved security

Background

Mount Ettalong is a Crown Reserve located on Patonga Drive between Umina Beach and Pearl Beach that is managed by Central Coast Council as a natural reserve. Reserve picnic tables and lookouts that provide views across Broken Bay were constructed several decades ago and now require upgrading to provide a positive visitor experience. The carpark that services the reserve and the 450-metre-long access trail to the lookouts also requires upgrading.

A multiple disciplinary Civil Engineering, Landscape Architecture, Urban Design consultant was engaged by Council to produce a masterplan with workable concepts to activate the site for passive recreation. The scope of works included improvements to the carpark and a landscape masterplan for the reserve based on site investigations and community consultation.

The development of a draft reserve masterplan in consultation with the community provides design principles, an overall landscape concept, concept designs for each of the elements of the reserve, as well as recommendations for the types of materials appropriate for hard surfaces in the reserve.

Current Status

Mount Ettalong Reserve has a small informal carpark located adjacent to the large water reservoir from which a maintenance/access track runs approximately 450m towards to the viewing areas. The carpark and recreational infrastructure on the site do not currently meet Australian standards. There is, for example, no access for wheelchairs and the lookout fencing does not meet contemporary standards.

The Mount Ettalong Reserve masterplan identifies infrastructure that is consistent with the core objectives and permissible uses and activities of the Plan of Management, Community Land, Natural Areas – Bushland.

Report

Council engaged consultants, Beveridge Williams, to prepare a draft masterplan for Mount Ettalong Reserve located between Umina Beach and Pearl Beach.

The draft masterplan proposed upgrades to existing reserve infrastructure including lookouts, the carpark, access trail and picnic furniture. Community consultation was undertaken by Staff and the consultant's on the draft masterplan and community feedback was incorporated in the final draft of the masterplan.

Three methods of consulting with the community on the draft masterplan were undertaken between 24 February 2020 and 16 July 2020. The three methods were: an online survey; an online interactive mapping process; and face to face meetings held onsite with representatives of local Aboriginal groups and representatives of Council's Access and Inclusion Reference Group.

Key items raised by the community included:

- The retention of the natural bushland setting
- The restoration of the eastern viewing platform
- Improvements to the carpark
- Signage and information/education boards
- Seating and tables where appropriate

Consultation

- Community engagement activities were undertaken for the Mount Ettalong Landscape Masterplan which was carried out by Beveridge Williams (consultant) and Central Coast Council on several occasions between February and June 2020.
 - **Online survey.** A total of 194 responses were received during the consultation period from 24 February 2020 to 16 March 2020.
 - **Online interactive mapping.** A total of 10 responses were received during the consultation period from 21 May 2020 to 4 June 2020.
 - **On site face to face meetings.** Site meetings were held on 15 July 2020 and 16 July 2020 with local Aboriginal groups and a representative from the Access and Inclusion Reference Group.

The purpose of the consultation was to:

- Inform the community about the Mount Ettalong Reserve Masterplan
- Seek feedback on the project to inform the concept design
- Understand community preferences for the reserve
- Work with stakeholders and the community to identify issues which may affect the proposal

Financial Considerations

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

2.4 Mount Ettalong Masterplan (contd)

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

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

There are no financial implications associated with adopting the recommendations of this report, however funds will be required to implement the actions of the Masterplan for Mt Ettalong Reserve. Contributions Plan No. 31C - Open Space and Recreation Peninsula includes improvements to picnic, access, interpretation and lookout facilities for Mount Ettalong valued in 2012 at \$300,000.

A portion of the proposed renewals from the plan will be delivered using \$180,000 dedicated s7.11 Developer Contributions for the upgrade of the reserve. The full \$180,000 funding allocation has been identified in the draft 4-year capital works program with distribution spread over the 2022-23 to 2024-25-year period. This funding will only contribute to focussing on renewals of the lookout areas such as replacing the barrier fencing around the southern lookout with fencing that complies with Australian standards and the removal of the aged infrastructure associated with the eastern lookout and replacing with a new contemporary design that incorporates indigenous design input, and associated barrier fencing and minor pathway improvements as the total cost to implement all of the actions within the Masterplan total \$1,711,657.

Opportunities to support external grant applications with the currently allocated s.7.11 funds and those available in future years will be investigated. Other elements identified within the masterplan are likely to require future consideration for funding when Council has a greater capacity to manage an expanded asset portfolio.

The final construction design for the car park infrastructure and viewing platforms will be for a 50+ year life span. The walking trail will have a 10-year life span while all other provisional items such as signage have an estimated 20-year life span. As such the depreciation value per year is estimated as follows:

Asset	Direct cost	%	Allocate	Total	Useful life (years)	Estimated Depreciation pa
Car Park	429,385	39%	179,450	608,835	50	12,177
Eastern viewing Platform	351,270	32%	146,804	498,074	50	9,961
Provisional Allowance (Other assets)	164,011	15%	68,544	232,555	20	11,628
Walking Trail	152,750	14%	63,838	216,588	10	21,659
	1,097,416		458,636	1,556,052		55,425

The estimated 50+ year lifespan provides for low maintenance of key assets. Maintenance has been considered and minimised in the design and selection of

durable construction materials. Biannual inspections will guide any maintenance works and vandalism repairs

Link to Community Strategic Plan

Theme 5: Liveable

Goal L: Healthy lifestyle for a growing community

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



Risk Management

Emergency works have been completed to address immediate risks with reference to the draft masterplan.

Options

- 1 Adopt the Mount Ettalong Reserve Masterplan and undertake reserve upgrade works as funds become available and as capacity allows within Council's capital works program. The infrastructure in the reserve including lookouts and safety fencing have deteriorated and present a safety risk to visitors. Implementation of the actions of the Masterplan would negate risk relating to compliance, safety and reputation and has community support. **This is the recommended option.**
- 2 Do not adopt the current masterplan. The draft masterplan has broad community support and does not directly commit Council to any expenditure. By not adopting the plan, ad hoc management of the site would continue. There is no identified benefit or reason to not adopting the draft masterplan. This is not the recommended option.

Attachments

1	FINAL Community Consultation Results Report -	Provided Under	D14528308
	Mt Ettalong_V3	Separate Cover	
2	1901251_Mount Ettalong Master Plan +	Provided Under	D14177626
	Concept - FINAL 28.08.20	Separate Cover	

Item No: 2.5
Title: NSW Department of Primary Industries - Fisheries
Shark Mitigation Strategy and Survey
Department: Community and Recreation Services



27 July 2021 Ordinary Council Meeting

Reference: F2015/01565 - D14735353
Author: Phil Cantillon, Unit Manager Leisure and Lifestyle
Executive: Julie Vaughan, Director Community and Recreation Services

Recommendation

That Council notes the staff submission response to the “Stakeholder Consultation on the Preferred Shark Mitigation Measures in NSW” online survey to DPI Fisheries.

Report purpose

To provide information on future shark mitigation measures in NSW following the New South Wales (NSW) Department of Primary Industries Fisheries (DPI Fisheries) stakeholder consultation and to provide Council’s submission and recommendations on this matter for consideration.

Executive Summary

Council provides a lifeguard service annually at 15 beach locations, Monday to Friday from September to April. working in partnership with Surf Life Saving Central Coast, who patrol the beaches on weekends and public holidays. This patrol service, alongside educational aquatic safety messaging, helps to keep the region’s residents and visitors safe at our beaches.

In 2015, DPI Fisheries began a five-year program, the NSW Shark Management Strategy (SMS), to investigate opportunities to increase public protection from shark attacks and reduce by catch of non-target species. This was done through research, community education and trials of various shark detection and deterrent technologies. Methods included drones, SMART (Shark Management Alert in Real-Time) drumlines, shark listening stations, shark nets, helicopters, personnel protection, clever buoys (sonar shark detection) and barriers. However, the Central Coast region was not included by DPI Fisheries in all these trials.

The primary strategy to mitigate against unprovoked shark attacks on coastal beaches from Newcastle to Wollongong is the Shark Meshing (Bather Protection) Program (SMP). The SMP deploys shark nets at 51 beaches from Newcastle to Wollongong, including eleven in the Central Coast Local Government Area (LGA).

In March 2021, DPI Fisheries released an online survey titled "Stakeholder Consultation on Preferred Shark Mitigation Measures in NSW" (The Survey), to assess support for various shark mitigation measures. Individuals, Non-Government Organisations and Councils were all invited to respond. The Survey opened on 8 March 2021 and closed on 30 April 2021. Council staff provided a survey response on 29 April 2021. Due to the high community interest in the subject matter, the Administrator has requested staff to provide a report on Council's submission.

Background

The primary strategy to mitigate against unprovoked shark attacks on coastal beaches from Newcastle to Wollongong is the Shark Meshing (Bather Protection) Program (SMP). The SMP deploys shark nets at 51 beaches from Newcastle to Wollongong, including eleven in the Central Coast LGA.

The objectives of the SMP are to:

- Reduce risk to humans from shark bites at beaches subject to the SMP; and
- Minimize the impact on non-target species and to ensure that the SMP does not jeopardise the survival or conservation status of threatened species, populations and ecological communities.

The following beaches on the Central Coast and surrounding region are covered by the SMP:

- Central Coast south region (7) – Terrigal, North Avoca, Avoca, Copacabana, MacMasters, Killcare and Umina Beach.
- Central Coast north region (7) – Blacksmiths, Caves Beach, Catherine Hill Bay, Lakes, Soldiers, The Entrance and Shelly Beach. Only four of these sites are in the Central Coast LGA.

There is currently no netting at the following patrolled beaches:

- Ocean Beach, Wamberal, Toowoona Bay and North Entrance.

Consideration of Shark Nets

Nets are relatively low in cost compared to other methods and can stay in the water all day and night. However, the nets are not a safety barrier and are only six metres deep and 150 metres long, and sharks can swim over, under and around nets. They are only set seasonally to avoid whale entanglement and catch around 90% of non-target animals especially rays and harmless sharks. Nets are set from 1 September to 30 April. The precise position of the nets at each location is determined by prevailing weather conditions and currents, but are generally set parallel to beaches near the surf clubs and patrolled swimming areas.

Management of the SMP is the responsibility of DPI Fisheries. Council lifeguards contribute to shark bite mitigation by closing beaches and informing beach users when sharks are observed.

The application of shark nets is a polarising issue amongst coastal communities. Some beach users believe they are an effective management strategy in preventing unprovoked shark attacks and they feel safe in the water with nets deployed. Some view nets as old and outdated technology, and ineffective at catching target sharks. They are also viewed negatively due to the environmental impacts on non-target marine species such as rays, dolphins and turtles to being captured in the netting.

Results from the NSW DPI Fisheries Shark Nets Program

Key results from the NSW DPI-Fisheries Shark Nets Program – 1 September 2009 - 30 April 2019 conclude that the following marine species were caught in nets:

- White Shark – 46 released alive - 95 dead
- Tiger Shark – 12 released alive - 15 dead
- Bull Shark - 8 released alive - 14 dead
- Other Sharks – 48 released alive - 428 dead
- Non-target animals 1,112 released alive- 1,065 dead

During the period at least 418 marine animals were killed in shark nets on Central Coast beaches, 97% of which were non-target species including rays, dolphins, turtles.

Since the introduction of the shark meshing program in 1937, there have been 34 unprovoked shark interactions at NSW meshed beaches with:

- One fatality
- 24 serious or minor injuries and
- Nine incidents where the person was not bitten

In the majority of interactions (twelve), the species were not identified. Nine interactions were attributed to Wobbegong Sharks, seven to White Sharks, four to unidentified Whaler Sharks, one to a Bull Shark and one to a Tiger Shark.

NSW Shark Management Strategy

In 2015 DPI Fisheries began a five-year program, the NSW Shark Management Strategy or SMS, to investigate opportunities to increase public protection from shark attacks and reduce by catch of non-target species. This was done through research, community education and trials of novel shark detection and deterrent technologies. Measures trialled across NSW by DPI Fisheries included:

2.5 NSW Department of Primary Industries - Fisheries Shark Mitigation Strategy and Survey (contd)

- Educational programs - to reduce risk through the changed behaviour of beachgoers.
- Shark detection - helicopters, drones, clever buoys and VR4G listening stations which detect tagged sharks and send an alert to beachgoers via the SharkSmart app.
- Shark deterrents - barriers, personnel deterrents (e.g. electrical) and SMART drumlines.

Smart drumlines, and tagging programs, were not conducted by DPI Fisheries for the Central Coast region, whilst two drone programs for shark detection progressed at Avoca Beach and North Entrance by Surf Life Saving NSW during 2021/22.

Current Status

In March 2021, DPI Fisheries initiated a state-wide community and stakeholder engagement program to communicate the results of the trials and gauge support for existing and alternative shark bite mitigation measures. This included stakeholder forums and publishing results of the trials online through a series of videos and fact sheets at www.sharksmart.nsw.gov.au.

To assess support for various shark mitigation measures, DPI Fisheries released the online survey on 8 March 2021. The Survey closed to Councils on 30 April 2021, and a community information session was held at Terrigal Surf Club on 22 April 2021. Individuals, Non-Government Organisations and Councils were all invited to respond to the Survey.

The Survey requires the respondent to identify preferences and quantify support for a range of shark mitigation measures (including education, beachgoer behaviour, shark detection and shark deterrence), timing and duration of deployment, research opportunities and the option to provide comment.

Recently, Council has been approached by conservation and animal welfare organisations, including the Humane Society International, to support a trial of alternative measures on the Central Coast as a replacement for shark nets. Council refers such approaches to DPI Fisheries as the agency with the expertise and responsibility for designing and implementing shark bite mitigation strategies in NSW. Due to the community interest in Council's response, the Administrator requested staff to provide a report on their submission.

In the survey submission Council staff confirm that:

- Council **does not** support ocean shark mesh nets and instead encourages DPI Fisheries to consider alternatives and to fully utilise all available technology, including aerial surveillance with drones, community education programs, shark listening stations connected to a Shark Smart App, lifeguard towers, Smart drum lines, and personnel deterrents.

Staff also provided a range of feedback and recommendations via email to researchers to improve shark mitigation measures on the Central Coast including:

- Council supports the removal of ocean shark nets and is in favour of more modern technology-based alternatives.
- Council supports the promotion of Shark Smart safety tips to the Central Coast community prior to and throughout the Beach Safety season each year. The education and outreach about shark behaviour are fundamental in helping protect swimmers when sharks are active in certain places and certain times throughout day.
- The Central Coast region was not previously included in the trial for shark listening devices and Council recommends that the region be included in placing of selected shark listening devices at a number of beach locations.
- The Central Coast region was not previously included in the trial of Smart Drum lines for shark management at beach locations and Council recommends that the region be included in installation of Smart Drum lines at selected beach locations.
- Central Coast region has been included in the trial and use of drones at Avoca Beach and North Entrance beach locations during 2020/21. Council supports the use of aerial surveillance with drones at selected sites. Council recommends that its Beach Safety staff be involved in the site selection process for future expansion of aerial surveillance.
- DPI Fisheries to continue with opportunities for Councils to access grant opportunities for Lifeguard / Lifesaver Observation towers at selected sites. These patrol towers allow patrol personnel to observe water from an elevated platform for viewing along the whole of the beach stretch.
- Council recommends that DPI Fisheries consider future grant opportunities for Council to access personnel deterrents for its Lifeguard / Lifesaver personnel. These could include modern technology such as shark shield and shark eyes onto rescue equipment.
- The use of helicopters for shark spotting and management is prohibitive in costs and allocated time at each location. Council recommends that other modern technologies be considered for shark mitigation measures.
- Any programs or technology that result in lower shark and/or non-target bycatch mortality, whilst maintaining or improving the safety of recreational users of our waterways, are supported by Council.

Consultation

Individuals, Non-Government Organisations and Councils were all invited to respond. The Survey opened on 8 March 2021 and closed on 30 April 2021. The Survey was open to all individuals.

A community consultation meeting was organised by DPI Fisheries at Terrigal Surf Club on 22 April 2021. Beach Safety staff consulted with neighbouring coastal Councils to ensure a collaborative approach.

Financial Considerations

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

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

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

NSW DPI Fisheries are responsible for shark mitigation at ocean beaches, and there is no additional cost to Council.

Link to Community Strategic Plan

Theme 1: Belonging

Goal L: Healthy lifestyle for a growing community

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

Risk Management

There are risks and benefits associated with a change in shark mitigation strategies. While a change in strategy may result in a reduced by catch, it may inadvertently increase the risk of an interaction.

Accordingly, while Council can make comment with respect to survey feedback, any decision to replace the current strategy is the responsibility of DPI Fisheries in consideration of all the relative risks and benefits to both the environment and the swimming population. Council will continue to rely on the advice of DPI Fisheries on the appropriate detection and deterrence actions for the shark interactions on the Central Coast.

Options

Report is for information purposes only.

Attachments

Nil.



Item No: 2.6
Title: Meeting Record of the Status of Women Advisory Group held 1 June 2021
Department: Community and Recreation Services

27 July 2021 Ordinary Council Meeting

Reference: F2017/00176 - D14693413
Manager: Glenn Cannard, Unit Manager, Community and Culture
Executive: Julie Vaughan, Director Community and Recreation Services

Recommendation

- 1 *That Council note the Meeting Record of the Status of Women Advisory Group meeting held 1 June 2021.***
- 2 *That Council reject the recommendation to establish a Central Coast Council Gender Equity Strategy for the reasons outlined within this report.***

Report purpose

To note the Meeting Record of the Status of Women Advisory Group meeting held 1 June 2021 and consider the recommendations made by the Advisory Group and staff comments on these recommendations.

Executive Summary

The [Status of Women Advisory Group met on 1 June 2021](#). The Meeting Record from this meeting is published on Council's website and has been hyperlinked above for the information of Council.

At the meeting there was one recommendation made to Council regarding a Gender Equity Strategy.

Report

The Status of Women Advisory Group held a meeting on 1 June 2021. The Meeting Record of that meeting was approved by the Convenor and Chair and placed on Council's website as hyperlinked above.

At the meeting the group discussed their desire to see Council implement a Gender Equity Strategy such as the one being developed by [Inner West Council](#). It was noted this may not be possible in the current work program but could be considered for the future. Members have provided supporting information to staff including a Gender Equity Forum Project Brief

(that is Attachment 1 to this report) and a Gender Equity Strategy Project Proposal (that is Attachment 2 to this report).

The group consequently made the following recommendation to Council:

To fulfil their roles and responsibilities, the Central Coast Council Status of Women Advisory Group is seeking in principle support from Council to initiate and lead the creation and implementation of a Central Coast Council Gender Equity Strategy.

The recommendation was considered by the relevant area of Council with the following response provided by the Unit Manager, Leisure Recreation and Community Facilities.

The proposal to develop a Gender Equity Strategy is not supported at this point in time as it is not an organisational priority and there are limited resources available to develop and implement a specific strategy just related to gender equity.

Council is currently finalising a Social Inclusion Charter which is intended to address areas related to equity and inclusion for all the community, and various current Strategies (Disability Inclusion Action Plan, Positive Ageing Strategy & Alternate & Affordable Housing Strategy as examples) have specifically addressed issues related to women within our community.

Financial Considerations

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

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

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

There are no financial implications associated with any recommendation within this report.

Link to Community Strategic Plan



Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

2.6 Meeting Record of the Status of Women Advisory Group held 1 June 2021 (contd)

Attachments

- | | | | |
|---|---|-------------------------------|-----------|
| 1 | SOWAG Gender Equity Forum Project Brief | Provided Under Separate Cover | D14689647 |
|  | | | |
| 2 | SOWAG Gender Equity Strategy Project | Provided Under Separate Cover | D14689664 |
|  | Proposal | | |

Item No: 2.7
Title: Meeting Records of Advisory Group and Committee meetings held in May and June 2021
Department: Corporate Affairs



27 July 2021 Ordinary Council Meeting

Reference: F2018/00020-008 - D14664009
Author: Kelly Drover, Meeting Support Officer
Manager: Sarah Georgiou, Section Manager, Civic Support
Executive: Natalia Cowley, Director Corporate Affairs and Chief Financial Officer

Recommendation

That Council receive the report on Meeting Records of Advisory Group and Committee meetings held in May and June 2021.

Report purpose

To note Meeting Records of the Advisory Group and Committee meetings held in May and June 2021, which include no recommendations for Council and are reported for information only.

Executive Summary

Five Advisory Groups and Committees, as listed below, met in May and June 2021. The associated Meeting Records were approved by the respective Coordinators and Chairs and were circulated to members via email. It is noted that Meeting Records are confirmed by Advisory Groups and Committees at their next meeting.

Meeting Records from Advisory Group meetings that contain no recommendations to Council are reported to Council as a combined report for information only.

Links to each Meeting Record on Council's website are included below for information of Council.

- [Water Management Advisory Committee meeting held 27 May 2021](#)
- [Catchments to Coast Advisory Committee meeting held 2 June 2021](#)
- [Social Inclusion Advisory Committee meeting held 10 June 2021](#)
- [Heritage Advisory Committee meeting held 23 June 2021](#)
- [Audit Risk and Improvement Committee meeting held 24 June 2021](#)

It is noted the Social Inclusion Advisory Committee was unable to achieve quorum due to insufficient members being present.

2.7 Meeting Records of Advisory Group and Committee meetings held in May and June 2021 (contd)

There were an additional two Advisory Group and Committee meetings held in June 2021, which resulted in recommendations to Council. The Meeting Records of these meetings are reported to Council separately as follows.

- [Status of Women Advisory Group meeting held 1 June 2021](#)
- [Coastal Open Space System \(COSS\) Committee meeting held 9 June 2021](#)

Financial Considerations

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

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

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

There are no financial implications of this report.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

R-G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

Attachments

Nil.