



Central Coast Council
Business Paper
Ordinary Council Meeting
26 July 2022





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.



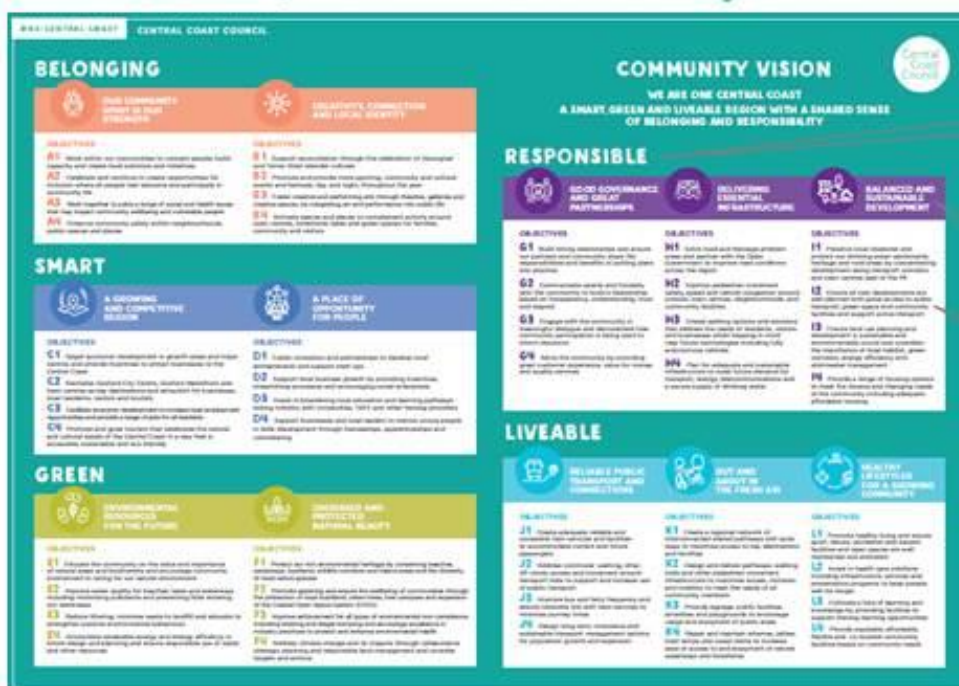
Good governance and great partnerships

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
will be held in the Council Chamber,
2 Hely Street, Wyong
on Tuesday 26 July 2022 at 6.30pm,
for the transaction of the business listed below:**

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

Further information and details on registration process:

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

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David Farmer
Chief Executive Officer

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

26 July 2022 Ordinary Council Meeting

Reference: F2022/00021 - D15184493



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 Services

26 July 2022 Ordinary Council Meeting

Reference: F2022/00021 - D15184502



Recommendation

That Council confirm the minutes of the Ordinary Meeting of Council held on 28 June 2022.

Summary

Confirmation of minutes of the Ordinary Meeting of Council held on 28 June 2022.

Attachments

1	MINUTES - Council Meeting - 28 June 2022	Provided Under Separate Cover	D15222277
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Item No: 1.3
Title: Notice of Intention to Deal with Matters in Confidential Session
Department: Corporate Services

26 July 2022 Ordinary Council Meeting

Trim Reference: F2022/00021 - D15184507



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,*

1.3 Notice of Intention to Deal with Matters in Confidential Session (contd)

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

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

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

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

Attachments

Nil

Item No: 2.1
Title: Monthly Finance Report June 2022
Department: Corporate Services



26 July 2022 Ordinary Council Meeting

Reference: F2020/03205 - D15238410
Author: Peter Correy, Group Financial Controller, Finance
Executive: David Farmer, Chief Executive Officer

Recommendation

That Council receive the report Monthly Financial reports – June 2022

Report purpose

To present to Council the monthly financial reports for June 2022.

Executive Summary

This report presents the preliminary June 2022 monthly financial reports for Central Coast Council. The reports cover the period 1 July 2021 to 30 June 2022.

Background

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

Report

The reports disclose the year-to-date financial results in Operating Statement format, they reflect the organisational structure and are presented by Department and Unit. The reports include a traffic light indicator of current status – on track (green light), off track (red light) continue to monitor status (orange light). Relevant supporting comments are included, as well as a graphical representation of the financial results.

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

Consultation

In the preparation and finalisation of the monthly reports for June 2022, all business areas of Council contributed to the information contained within the financial reports.

Financial Considerations

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

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

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

Trading Results

The attached financial reports record actual revenue and expenditure tracking against the Q3 adjusted budget of Council for the reporting period 1 July 2021 to 30 June 2022.

In June, Council is reporting a preliminary operating result deficit, excluding capital income of \$21.7M (unfavourable to budget by \$4.4M). This deficit is largely attributable to year-end adjustments including, closing out year-end creditors, employee leave provision actuarial adjustments and tip remediation provisions.

In June, Council's preliminary net operating result including capital income was a deficit of \$13.3M (unfavourable to budget by \$9.5M).

For the year 30 June 2022, Council is reporting a preliminary surplus of \$46.4M (favourable to budget by \$6.0M) for its net operating result, before capital grants and contributions. This represents a positive turn-around of \$117.1M from Council's reported loss of \$70.7M for the prior year.

This preliminary result includes \$13.1M in unrealised losses on Council's investments due to increasing interest rates. These investments will be held to maturity such that the unrealised loss will reverse over time.

Council's YTD preliminary net operating result including capital income and profit/loss on sale of assets is \$106.6M (favourable to budget by \$7.7M).

2.1 Monthly Finance Report June 2022 (contd)

	CURRENT MONTH			YEAR TO DATE				FULL YEAR		
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Operating Income										
Rates and Annual Charges	27,615	27,382	233	366,028	365,986	42	331,384	331,384	361,871	365,986
User Charges and Fees	14,291	13,088	1,203	142,544	139,387	3,158	139,105	139,105	140,269	139,387
Other Revenue	1,843	897	946	12,820	10,261	2,558	12,666	12,666	9,196	10,261
Interest	1,137	462	675	5,474	4,442	1,032	5,598	5,598	4,442	4,442
Grants and Contributions	1,134	2,791	(1,657)	47,635	49,097	(1,463)	42,409	42,409	49,491	49,097
Gain on Disposal	800	-	800	25,979	24,812	1,167	2,609	2,609	-	24,812
Other Income	747	717	30	7,874	7,681	193	8,214	8,214	8,056	7,681
Internal Revenue	6,482	6,822	(340)	68,421	69,375	(954)	74,557	74,557	93,467	69,375
Total Income attributable to Operations	54,049	52,159	1,891	676,774	671,041	5,733	616,542	616,542	666,792	671,041
Operating Expenses										
Employee Costs	21,200	17,156	(4,044)	167,675	172,696	5,021	222,617	222,617	175,833	172,696
Borrowing Costs	843	822	(21)	12,788	12,748	(40)	16,414	16,414	17,471	12,748
Materials and Services	28,743	19,678	(9,066)	178,316	178,438	121	181,128	181,128	175,793	178,438
Depreciation and Amortisation	12,415	22,174	9,760	160,058	170,021	9,963	162,303	162,303	177,106	170,021
Other Expenses	5,571	4,105	(1,466)	49,623	36,417	(13,206)	36,059	36,059	39,192	36,417
Loss on Disposal	1,592	-	(1,592)	1,864	345	(1,518)	9,660	9,660	-	345
Internal Expenses	5,382	5,512	129	60,039	59,931	(109)	59,051	59,051	74,354	59,931
Total Expenses attributable to Operations	75,746	69,446	(6,300)	630,362	630,595	233	687,231	687,231	659,749	630,595
Operating Result after Overheads and before Capital Amounts	(21,697)	(17,288)	(4,409)	46,412	40,445	5,967	(70,689)	(70,689)	7,043	40,445
Capital Grants	5,408	11,748	(6,340)	34,544	36,431	(1,887)	36,893	36,893	8,445	36,431
Capital Contributions	2,996	1,783	1,213	25,599	21,971	3,628	46,810	46,810	34,445	19,871
Grants and Contributions Capital Received	8,404	13,531	(5,126)	60,143	58,402	1,741	83,703	83,703	42,890	56,302
Net Operating Result	(13,292)	(3,757)	(9,535)	106,555	98,848	7,707	13,014	13,014	49,933	96,748

Cash and Investments / External Borrowings

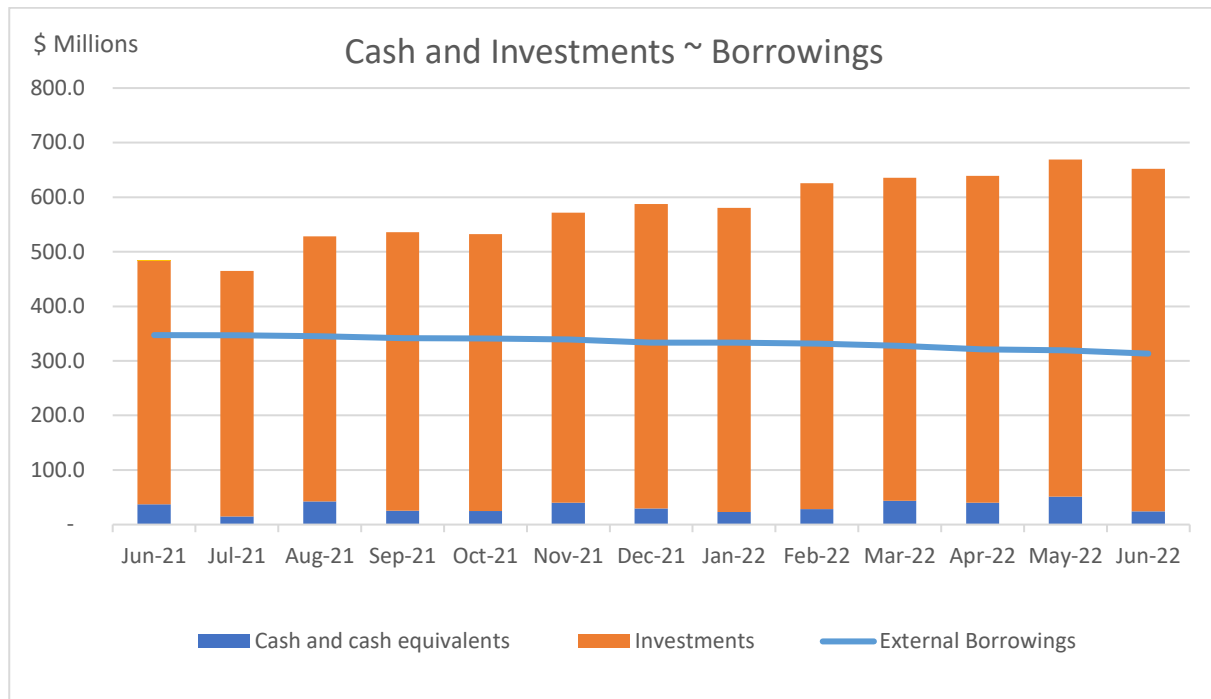
Council held \$652.2M in cash and investments at 30 June.

Council's summary cash position for the year ended 30 June 2022, together with the original forecast and the summary forecast for the year ended 30 June 2023 is tabled below.

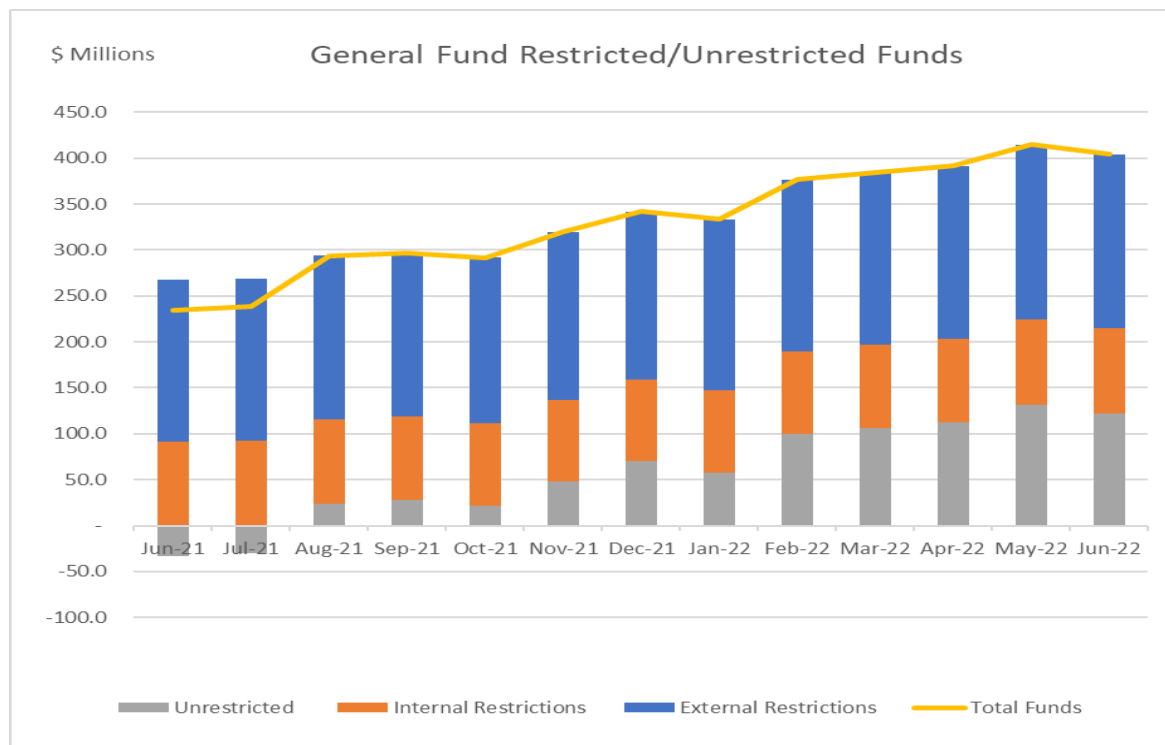
	Actual YTD @ 30 June 2022 \$'000	Original Forecast @ 30 June 2022 \$'000	Original Forecast @ 30 June 2023 \$'000
CASH FLOW MOVEMENTS			
Opening cash & investments @ 1 July	484,418	484,418	652,186
Income receipts (incl Capital grants & contributions)	712,511	730,192	726,530
Operational payments	(470,517)	(517,489)	(483,681)
Net operating cash inflow / (outflow)	241,994	212,703	242,849
Capital projects payments	(107,480)	(175,040)	(176,509)
Asset sales	57,288	0	24,940
Financing receipts	10,000	1,658	80,000
Financing repayments	(34,034)	(41,197)	(157,485)
Total cash inflow / (outflow)	167,768	(1,876)	13,795
Closing cash & investments @ 30 June	652,186	482,542	665,981

2.1 Monthly Finance Report June 2022 (contd)

External borrowings at 30 June were \$313.3M. During June, principal loan repayments of \$6.0M were repaid in line with the lending institutions loan repayments schedules.



The recovery in Council's General Fund continues to improve with a preliminary unrestricted cash balance of \$121.7M at 30 June 2022.



Capital Works

Council is reporting, preliminary capital works expenditure for the year ended 30 June of \$107.3M. Council is currently working on 272 projects, 204 of which were in line with or under budget with 68 projects over budget.

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.

Attachments

1	Financial Performance - DRAFT Monthly Finance Report June 2022	Provided Under Separate Cover	D15251587
2	DRAFT Consolidated and By Fund June 2022 Monthly Financial Report	Provided Under Separate Cover	D15251564
3	DRAFT Office of the Chief Executive Officer June 2022 Monthly Financial Report	Provided Under Separate Cover	D15251569
4	DRAFT Community and Recreation Services June 2022 Monthly Financial Report	Provided Under Separate Cover	D15251570
5	DRAFT Infrastructure Services June 2022 Monthly Financial Report	Provided Under Separate Cover	D15251573
6	DRAFT Water and Sewer June 2022 Monthly Financial Report	Provided Under Separate Cover	D15251574
7	DRAFT Environment and Planning June 2022 Monthly Financial Report	Provided Under Separate Cover	D15251576
8	DRAFT Corporate Affairs June 2022 Monthly Financial Report	Provided Under Separate Cover	D15251577



Item No: 2.2
Title: Investment Report for June 2022
Department: Corporate Services

26 July 2022 Ordinary Council Meeting

Reference: F2004/06604 - D15241572
Author: Devini Susindran, Team Leader
Manager: Mellissa McKee, Financial Controller
Peter Correy, Group Financial Controller, Finance
Executive: David Farmer, Chief Executive Officer

Recommendation

- 1 That Council note the Investment Report for June 2022.**
- 2 That Council note that internally restricted funds are unrestricted funds that have been internally allocated to a certain purpose.**
- 3 That Council allocate the required unrestricted funds available in the General Fund to meet its June 2022 unrestricted funds deficit of \$38.54M in Water and Drainage funds as set out in this report.**
- 4 That Council note these are draft June financials and are subject to further amendment as part of finalisation of year end processes.**

Report purpose

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

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

- 2 The report must be made up to the last day of the month immediately preceding the meeting.

Executive Summary

This report details Council's investments as at 30 June 2022.

Background

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

Current Status

Council's current cash and investment portfolio totals \$652.19M at 30 June 2022.

Council's Cash and Investment Portfolio by Source of Funds

Source of Funds	Value (\$'000)
Investment Portfolio	628,005
Transactional accounts Per Bank Statement and cash in hand	24,181
Total	652,186

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

Fund	General Fund	Water Fund	Sewer Fund	Drainage Fund	Domestic Waste Fund
	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)
External Restricted Funds	189,230	10,664	23,284	37,725	91,688
Internal Restricted Funds	93,371	989	855	15	58
Total Restricted Funds	282,601	11,653	24,139	37,740	91,746
Unrestricted Funds	121,745	(3,590)	113,867	(34,947)	7,232
Total funds by Fund	404,346	8,063	138,006	2,793	98,978

Note: the above table contains interim values only as the financial statements for the year ending 30 June 2022 have not been finalised at the time of writing this report.

During June, Council's total cash and investments decreased by \$17.14M from \$669.33M to \$652.19M. The decrease during June was primarily due to end of year supplier payments and loan repayments.

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.

The negative unrestricted balance is currently \$38.54M, made up of unrestricted fund deficits in the Water and Drainage Funds, as per the table above.

The unrestricted funds balances above, across the five Funds will increase and decrease during each financial year as revenues are received and expenditures occur. In the interim, the unrestricted funds deficit of \$38.54M is proposed to be funded through the General Fund's available unrestricted cash balance of \$121.75M at 30 June 2022.

Portfolio management

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

Total net return on the portfolio for Council in June, comprising entirely of interest earned, was \$845k. The total value of the Council's investment portfolio at 30 June 2022 is outlined in Table 1 below.

Table 1 – Portfolio movement Investment only

Description	2020-21 Financial Year	Jul-Sep Qtr	Oct-Dec Qtr	Jan-Mar Qtr	Apr-22	May-22	Jun-22	FYTD
	\$'000	2021/22 \$'000	2021/22 \$'000	2021/22 \$'000	2021/22 \$'000	2021/22 \$'000	2021/22 \$'000	2021/22 \$'000
Opening Balance	348,210	447,221	510,478	557,727	591,888	599,207	618,104	447,221
Additions and disposals	97,374	63,466	50,212	40,389	8,794	20,009	8,791	191,662
Movement in Market Value	1,637	-209	-2,963	-6,227	-1,476	-1,112	1,110	-10,877
Closing Balance	447,221	510,478	557,727	591,889	599,207	618,104	628,005	628,005
Interest earnings	4,508	1,129	1,223	1,395	517	551	845	5,660

The market value of Council's investment portfolio at 30 June 2022 is \$628.01M.

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

Time Horizon	Percentage Holdings	Maturity on or before	Value \$'000
At Call	4.92%	Immediate	30,877
Investments			
0 - 3 months	12.74%	Sep-2022	80,000
4 - 6 months	7.96%	Dec-2022	50,000
7 - 12 months	5.42%	Jun-2023	34,034
1 - 2 years	10.91%	Jun-2024	68,499
2 - 3 years	21.35%	Jun-2025	134,054
3 - 4 years	19.81%	Jun-2026	124,408
4 - 5 years	16.90%	Jun-2027	106,133
Total Investments	95.08%		597,129
Total Portfolio	100.00%		628,005
Interest Accrued to 30 June 2022 (Excluding Interest on call accounts)			1,643
Market Value of Investment per Portfolio Valuation Report (Attachment 5)			629,648

The investment portfolio is concentrated in AA above (18.96%), A (30.09%), and BBB (50.96%).

Council monitors and manages the portfolio taking into consideration credit ratings of financial institutions, interest rates offered for the maturity dates required and counterparty exposure. All of Council's investments were within policy guidelines at 30 June 2022.

The current spread of investments and counterparty exposure for June 2022 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.

Council currently holds 4.95% or \$31.12M in ESG investments as at 30 June 2022.

Portfolio Return

Interest rates on investments in the month, ranged from 0.55% to 3.18%. The monthly Bank Bill Swap Rate (BBSW) benchmark was 0.92%. Changes in economic conditions have led to the Reserve Bank of Australia (RBA) increasing its cash rate which was at a historic low of

2.2 Investment Report for June 2022 (contd)

0.10% until 4 May 2022 to 1.35% on 4 July 2022. BBSW has also followed this trend and has been increasing steadily. Comparative interest rates are shown in the table below.

Month	RBA Cash Rate	1 Month BBSW
February 2022	0.10%	0.01%
March 2022	0.10%	0.03%
April 2022	0.10%	0.08%
May 2022	0.35%	0.39%
June 2022	0.85%	0.92%
July 2022	1.35%	Will be available at month end

Investments are made within Council policy and at the best rates available at the time of placement. Due to interest rate movements outlined above, the following investments placed before April 2022 had earnings below the current monthly BBSW rate.

Bank	Type of investment	Placement Date	Maturity Date	Value	Interest Rate
Judo Bank	Term Deposit	30 March 2022	6 July 2022	\$5,000,000	0.75%
Judo Bank	Term Deposit	30 March 2022	18 July 2022	\$5,000,000	0.75%
Judo Bank	Term Deposit	30 March 2022	25 July 2022	\$5,000,000	0.75%
Members Equity Bank	Term Deposit	19 April 2022	3 August 2022	\$5,000,000	0.91%
Members Equity Bank	Term Deposit	19 April 2022	10 August 2022	\$5,000,000	0.91%
Auswide Bank	Term Deposit	1 March 2022	7 September 2022	\$5,000,000	0.80%
Members Equity Bank	Term Deposit	24 February 2022	22 September 2022	\$5,000,000	0.65%
Members Equity Bank	Term Deposit	24 February 2022	21 October 2022	\$5,000,000	0.65%
Westpac banking Corporation	Term Deposit	25 February 2022	22 February 2023	\$10,000,000	0.88%
National Australia Bank	Term Deposit	25 February 2022	2 March 2023	\$5,000,000	0.88%
Bank of Queensland	Floating Rate Note	22 July 2021	22 Jul 2024	\$4,000,000	0.86%
Bank of Queensland	Term Deposit	8 July 2021	8 July 2026	\$5,000,000	0.88%

The weighted running yield for June of 1.67% for Central Coast Council is favourable compared to the rolling three-year benchmark bank bill swap (BBSW) Index of 0.29% 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/(losses) in tradeable fixed rate bonds and floating rate notes. Interest accrued has been recorded separately and is not reflected in portfolio valuations.

Financial Considerations

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

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

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

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

Certification:

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

Peter Correy, Responsible Accounting Officer





Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

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

Attachments

1	Summary of Investments as at 30 June 2022	Provided Under	D15242267
		Separate Cover	
2	Summary of Restrictions as at 30 June 2022	Provided Under	D15242269
		Separate Cover	
3	Investment Report for June 2022 - Graphs 1,2	Provided Under	D15242273
	and 3	Separate Cover	
4	Trading Limits Report at 30 June 2022	Provided Under	D15242277
		Separate Cover	

2.2 Investment Report for June 2022 (contd)

5	Portfolio Valuation Investment Report pack as at 30 June 2022	Provided Under Separate Cover	D15242280
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Item No: 2.3
Title: Draft Street Banner Policy and Draft Flying of Flags Policy
Department: Community and Recreation Services



26 July 2022 Ordinary Council Meeting

Reference: F2004/07011 - D15145452
Author: Glenn Cannard, Unit Manager Community and Culture
Executive: Melanie Smith, Director Community and Recreation Services

Recommendation

- 1** *That Council endorse the draft Street Banner Policy (Attachment 1) for the purpose of community consultation.*
- 2** *That Council endorse the draft Flying of Flags Policy (Attachment 2) for the purpose of community consultation.*
- 3** *That Council endorse the draft Street Banner Guidelines (Attachment 3) for the purpose of community consultation.*
- 4** *That Council place the draft Street Banner Policy, Street Banner Guide and Flying of Flags Policy on public exhibition for a period of 28 days.*
- 5** *That Council request the Chief Executive Officer provide a further report back to Council on the outcomes of the public exhibition.*

Report purpose

To enable Council to consider the draft Street Banner Policy, Street Banner Guidelines and Flying of Flags Policy for the purpose of public exhibition and community consultation.

Executive Summary

The Street Banner Policy, Flying of Flags Policy and Street Banner Guidelines are designed to provide clarity to local community organisations, residents, and businesses regarding Council's approach to the management of these important and visible assets.

At the Ordinary Council Meeting of 22 February 2022, the Administrator resolved as follows:

1/22

- 1 *That Council's Chief Executive Officer develop a draft Central Coast Banner Policy for all town centres that encapsulates our diverse community and activities related to each of our town centres.*
- 2 *That Council staff place the draft Banner Policy on exhibition and provide a report back to Council for consideration no later than the July 2022 Ordinary Meeting.*

This suite of documents has been developed in response to this Administrator Minute.

Upon further investigation it was concluded a Flying of Flags Policy was also required to provide clarity on the different requirements needed for displaying street banners and flying official flags. To further assist our community in maximising opportunities to utilise the street banner infrastructure, a set of comprehensive guidelines has also been developed.

Background

Central Coast Council (Council) are responsible for the care and control of a range of flagpoles and banner infrastructure across the Local Government Area (LGA).

Council manages a range of official flag poles, located within and adjacent to the Council Chambers and Administration building, and select Council managed community facilities and open space sites. These flag poles are for official and national flags to be flown and their administration is guided by State and Federal Government protocols.

Additionally, Council manages a variety of street banner infrastructure, both vertical street banners within key town centres, and horizontal banner stands in prominent locations across the LGA. Many of these street banners are located in highly visible areas and as such are desirable locations for promotional purposes.

Current Status

Central Coast Council currently have no formal management framework or processes for Street Banners or Flying of Flags.

The horizontal banner stands can be hired by community organisations and the town centre street banners are managed by Council and utilised to publicise events, activities, and occasions of significance.

Report

Due to increasing interest from businesses and community organisations to utilise the flag and banner infrastructure, Council has developed a formal management framework to ensure the intent of these assets is articulated and the processes to access them are clear.

This framework includes the development of Flying of Flags and Street Banner policies, plus an extensive Street Banner Guide designed to provide information on banner infrastructure locations, purpose, booking and installation process and timeframes, and design guidelines and specifications.

Through the development of this aligned approach, Council has attempted to strike a balance that distinguishes the significance of flying official flags and ensuring all relevant protocols are met, while providing opportunities for our various banner infrastructure to be widely utilised.

Council is firmly committed to ensuring our national flags fly continually and appropriately whilst complying with the State and Federal Government protocols.

Flags flown at Central Coast Council sites will be in accordance with the Australian Flags Booklet publication of the Department of Prime Minister and Cabinet and the Premiers Department of New South Wales publication 'Flags and Emblems of NSW'.

Flags will only be permitted to be flown on official flag poles; this approach will ensure relevant protocols can be adequately managed. Some examples include:

Flags will not be flown if damaged, faded or dilapidated

Flying of flags on official flagpoles is the correct mechanism to ensure this protocol is met. Numerous street banner locations are heavily exposed to extreme weather conditions and street banners are often damaged in weather events. Numerous street banner locations are also dependant on extensive traffic management processes to remove and replace banners, and often damaged banners cannot be removed immediately after they have sustained damage.

The flag may only be flown at night when illuminated

Numerous current street banner locations do not have lighting installed that is sufficient to ensure this protocol is met, indeed many street banner locations have no lighting.

The flag should be used in a dignified manner and reproduced completely and accurately

Council's banner infrastructure includes banners of various sizes. Council's official flagpoles are all designed to fly flags, specifically official national flags, in the relative dimensions and manner they have been designed to be flown. Restricting the display of official flags to official flagpoles ensures the integrity, size and designs are met.

Official flags will not be permitted to be flown on town centre street and community banner infrastructure, however approved banner designs that incorporate elements of a national

official flag can be displayed in these locations providing the flag component of the banner does not exceed 50% of the overall banner size.

The Flying of Flags policy does not apply to Council's leased facilities or leased open space areas.

With regards town centre and community banner infrastructure, the aligned approach will provide a simplified and unified way for the community to access this infrastructure, with some improvements including:

- The one booking system for all relevant infrastructure.
- Clear design and content guidelines and banner specifications.
- Council, through existing fees and charges, will manage installation and removal of all banners, removing the requirement for community groups to coordinate this component themselves.

Consultation

Through the development of these draft documents, Council officers engaged with targeted key stakeholders including current banner infrastructure users, targeted town centre businesses and business chambers. Consultation was also undertaken with all relevant internal Council Business Units to ensure the proposed approaches were achievable.

This report now seeks formal endorsement to consult with the broader community and seek their opinions on the approach proposed.

Financial Considerations

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

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

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

The adoption of the policy will have no direct financial implications. All actions within have been funded through existing and approved operational plan budgets.

Link to Community Strategic Plan

Theme 1: Belonging

Choose Focus Area

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

Risk Management

There are no risks to Council in placing the draft documents on public exhibition.

Options

- 1 To exhibit the draft Street Banner Policy, Flying of Flags Policy and Street Banner Guidelines. This will provide an opportunity for community consultation on the draft documents. **This is the recommended option.**
- 2 To not exhibit the draft Street Banner Policy and Flying of Flags Policy. **Not Recommended**

Critical Dates or Timeframes

The draft documents will be exhibited for 28 days to ensure adequate time for the community to provide feedback.

Attachments

1	Draft- Central Coast Council Street Banners Policy	Provided Under Separate Cover	D15245593
2	Draft - Central Coast Council Flying of Flags Policy	Provided Under Separate Cover	D15245597
3	Draft - Central Coast Council Street Banner Guidelines	Provided Under Separate Cover	D15245598



Item No: 2.4
Title: Activities of the Development Assessment and Environmental Compliance Services Units - October 2021 to March 2022
Department: Environment and Planning

26 July 2022 Ordinary Council Meeting

Reference: F2020/00039 - D15196696
Author: Andrew Roach, Unit Manager, Development Assessment
Executive: David Milliken, Director Environment and Planning (Acting)

Recommendation

That Council note the report on Activities of the Development Assessment and Environmental Compliance Services Units – October 2021 to March 2022.

Report purpose

To provide a summary of development activity for the middle two quarters (1 October 2021 to 31 March 2022) of financial year 2021/22.

Executive Summary

For the October 2021 to March 2022 period, 1,248 development applications were lodged, and a total of 1,287 development applications were determined. This is lower than the previous six months (April to September 2021) where 1,726 development applications were lodged and 1,622 were determined. There were 128 development applications either withdrawn or were invalid in this period, which is a decrease from 407 withdrawals/invalid applications made in the previous six months.

The estimated value of applications determined in the October 2021 to March 2022 period was approximately \$363 million (YTD approx. total \$526m).

Current median processing times for development applications is 47 days for the October 2021 to March 2022 period (net calendar days). This number is broadly consistent with the last reporting period, although it is significantly up from previous year as a result of the reduction in staff numbers.

The total number of development applications outstanding at the end of this period was 980 (an increase from 831 outstanding applications as at 30 September 2021).

Background

The *Central Coast Regional Plan 2036* (CCRP) provides the over-arching strategy for development for the Central Coast region. The CCRP forecast that approximately 41,500 new dwellings were required to accommodate the expected growth of over 75,500 people by 2036. In 2019 the [then] Department of Planning Industry and Environment released updated population projections, adding another 14,350 people, taking the growth for the 25-year period (to 2041) to just over 95,000 new residents. This is the equivalent of approximately 2,088 homes per year for the life of the plan.

Since the commencement of the CCRP in 2016, 12,874 additional dwellings have been approved; this is the equivalent of 2,452 dwelling approvals per year over the period from 2016 to 2022. These dwellings include residential lots released, secondary dwellings, detached dwellings, dual-occupancies, seniors living, multi-dwelling housing and units within residential flat buildings. It is to be noted that this is approvals – there are many instances where approved dwellings do not commence construction, for a range of reasons.

Housing Approvals

During the October 2021 to March 2022 period, a total of 1,287 development applications were determined. Of these applications:

- 1,265 were determined by Council staff under delegation (1,247 were approved)
- 16 were determined by another body, such as the Hunter Central Coast Regional Planning Panel or Central Coast Local Planning Panel (11 were approved)

Of these applications, 312 applications resulted in the approval of 364 individual new residential dwellings (including secondary dwellings, detached dwellings, dual-occupancies, seniors living, multi-dwelling housing and units within residential flat buildings). Further details of the determination pathways are included in Attachment 1.

Net Median Turnaround Times

The net median turnaround time for all development applications (including applications to modify development consents) determined by Council during the October 2021 to March 2022 period was 47 (net calendar days). This is a decrease (of two days) from 49 days in the last reporting period (April to September 2021) but is a significant slowing from the 24 days from the 2019-2020 year. The slowing in determination timeframes over the past 2 years is a result of a reduction in the number of development and building assessment staff, which results in reduced service levels to the community.

2.4 Activities of the Development Assessment and Environmental Compliance Services Units - October 2021 to March 2022 (contd)

Net Mean Turnaround Times

The net mean turnaround time for all development applications (including applications to modify consents) determined by Council during the October 2021 to March 2022 period was 61 (net calendar days).

Subdivision Lots Released

The following lot releases have occurred in the October 2021 to March 2022 period:

Type	Number of Lots Released
Commercial/Industrial	33
Residential	223
Total	256

*There were 16 lots affected by boundary realignments/consolidations

Other Approvals and Certificates

Type	Number Determined	Number Approved
Building Information Certificates	90	80
Construction Certificates issued by Council	186	185
Complying Development Certificates issued by Council	22	22
Occupation Certificates (Council issued)	152	151
Subdivision Certificates (Council issued)	51	51

Pre-lodgement Meetings

Council offers formal 'pre-lodgement' meetings for prospective applicants. For the October 2021 to March 2022 period, 86 pre-lodgement meetings were held, with a total estimated development value of \$424 million.

Financial Considerations

This report does not propose any changes to Council expenditure.

Link to Community Strategic Plan

Theme 4: Responsible

Goal I: Balanced and sustainable development

2.4 Activities of the Development Assessment and Environmental Compliance Services Units - October 2021 to March 2022 (contd)

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

Attachments

1	Development Activity - October 2021 to March 2022	Provided Under Separate Cover	D15196777
2	Development Assessment Data from 2016 to 2022	Provided Under Separate Cover	D15196782



Item No: 2.5
Title: Report on Outcomes of Public Exhibition of Council's LEP Amendment Request Policy
Department: Environment and Planning

26 July 2022 Ordinary Council Meeting

Reference: F2004/00550 - D15196568
Author: Charlotte Ryan, Strategic Planner
Manager: Scott Duncan, Unit Manager Strategic Planning (Acting)
Executive: David Milliken, Director Environment and Planning (Acting)

Recommendation

- 1 That Council amend the LEP Amendment Request Policy as exhibited in response to matters raised by submissions as follows:**
 - ***Additional references to the guidelines contained within the Department of Planning and Environment's 'Local Environmental Plan Making Guidelines.'***
 - ***Links to supporting procedures and guidelines available on Council's Local Environmental webpage.***
 - ***Further clarity regarding the requirement for pre-lodgement meetings and pre-lodgement reviews.***
- 2 That Council endorse the final LEP Amendment Request Policy provided at Attachment 2.**
- 3 That all those who made submissions during the public exhibition be advised of Council's decision.**

Report Purpose

The purpose of this report is to provide a summary of the outcomes of exhibition of the draft LEP Amendment Request Policy and to consider the final LEP Amendment Request Policy.

Executive Summary

Council has previously noted the importance of undertaking the assessment of LEP Amendment Requests, commonly referred to as planning proposals, in a consistent, timely and efficient manner.

A draft Policy on LEP Amendment Requests has been prepared to provide guidance on how to achieve an efficient and streamlined assessment process. The draft Policy is designed to outline the principles of dealing with deficient applications and encourage the lodgement of good quality planning proposals.

The draft Policy on LEP Amendment Requests was considered at the Ordinary Meeting of Council of 26 April 2022, where it was resolved to place the draft Policy on public exhibition.

The exhibition period for the draft Policy has now concluded and one submission was received. The Policy, with minor amendments as a result of matters raised in submissions, is presented at **Attachment 2** for consideration and adoption.

Background

On 26 April 2022, Council resolved to endorse the draft Policy on Assessment of LEP Amendment Requests for the purposes of a 28-day consultation period.

1 That Council endorse the draft Policy on Assessment of LEP Amendment Requests (Attachment 1) for the purposes of a 28-day consultation period.

2 That Council considers a further report on the results of community consultation.

In accordance with Resolution (1), the draft Policy was exhibited for a period of 28 days from 9 May 2022 to 6 June 2022. One submission was received from the Urban Development Institute of Australia (UDIA NSW). A summary of the submission and Council's response is provided at **Attachment 1**.

As per Resolution (2), a report is required to report on the outcomes of community consultation.

This report provides a summary of the submissions received and outlines changes to the draft Policy in response to feedback received through the exhibition process. The final Policy on LEP Amendment Requests is presented at **Attachment 2** for consideration and adoption.

Current Status

The draft LEP Amendment Request Policy was exhibited for a period of 28 days from 9 May 2022 to 6 June 2022. Council has considered all submissions and prepared this report to address community and industry responses.

Subject to Council's endorsement of the final Policy provided at **Attachment 2**, the Policy will be finalised and placed on Council's website with other policies.

Report

Council supports an efficient and streamlined assessment process for the rezoning of land; however, the quality of proponent-led submissions greatly affects the time in which it takes to complete planning proposal assessments. Poor quality submissions or inadequate documentation can hinder Council's ability to make a timely assessment. Proposals that are not capable of being assessed and determined on the information submitted at lodgement are also likely to have resource implications for assessments, workloads and morale. DPE recognise these delays in the assessment process and have sought to streamline the process by introducing new LEP Making Guidelines. The new guidelines seek to better explain the planning proposal system and clearly articulate timeframe expectations for the assessment of planning proposals, supporting study requirements and the roles of Council, DPE and the proponent.

To support the new LEP Making Guidelines and improve the quality of planning proposals, Council is seeking to adopt a Policy on the assessment of LEP amendment requests. The Policy describes Council's processes for the assessment of LEP amendment requests and aims to ensure the necessary information is included to enable efficient and timely review of planning proposals.

The Policy will apply to all LEP amendment requests submitted to the Central Coast Council that seek to change the planning controls or zoning applying to land. The Policy explains how Council manages the assessment of planning proposals and assists in the delivery of a consistent and efficient assessment service, which is only possible when applications are submitted with the required information so an informed, proper and timely assessment of the application can be made.

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

Consultation

The draft Policy was placed on exhibition for a period of 28 days, concluding on 6 June 2022.

One submission was received. Key matters raised in the submission include:

- Consistency with the Department of Planning and Environment (DPE) *Local Plan Making Guidelines*.
- Enhance useability by including direct links to relevant documents within the body of the Policy.
- Further clarity about when a pre-lodgement meeting is required and the need for some discretion where a pre-lodgement meeting may not be necessary.

The following section provides a response to each of the key themes identified above. A detailed summary and response to the submission is provided at **Attachment 1**.

Consistency with DPE Making Guidelines

A recurring theme in the submission was the need for consistency with DPE's *LEP Making Guidelines* (December 2021). To ensure accountability and transparency, it was recommended to add benchmark timeframes and other wording changes.

Additional references to the DPE LEP Making Guidelines have been added to the Policy however it is important to distinguish between the objectives of the LEP Amendment Request Policy and Council's supporting Planning Proposal Procedures. The Policy seeks to establish a framework for the efficient assessment of LEP amendment requests rather than provide detailed procedures for the lodgement and assessment of planning proposals. It sets broad parameters for guiding and assessing planning proposals and is supported by Council's Planning Proposal Procedures which outline in detail the processes proponents and council staff must follow.

The Policy is not intended to outline the detailed processes, timeframes or categories of planning proposals. It does, however, reinforce the supporting procedures which provide more detailed instructions on the steps involved in the assessment process for an LEP amendment request, consistent with the DPE Making Guidelines.

The Policy will be uploaded to Council's Local Environmental Plan (LEP) webpage with the supporting procedures. The webpage also contains further information on the planning proposal process including benchmark timeframes as per the DPE LEP Making Guidelines.

Enhance useability

It was recommended to include hyperlinks within the Policy document, providing direct links to the supporting procedures and guidelines. Direct links to Council's Local Environmental (LEP) webpage have been added to the Policy.

Council's LEP webpage provides a detailed overview of the LEP Making Process and includes direct hyperlinks to all documents relevant to planning proposals. The Policy will be uploaded to Council's LEP webpage and a link to each relevant document referenced in the Policy will be provided.

Pre-lodgement meetings

The Policy has been amended to provide further clarity on the role and requirement for pre-lodgement meetings.

Prior to lodgement, a pre-lodgement meeting is required for all LEP amendment requests. It is an important first step of the planning proposal process as a proposal's early alignment with the strategic planning framework can reduce time and cost later in preparing the planning proposal and making the LEP.

2.5 Report on Outcomes of Public Exhibition of Council's LEP Amendment Request Policy (contd)

Following the pre-lodgement meeting and depending on the complexity and scope of the proposal, a pre-lodgement review of the planning proposal and specialist reports is also recommended. Council staff will review all supporting documentation and provide feedback where required. This will ensure that the planning proposal satisfies Council and DPE's pre-lodgement requirements and is ready to be lodged via the NSW Planning Portal. The objective of the pre-lodgement meeting and pre-lodgement review is to enable an efficient and streamlined assessment process, consistent with the aims of this Policy.

In summary, the following amendments have been made to the LEP Amendment Request Policy:

- Additional references to the guidelines contained within the Department of Planning and Environment's 'Local Environmental.
- Links to Council's supporting procedures available on the Local Environmental webpage.
- Further clarity regarding the requirement for pre-lodgement meetings and pre-lodgement reviews.

Financial Considerations

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

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

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

The recommendations in this report will not entail additional costs to Council. The Policy is aimed at creating a more streamlined and efficient planning proposal process which will improve the efficiency of the rezoning process.

Link to Community Strategic Plan

Theme 5: Liveable

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

It is important for Council to have a clear policy statement on how Council intends to operate and administer its rezoning functions. Having a policy in place is important in communicating Council's intentions to enforce the DPE's LEP Making Guidelines which requires proponents to submit quality planning proposals and follow the procedures outlined in the Policy. This has consequences on Council's ability to achieve the new benchmark timeframes set by DPE.

The handling of incomplete or deficient planning proposals that require amendments and/or additional information also requires significant resources to manage, and this creates a flow-on effect which increases the processing times for all planning proposals. Amendments or delays to proposals can also create uncertainty within the community as to what is being proposed.

The Policy has been publicly exhibited which has allowed the community and industry to review and provide input prior to finalisation.

Options



The options available are:

- Option 1 – Not to endorse the Policy – this option is not recommended. The aim of the Policy is to assist in providing a consistent and efficient development assessment process. Not proceeding with the Policy adoption may hinder that approach.
- Option 2 - Endorse the final Policy – **This is the recommended option.** Endorsing the final Policy will support the efficient and streamlined assessment of LEP Amendment Requests.

Critical Dates or Timeframes

If Council resolves the recommendations in this Report, the Policy will be finalised and placed on Council's webpage. Those who made a submission on the Policy will be notified of Council's decision.

Attachments

1	Attachment 1 - Summary of Submissions and	Provided Under	D15198411
	Council Response Request Policy	Separate Cover	
2	Attachment 2 - Final LEP Amendment Request	Provided Under	D15198421
	Policy	Separate Cover	



Item No: 2.6
Title: Modification to Planning Agreement - 137 Johns Road, Wadalba
Department: Environment and Planning

26 July 2022 Ordinary Council Meeting

Reference: DA/1419/2017 - D15230570
Author: Shannon Turkington, Section Manager. Local Infrastructure and Planning
Manager: Scott Duncan, Unit Manager Strategic Planning (Acting)
Executive: David Milliken, Director Environment and Planning (Acting)

Recommendation

That Council request the Chief Executive Officer to undertake all necessary actions to finalise the Planning Agreement for 137 Johns Road, Wadalba, generally in accordance with the amendments contained within this report

Report purpose

To consider a modification to the Planning Agreement for 137 Johns Road, Wadalba and seek endorsement for the Chief Executive Offer to finalise the Planning Agreement.

Executive Summary

In 2018, Council entered into a Planning Agreement with Zaychan Pty Ltd in relation to a Planning Proposal at 137 Johns Road, Wadalba.

The site has since been sold and purchased by LGJJ Developments Pty Ltd who have proposed a modification to the Planning Agreement. As the Planning Agreement was negotiated as part of a Planning Proposal the final residential subdivision design and infrastructure works required were not known at the Planning Proposal stage.

An amendment is required to the Planning Agreement to update the works and land dedications to be consistent with the approved 58 lot residential subdivision (DA/1419/2017 and SCC/58/2020) and methodology provided in the Warnervale District Contribution Plan 2021 for costing works.

Background

At the Ordinary Council Meeting on the 23 October 2017, Council resolved to support a Planning Proposal (following public exhibition) to rezone land at 137 Johns Road, Wadalba from RU6 Transition to R2 Low Density Residential, SP2 Infrastructure and E2 Environmental Conservation under the *Wyang Local Environmental Plan 2013*. The Planning Proposal was

supported by an amendment to Chapter 6.17 (Warnervale East/Wadalba North West) of the *Wyong Development Control Plan 2013* and a Planning Agreement, which was entered into in March 2018.

The Planning Agreement requires:

- Dedication of wildlife corridor land and provision for the payment of an environmental management contribution to Council;
- Dedication of land to realign Johns Road, Wadalba;
- Undertake any necessary Fire Trail Works, at no cost to Council, and pay any relevant Fire Trail Maintenance Contribution.
- Requirement to meet the cost of commissioning, decommissioning and maintenance of a temporary sewer pump station to allow for the servicing of the land; and
- Payment of applicable section 7.11 Local Infrastructure Contributions.

Current Status

LGJJ Developments Pty Ltd have proposed a modification to the Planning Agreement to allow works to be considered as Works In Kind and offset against the development contributions payable, under the Planning Agreement.

Council is unable to enter into a Works In Kind Agreement as the development contributions are levied through the Planning Agreement and not as a condition of consent and therefore Council's Works In Kind Policy does not apply.

The developer has proposed the following works are included in the revised Planning Agreement to be consistent with DA/1419/2017 and SCC/58/2020:

- Johns Road - 2.5 metre shared pathway adjacent to the Louisiana Road Corridor
- Johns Road - 2.5 metre shared pathway across the Wadalba Wildlife Corridor;
- Johns Road - 2.5 metre shared pathway adjacent to proposed lots 59 & 60 DP 1282625;
- Johns Road - Half road pavement construction – a credit will be provided for the difference in width between a collector road and local road, providing the same methodology as the Warnervale District Contribution Plan 2021;
- Johns Road - Land dedication in for road widening – the land dedication rates will be consistent with item R49-12 (land acquisition Johns Road) in the Warnervale District Contribution Plan 2021;
- Johns Road - Stormwater culvert upgrades; and
- Johns Road - Stormwater Line

The proposal has been reviewed by Council staff and the works proposed are consistent with the methodology in the Warnervale District Contribution Plan, relating to shared pathway widths for environmental corridors, funding of collector roads and stormwater infrastructure that provides a broader community benefit. The land dedication cost will also be provided at the same rate used in the Warnervale District Contribution Plan 2021.

The remainder of the local works, such as local roads, local footpaths and detention basins will be required to be completed by the developer at no cost to Council.

Report

The revised Planning Agreement has been drafted to retain all of the original provisions with the following proposed amendments and additions:

1. Amend clause 5.6 to include that the monetary contributions provided under the Planning Agreement will be used towards the works listed in the Warnervale District Contribution Plan.
2. Amend clause 5.7 to provide a mechanism for works to be considered as Works In Kinds and offset (in part) against the development contributions.
3. New clause 5.8 - provides the process for applying for a reduction in monetary contributions and ensures works are to be completed as approved under SCC/58/2020 and Contributions Works Procedure in Schedule 5.
4. Amend clause 16 to update proponent details.
5. Amend map in schedule 2 to remove text box relating to land dedication as this is now covered in Schedule 4.
6. Insert Schedule 4 Works and Land Offsets, which outlines the works and land to be considered as Works In Kind.
7. Insert Schedule 5 Contribution Works Procedure which is based on Council's Works in Kind Agreement template and provides obligations for the developer when carrying out and completing work identified in Schedule 4.
8. Minor administrative changes to align with Council's Planning Agreements template and ensure compliance with relevant legislation.

A copy of the revised Planning Agreement is provided in Attachment 1 and the 2018 version of the Planning Agreement in Attachment 2.

Consultation

The proposed modifications to the Planning Agreement were exhibited for 28 days between the 10 May to 7 June 2022. The Planning Agreement was available on Councils Your Voice Our Coast web page and 86 notification letters were sent to surrounding properties. No submissions were received.

The proposed works to be delivered as Works In Kind (schedule 4) have been reviewed by Council's Engineering Certification Section, Local Infrastructure and Planning Section and

determined to be consistent with the methodology provided under the Warnervale District Contribution Plan for costing works and providing a broader community benefit.

The proposed modifications to the Planning Agreement have also been reviewed by Council's Governance Risk and Legal Unit.

If the proposed modifications are endorsed by Council, the works and tender costs will be reviewed again by Council staff under the requirements of new clause 5.8 of the Planning Agreement, before the final credit is determined.

Financial Considerations

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

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

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

The Local Infrastructure Contributions Rate provided in the 2018 version of the Planning Agreement is \$29,660 per residential lot. The Planning Agreement requires the rate to be indexed prior to payment, which increases the rate to \$32,382.54 per lot (for the March 2022 quarter).

If the modifications to the Planning Agreement are endorsed, approximately \$800,000 of works will be delivered as Works In Kind (subject to final review of costs by Council).

The table below outlines the local infrastructure contributions to be provided under both versions of the Planning Agreement:

	2018 Planning Agreement	2022 Planning Agreement
	CPI - Dec 2017	CPI - Mar 2022
Contribution Rate - Per Lot	\$29,660.00	\$32,382.54
Total Contributions Payable (based on 58 Lots)	\$1,720,280.00	\$1,878,187.32
Proposed Works in Kind to be delivered by developer (approximate cost only)	\$6,000.00	\$800,000.00
Total Monetary Contributions Payable to Council (approximate cost only)	\$1,714,280.00	\$1,078,187.32

The proposed works will be delivered by the Developer which will not impact on the delivery of Council's Capital Works Program or require additional funding from Council. The Planning Agreement will contribute approximately \$1M to the Warnervale District Contribution Plan 2021, which will assist in the delivery of local infrastructure in the Wadalba area.

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

There is no increased risk to Council by amending the Planning Agreement. The agreement has been reviewed by Council's Governance Risk and Legal Unit and includes requirements for the developer for the delivery and completion of works, similar to the requirements in Council's Works in Kind Policy and Guidelines

Options

1. Endorse the modifications to the Planning Agreement – **This is the recommended option**
2. Not endorse the modification to the Planning Agreement – This option would not allow for works to be completed as Works In Kind and offset against the development contributions required under the Planning Agreement.

Attachments

1	Draft Planning Agreement 137 Johns Road Wadalba - July 2022	Provided Under Separate Cover	D15233933
2	Planning Agreement 137 Johns Road Wadalba - March 2018	Provided Under Separate Cover	D15233930

Item No: 2.7
Title: Planning Proposal RZ/113/2020 for 39 Dell Road,
West Gosford
Department: Environment and Planning



26 July 2022 Ordinary Council Meeting

Reference: F2020/00039 - D15211754
Author: Bruce Ronan, Strategic Planner
Manager: Scott Duncan, Unit Manager Strategic Planning (Acting)
Executive: David Milliken, Director Environment and Planning (Acting)

Recommendation

- 1 That Council endorse the minor mapping amendment for inclusion into Planning Proposal for Lot 6 DP 3944, No 39 Dell Road, West Gosford which was endorsed by Council on 26 April 2022.**
- 2 That Council include a revised map in Schedule 4 of the Planning Agreement that reflects the minor mapping amendment in the Planning Proposal.**

Report purpose

To consider a minor mapping amendment with regards to the Planning Proposal on land at 39 Dell Road, West Gosford (Lot 6 DP 3944) and seek endorsement for the amended Planning Proposal through an amendment to the Central Coast Local Environmental Plan (CCLEP) when it comes into effect.

Executive Summary

The Planning Proposal was considered by Council on 26 April 2022 where comments from public agencies and the community were considered (Attachment 1).

Since that time a mapping anomaly has arisen relating to the location of the boundary between the proposed IN1 General Industrial and C2 Environmental Conservation zones. The proposed zone boundary submitted by the applicant and on which the required Bushfire Assessment and Ecological Assessment were based does not correlate with Council's Land Zoning Map and Minimum Lot Size Map prepared for the Planning Proposal.

If this anomaly had been realised at the time of the Council meeting of 26 April 2022, it could have been addressed at that time. However, as the Planning Proposal has not yet been forwarded to the Department of Planning and Environment (DPE) for finalisation there is opportunity to realign the proposed zone boundary to that which was intended.

Given the minor nature of the amendment, this report recommends that that Council proceed with amending the Planning Proposal RZ/113/2020 prior finalising the Local Environmental Plan making process under Section 3.36 of the *Environmental Planning and Assessment Act*.

Background

The Planning Proposal seeks to rezone 39 Dell Road, West Gosford (Lot 6 DP 3944) to enable additional opportunities for industrial development, and the dedication of C2 Environmental Conservation zoned land to Council for inclusion in the Coastal Open Space System (COSS). The request seeks to:

- Expand the existing IN1 General Industrial zoned portion of the land, to include additional cleared land; and
- Zone the remainder of the land to C2 Environmental Conservation under the CCLEP, when it is in effect.
- Dedicate the C2 zoned land to Council for inclusion in the COSS via a Planning Agreement

On 26 April 2022 Council considered the Planning Proposal post-exhibition and resolved the following:

- 1 *That Council endorse the Planning Proposal for Lot 6 DP 3944, Dell Road, West Gosford, as exhibited.*
- 2 *That Council request the Chief Executive Officer to exercise delegation issued by the Department of Planning and Environment for RZ/113/2020 and proceed with the steps for drafting and making of the amendment to Gosford Local Environmental Plan 2014 or Central Coast Local Environmental Plan 2022, whichever is in effect at the time.*
- 3 *That all those who made submissions during public exhibition be notified of Council's decision.*

Since this time, it has become apparent that the proposed zone boundary between the IN1 General Industrial zone and the C2 Environmental Conservation zone depicted in Council's Planning Proposal and Local Environmental Plan (LEP) mapping does not correlate with the intended zone boundary as set out in the applicant's submission and the related Bushfire Assessment and Ecological Assessment.

This report seeks to address this minor inconsistency by amending the Land Zoning Map and Minimum Lot Size Map layers within the CCLEP when it comes into effect.

Consequently the status of the LEP amendment is the same as that on 26 April 2022 as set out in Figure 1.

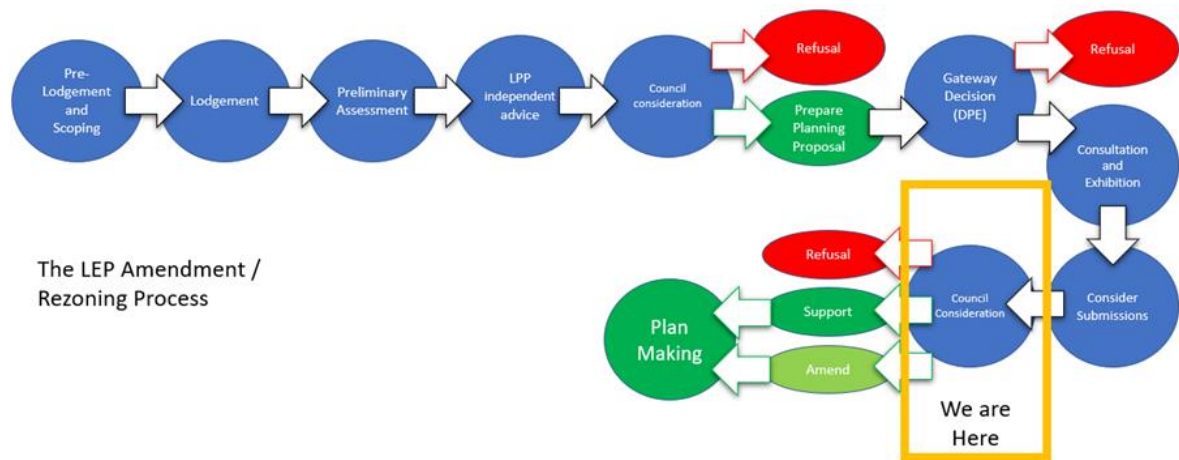


Figure 1 – Local Environmental Plan Amendment/Rezoning Process

Report

The Site

The subject site (Figure 2) is located to the west of Nells Road, West Gosford. It is generally of a regular shape with an area of 9.7 ha. The site comprises a single parcel (Lot 6 DP 3944) and is currently vacant. The site is located at the western extremity of the West Gosford Industrial Area.

The developable portion of the site is located close to the eastern boundary of the parcel, which is gently sloping and has street frontage to Nells Road. The most western portion of the land is part of the north-south escarpment, located to the west of the urban areas of Gosford and surrounding suburbs. The escarpment is visually and environmentally significant, with large tracts of the area incorporated into the COSS.



Figure 2 – Aerial Photograph of Site

The site comprises a split zoning of IN1 General Industrial, under the Gosford Local Environmental Plan 2014 (GLEP 2014), and 7(a) Conservation and Scenic Protection (Conservation) under Interim Development Order No 122 (IDO 122) (Figure 3).



Figure 3 – Existing Zoning of Site

The Proposal

The Planning Proposal seeks to rezone 39 Dell Road, West Gosford (Lot 6 DP 3944) to enable additional opportunities for industrial development, and the dedication of the proposed C2 Environmental Conservation zoned land to Council for inclusion in the COSS.

The applicant submitted the following plan (Figure 4) in the Planning Proposal Application showing the areas proposed to be zoned IN1 General Industrial and C2 Environmental Conservation. This Plan formed the basis for the Bushfire Assessment Report and the Ecological Assessment Report which was referred to the relevant public agencies and no objection was raised.



Figure 4 – Proposed IN1 Zone Boundary by Applicant

The proposed zoning plan prepared by Council is set out in Figure 5. It can be seen that the width of the IN1 zoned portion of the land is slightly narrower than that submitted by the applicant.



Figure 5 – Proposed Zoning of the Site by Council

It was on the basis of Figure 4 that a draft subdivision plan was prepared by the applicant and recently submitted to the Strategic Planning Unit for information. An overlay plan was created showing the proposed subdivision in relation to the proposed zoning (Figure 6). Most significantly, Figure 6 shows a strip of C2 zoned land (approx. 10-20m wide) along the western boundary of the proposed Industrial lot, which was never the intention, and if left unamended would restrict the future development of the industrial land as the C2 portion could not be developed. It is also contrary to the intention of the Planning Agreement which is to dedicate all the C2 zoned land to Council for inclusion in the COSS.

Furthermore, it is noted that in the vicinity of the northern boundary of the industrial lot, there is shown IN1 zoned land within the lot to be dedicated to Council for COSS. This is contrary to the intention of the Planning Agreement to dedicate the C2 land to Council.

This minor mapping amendment is required to progress of the Planning Agreement as the owner's agreement is required for the Agreement to be executed before the C2 land can come into Council's ownership for the purpose of COSS. To ensure the zone boundary amendment is reflected in the Planning Agreement, the map in Schedule 4 of the Planning Agreement, identifying the COSS land and the Industrial land, is required to be changed.



Figure 6 – Proposed Subdivision and Exhibited Zoning Overlay. (The red line marks the adjusted boundary of the IN1 General Industrial / C2 Environmental Conservation Zone)

This report seeks to rectify the location of the IN1 General Industrial / C2 Environmental Conservation Zone boundary so that all the C2 zoned land is within the lot to be dedicated to Council and all the IN1 zoned land is within the lot proposed for industrial uses. Also, the Minimum Lot Size boundary would require a correlating amendment.

Financial Considerations

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

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

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

The adoption of this recommendation will result in the transfer approximately 7.1 ha of environmental lands to Council for inclusion into the COSS. This will add to Council's asset base and there will be a marginal cost of maintenance of the land into the future. The planning agreement will reduce the financial burden to Council by the inclusion of initial

funds for the bush regeneration of the site and the construction of an access track for the RFS and Council if required for the purposes of maintenance and firefighting. Upon expiry of the planning agreement, the marginal cost of maintenance would fall within Council's annual budget.

Link to Community Strategic Plan

Theme 1: Belonging

Goal A: Our community spirit is our strength

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

Theme 2: Smart

Goal C: A growing and competitive region

S-C1: Target economic development in growth areas and major centres and provide incentives to attract businesses to the Central Coast.

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

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 4: Responsible

Goal I: Balanced and sustainable development

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

Risk Management

There have been no material risks identified to the natural and built environment associated with the proposed amendment to the CCLEP.

Options

- 1 Support the amended Planning Proposal. The Planning Proposal is considered to have strategic merit as it will ensure the proposed IN1 zoned land can be developed to its full potential and will ensure all the C2 zoned land will be dedicated to Council for inclusion in the COSS, thus benefiting the general community.

This is the recommended option.

- 2 Decline to support the amended Planning Proposal. It is unlikely that the Planning Proposal could progress because it is linked to the Planning Agreement and the owner may not be willing to sign the Agreement which would render some of his land undevelopable and thus Council would also miss out on acquiring COSS land for the benefit of the community. Not recommended.

Attachments

- 1  Council Report dated 26 April 2022 Provided Under Separate Cover D15078064

Item No: 2.8
Title: Privacy Management Plan
Department: Corporate Services



26 July 2022 Ordinary Council Meeting

Reference: F2004/00193 - D15239640
Author: Alysha Coussos, Senior Governance Officer, Governance
Manager: Edward Hock, Unit Manager Governance, Risk and Legal
Executive: Krystie Bryant, Director Corporate Services (Acting)

Recommendation

- 1** *That Council revoke the previous Privacy Management Plan dated May 2018.*
- 2** *That Council adopts the revised Privacy Management Plan at Attachment 1 and ensures it is available on Council's website as soon as practicable.*
- 3** *That Council authorises Council staff to provide a copy of Council's Privacy Management Plan to the NSW Information and Privacy Commissioner as soon as practicable.*

Report purpose

To seek Council adoption of the revised Privacy Management Plan (the '**PMP**').

Executive Summary

In accordance with the *Privacy and Personal Protection Act 1998*, Council is required to prepare and implement a PMP that outlines its policies, protocols and procedures in relation to privacy and the protection of personal information.

Council last reviewed its PMP in May 2018. As part of the development of Council's strategic governance framework, the PMP has been reviewed and updated for approval and adoption by Council.

Background

The *Privacy and Personal Information Protection Act 1998* (the '**PIIP Act**') requires Council to prepare a privacy management plan that outlines their policies and practices to ensure compliance with the requirements of the PIIP Act and the *Health Records and Information Privacy Act 2002* (the '**HRIP Act**').

Both Acts provide for the protection of personal and health information collected, held, stored, used and disclosed by Council and the protection of the privacy of individuals.

Under section 33 of the PPIP Act, Council's PMP must include information on:

- The devising of policies and practices in line with the State's information and privacy acts (including the PPIP and HRIP Acts);
- How Council disseminates these policies, protocols and practices within the organisation and educates staff in their use;
- Council's internal review procedures; and
- Any other matters that Council considers relevant in relation to privacy and the protection of any personal information it holds.

Current Status

Council's previous PMP was finalised in May 2018. The Information and Privacy Commission (IPC) recommends that an agency reviews its PMP at regular intervals and preferably no later than every two years.

The PMP has undergone a thorough review in conjunction with the review and development of Council's strategic governance framework.

The changes to the PMP include:

- Ensuring alignment and compliance with the PPIP Act and the HRIP Act as well as the relevant provisions of the [Privacy Code of Practice for Local Government](#).
- Adapting the layout, format and structure of the PMP for the ease of the reader and to comply with Council's corporate style guide.
- Updating references to Council's policies, processes and organisational structure.

Consultation

The IPC provides several online resources and information to assist agencies with the review and development of their PMPs. Council has accessed and utilised these resources during the review and drafting of the new PMP as well as some best practice examples from other Councils.

Consultation with stakeholders within Council has been undertaken by Council's Governance Team to ensure the accuracy of any relevant processes and procedures.

It is not required that the PMP is placed on public exhibition.

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 this Report.

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

Council is required to prepare a PMP under section 33 of the PPIP Act. Failing to adopt a PMP may place Council in breach of the PPIP Act and Council may face compliance or enforcement action as a result.

Options

Council has the option to:

- 1 Adopt the revised Privacy Management Plan which complies with the IPC's guidelines and ensures Council's compliance with the relevant privacy legislation.
This is the recommended option.
- 2 Resolve not to adopt an updated Privacy Management Plan. This is not a recommended option as the previous version of the PMP is outdated, references outdated Council policies and procedures and does not fully comply with the IPC's guidelines.

Critical Dates or Timeframes

The IPC has requested an update on the status of the review of the PMP as well as a copy of the PMP once it has been adopted by Council. It has also sought confirmation of when Council expects a link to the amended PMP will be uploaded to Council's website.

2.8 Privacy Management Plan (contd)

Adoption of the PMP will allow Council to action these items and provide the IPC with a prompt response.

Attachments

1	Central Coast Council - Privacy Management Plan 2022	Provided Under Separate Cover	D15206444
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Item No: 2.9

Title: Acquisition of part of 93 Warnervale Road (Lot 101 DP 829060), 112-116 Warnervale Road (Lot 14 DP 371162) and 118-136 Warnervale Road (Lot 14A DP 371162) in Hamlyn Terrace, for road widening

Department: Infrastructure Services

26 July 2022 Ordinary Council Meeting

Reference: F2020/02958 - D15177308

Author: David Fogg, Lead Civil Designer

Manager: Scott Burton, Unit Manager. Roads and Drainage Infrastructure

Executive: Boris Bolgoff, Director Infrastructure Services

Recommendation

- 1** *That Council resolve to acquire the following land for the purpose of road widening:
That part of Lot 101 DP 829060, Lot 14 DP 371162 and Lot 14A DP 371162 highlighted purple in the plan in Attachment 1 at 93, 112-116 and 118-136 Warnervale Road, HAMLYN TERRACE ('Land').*
- 2** *That Council authorise the Chief Executive Officer to execute all necessary documentation relevant to the acquisition of the land.*
- 3** *That Council resolve to acquire all or some of the portions comprising the land by compulsory process for the purposes of a road widening, pursuant to Section 177 of the Roads Act 1993 and in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991, in the event that negotiations for the acquisition of all or some of the portions comprising the Land with the relevant property owner or owners cannot be satisfactorily resolved.*
- 4** *That Council resolve to make an application to the Minister for Local Government and the Governor for approval to acquire all or some of the portions comprising the Land by compulsory process pursuant to the Land Acquisition (Just Terms Compensation) Act 1991, in the event that negotiations for the acquisition of the land with the relevant property owner or owners cannot be satisfactorily resolved.*

Report purpose

Approval is sought to acquire part of 93 Warnervale Road (Lot 101 DP 829060), 112-116 Warnervale Road (Lot 14 DP 371162) and 118-136 Warnervale Road (Lot 14A DP 371162) in Hamlyn Terrace, for road widening.

2.9 Acquisition of part of 93 Warnervale Road (Lot 101 DP 829060), 112-116 Warnervale Road (Lot 14 DP 371162) and 118-136 Warnervale Road (Lot 14A DP 371162) in Hamlyn Terrace, for road widening (contd)

Executive Summary

Council is planning road and drainage reconstruction works along a section of Warnervale Road, Hamlyn Terrace. The project comprises full road reconstruction, including new kerb and channel and asphalt road surface, new shared paths, and an upgraded culvert crossing between Virginia Road and Baronet Street.

The upgraded culvert crossing has been designed to provide 1 in 100-year flood-free passage, with the upgraded road and shared paths providing safer access for all road users.

For Council to conduct these essential infrastructure works, it will be necessary to acquire road widening across the frontage of three properties. This road widening is necessary to provide an area for the proposed shared path and future utilities and will align with the new road reserve boundaries along the rest of Warnervale Road.

Current Status

Discussions with the owners are continuing and a valuation of the land has been obtained. The valuation is included as a confidential attachment.

Report

To facilitate the road infrastructure requirements for the Project, it will be necessary to acquire land for road widening. This road widening allows for drainage infrastructure to be supported, in addition to providing room for shared paths and utilities.

The properties affected by the Project are 93, 112-116 and 118-136 Warnervale Road, Hamlyn Terrace.

Consultation

Council has written to the owners of the affected properties informing them of the proposed works and the associated proposal to acquire part of the affected properties to accommodate the road works.

Council's property section has been involved in the development of the acquisition proposal. Finance has also endorsed the acquisition based on the anticipated acquisition costs and the required budget allocation that is included in the 2022/23 financial year budget.

Financial Considerations

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

2.9 Acquisition of part of 93 Warnervale Road (Lot 101 DP 829060), 112-116 Warnervale Road (Lot 14 DP 371162) and 118-136 Warnervale Road (Lot 14A DP 371162) in Hamlyn Terrace, for road widening (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.

Funds for the purchase of the road widening land are included in the Warnervale Contributions Plan and construction of the project is identified in the 2023/24 draft operational plan. Acquisition is planned for this financial year while construction is scheduled for next financial year. A confidential attachment outlines the anticipated acquisition costs.

Link to Community Strategic Plan

Theme 4: Responsible

Goal H: Delivering essential infrastructure

R-H2: Improve pedestrian movement safety, speed and vehicle congestion around schools, town centres, neighbourhoods, and community facilities.

Options

If Council does not authorise the acquisition of the affected land, the project cannot proceed.

Critical Dates or Timeframes

The property acquisition must be completed as soon as possible to allow construction to proceed and meet the construction milestones.

The attachment shows the land affected by the acquisitions and the location of the proposed road widening acquisition.

Acquisition of part of 93 Warnervale Road (Lot 101 DP 829060), 112-116 Warnervale Road (Lot 14 DP 371162) and 118-136 Warnervale Road (Lot 14A DP 371162) in Hamlyn Terrace, for road widening (contd)

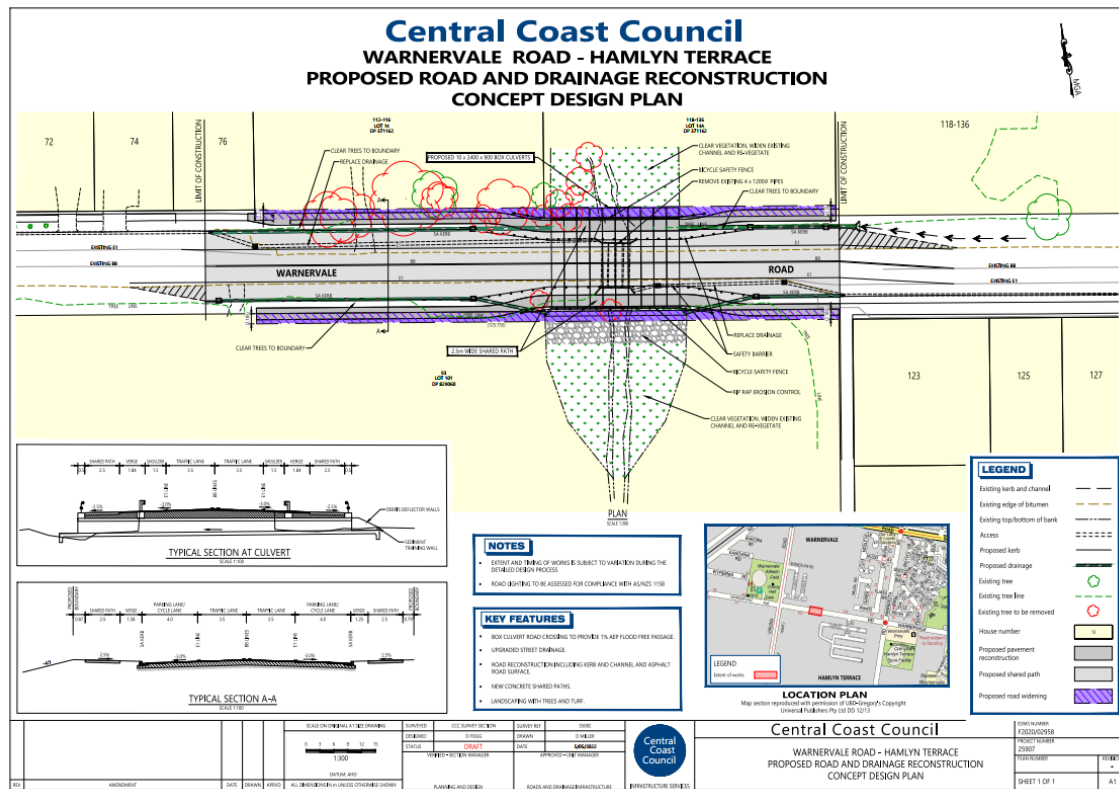


Figure 1: Proposed Road and Drainage Reconstruction Design Concept Plan – Warnervale Road

Attachments

- ## 1 Design Concept Plan - Warnervale Road



Provided Under Separate Cover D15177644

- 2** Design - Confidential Valuation Reports (Combined) for Road Widening - Warnervale Rd HAMLYN TERRACE - Virginia Rd to Baronet Rd - Road and Drainage Reconstruction -

Provided Under Separate Cover D15213777



Item No: 2.10
Title: Audit, Risk and Improvement Committee membership
Department: Corporate Services

26 July 2022 Ordinary Council Meeting

Reference: F2021/00030 - D15228932
Author: Edward Hock, Unit Manager Governance, Risk and Legal
Executive: Krystie Bryant, Director Corporate Services (Acting)

Recommendation

- 1 *That Council appoint Peter McLean as an Independent External Member of the Central Coast Council Audit, Risk and Improvement Committee for an initial period of three years.*
- 2 *That Council write to each of the unsuccessful applicants to the Audit, Risk and Improvement Committee Independent External Member role and advise them of the outcome, thanking them for their interest in the role.*
- 3 *That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 1 to this report remain confidential in accordance with section 10A(2)(a) of the Local Government Act as they contain personnel matters concerning particular individuals (other than Councillors).*

Report purpose

To recommend the appointment of a new Independent External Member to the *Audit Risk and Improvement Committee* (ARIC).

Executive Summary

The appointment of one of three Independent External Members ceased on 27 April 2022, resulting in a vacancy on ARIC. An expression of interest campaign was undertaken, and it is now recommended that Council appoint Peter McLean to the ARIC for a period of three years. Mr McLean has significant relevant experience and specifically has experience with local government, and not-for-profit, and government agencies.

Appointment of Independent Member

Due to the completion of John Gordon's term on the Audit, Risk and Improvement Committee, a recruitment process has been undertaken.

There were 20 applicants for the role. The selection panel shortlisted 4 candidates and interviews were conducted. The selection panel did not make a recommendation to Council as to a preferred applicant from the shortlist.

The selection panel determined that, in the absence of a preferred candidate, that a direct approach was appropriate. Accordingly, the selection panel sought potential candidates from their various networks. It is noteworthy that none of the selection panel has a conflict of interest in relation to the proposed appointment of Mr McLean, as none held a prior relationship with him.

The Chief Executive Officer has reviewed the applications. He contacted Mr McLean and conducted a Teams interview.

As a result, it is now recommended that Mr McLean be appointed to the ARIC for a period of three years.

Mr McLean has significant relevant experience including experiences with not-for-profit and Government agencies, including executive roles with Bicycle NSW and Can Too Foundation. He also has experience in local government including being a serving Councillor at Camden Council, and serving on the ARICs of Shoalhaven City Council, Federation Council, and Goldfields Water Council. Mr McLean is also pre-qualified by NSW Treasury to the ARIC scheme.

It is recommended that Mr McLean be appointed for a period of three years. Clause 15 of the [ARIC Charter](#) states:

15. *The three Independent External Members will be appointed, by resolution of the Council for up to an initial period no less than three years and not exceeding five years, after which they will be eligible for extension or re-appointment following a formal review of their performance by Council (noting that the total term on the Committee will not exceed eight years).*

With regards to the two other Independent Members, Mr Arthur Butler was appointed by Council on 27 April 2021 for a period of three years. Mr Carl Millington has one year remaining as part of his current appointment, having been re-appointed for a period of three years in April 2020.

Financial Considerations

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

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

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

The recommendations contained in this report will not impose any additional spending by Council in the current or next financial year over and above what is already planned.

Independent External Members will be paid as follows:

The standard fee that will be paid for attendance is:

- \$20,920 (ex GST) per annum for the Chairperson; and
- \$2,092 (ex GST) per meeting for other Independent Members.

Fees are inclusive of travel, preparation and all other costs associated with attending the meetings.

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.

Attachments

1	CONFIDENTIAL - Peter McLean CV May 2022 -	Provided Under Separate Cover	D15236649
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Item No: 2.11
Title: Council's Asset Sales Program - Update Report
Department: Corporate Services



26 July 2022 Ordinary Council Meeting

Reference: F2020/03104 - D15249289
Author: Jamie Barclay, Unit Manager Economic Development and Property
Executive: Krystie Bryant, Director Corporate Services (Acting)

Recommendation

That Council note that the following land has been sold and will be removed from Council's land register:

- a) 200 Thompson Vale Road, Doyalson (Lot 762 DP 746526)
740 Thompson Vale Road, Doyalson (Lot 78 DP 755245)
740 Thompson Vale Road, Doyalson (Lot 32 DP 586913)
1550 Thompson Vale Road, Doyalson (Lot 31 DP 586913)***
- b) 10A Cynthia Street, Bateau Bay (Lot 17 DP 262327)***

Report purpose

To provide a further update on Council's Asset Sales program and to remove land that has been sold from Council's land register.

Executive Summary

Council is continuing the path to financial recovery and sustainability with further actions implemented from the adopted Business Recovery Plan. Part of the significant steps being undertaken, include the sale of Council assets which are underperforming or surplus to Council's current and future needs. This process is crucial to deliver a much-needed boost to Council's financial position and provide confidence to our lenders that Council operations can continue sustainably, and loans serviced.

Given the importance for transparency with the community, an update report is provided here which confirms recent land sales.

200, 740 and 1550 Thompson Vale Road Doyalson

Council resolved to sell the land at 200, 740 and 1550 Thompson Vale Road Doyalson at its meeting of 30 November 2020 on the open market for not less than the market valuation. The land was sold through an external agent via a competitive expression of interest and a

contract was entered into with the successful proponent on 28 September 2021. The sale price of \$5,500,000 is in line with the market valuation (refer to Attachment 1). The contract settlement occurred on 6 June 2022 which resulted in Council exceeding \$60 million in asset sales.

10A Cynthia Street, Bateau Bay

At its meeting of 11 May 2016, the former Wyong Council resolved to sell 10A Cynthia Street Bateau Bay. The site remained unsold since that resolution. The land was sold through an external agent via auction and a contract was entered into with the successful bidder on 6 April 2022. The sale exceeded the independent valuation of \$550,000 by \$1,280,000 which has resulted in Council's assets sales moving to \$62 Million.

Property Address	Lot/DP	Settlement Date	Valuation Price	Sale Price
<i>Properties previously reported as sold (refer to previous Council report update 22/03/2022)</i>			\$42,632,088	\$54,738,775
200, 1550, 740 Thompson Vale Road, Doyalson	762/746526 31 & 32/586913 78/755245	6/06/2022	\$5,500,000	\$5,500,000
10A Cynthia Street Bateau Bay	17/262327	15/07/2022	\$550,000	\$1,830,000
TOTAL VALUE		As of 22/03/22	\$48,682,088	\$62,068,775

Financial Considerations

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

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

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

The total sale of these properties achieved a sale value of \$7,330,000 (excluding GST) and has contributed to Council's financial recovery.

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 mitigation has been achieved during the sales process through ensuring adequate due diligence. This process included:

- Reviewing these sites against Council resolutions and historical records
- Ensuring Council retains ownership of land that is needed for its current and future service delivery
- Ensuring that any sale would not contravene legislative requirements
- Consultation with internal stakeholders affected by the disposal of these assets.

Council staff have engaged with independent property development experts Michael Filo and Steve Rowe to execute the functions of the Independent Advisory Group. The Advisory Group's function is to provide an independent panel to review 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 potential highest and best use analysis to ensure Council is receiving value for the sale.

Attachments

1	200, 1550, 740 Thompson Vale Road Doyalson	Provided Under	D14783314
	Valuation HillPDA March 2021	Separate Cover	
2	Valuation K2110B_10A Cynthis St Bateau Bay	Provided Under	D14999209
		Separate Cover	

Item No: 2.12
Title: Community Support Grants Program - May 2022
Department: Community and Recreation Services



26 July 2022 Ordinary Council Meeting

Reference: F2017/02117 - D15144706
Author: Belinda McRobie, Section Manager Community Development
Manager: Glenn Cannard, Unit Manager Community and Culture
Executive: Melanie Smith, Director Community and Recreation Services

Recommendation

- 1 That Council allocate \$8,870.00 (inclusive of GST where applicable) from the 2022/23 grants budget to the Community Support Grant program, as outlined below and in Attachment 1.**
 - a. Terrigal Trotters Incorporated - \$5,000.00**
 - b. Gosford Pre-School Incorporated - \$3,870.00**
- 2 That Council decline applications as outlined below, for the reasons indicated in Attachment 1, and the applicants be advised and where relevant, directed to alternate funding sources.**
 - a. The Millinery Association of Australia Incorporated**
 - b. Norah Head Ratepayers Residents and Coastcare Association Incorporated**
 - c. Toukley and District Art Society Incorporated**

Report purpose

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

Executive Summary

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

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

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

Background

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

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

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

Table 1: Community Support Grant Program

Program	Original Budget	Opening Period	2022/2023 allocation to date (inclusive of GST where applicable)	Recommendation allocation within this report (inclusive of GST where applicable)	Allocation to date + Recommendation within report (inclusive of GST where applicable)
Community Support Grant Program	\$300,000	Ongoing	\$0.00	\$8,870.00	\$8,870.00
TOTAL			\$0.00	\$8,870.00	\$8,870.00

Current Status

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

The Community Support Grant Program provides up to \$5,000 per project per financial year in combined funding and in-kind Council services to applicants who are a legally constituted not-for profit organisations, or auspiced by one.

Assessment

Five applications were received and assessed by 15 June 2022 with two applications recommended for funding in this Council report.

Three applications were not recommended for funding. One was deemed ineligible as the funding sought was retrospective. The remaining two applications required further clarity before an accurate assessment could be made and applicants are advised to discuss their proposals further with Council's Grants Officers prior to resubmission in a future round.

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

Consultation

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

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

Council staff conducted two grant writing workshops with 51 attendees and four grant information sessions with 94 attendees

Additionally, Council staff also undertook two drop-in support sessions with 10 attendees to assist applicants with their submissions where required.

Financial Considerations

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

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

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

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

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

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

Link to Community Strategic Plan

Theme 1: Belonging

Goal A: Our community spirit is our strength

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

Risk Management

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

Applications recommended for funding are conditional on all relevant event/activity approvals (including COVID-19 related) being provided prior to the release of funds, and successful applicants are required to return any unspent funds for projects not able to be delivered as planned through COVID-19 related impacts.

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


Options

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

Critical Dates or Timeframes

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

Attachments

1	Community Support Grants Program –	Provided Under	D15238356
	Recommended and Not Recommended - May 2022	Separate Cover	