



Central Coast Council  
Business Paper  
Ordinary Council Meeting  
**27 February 2024**





# COMMUNITY STRATEGIC PLAN 2018-2028

**ONE – CENTRAL COAST IS THE COMMUNITY STRATEGIC PLAN (CSP) FOR THE CENTRAL COAST LOCAL GOVERNMENT AREA**

**ONE – CENTRAL COAST DEFINES THE COMMUNITY'S VISION AND IS OUR ROADMAP FOR THE FUTURE**

**ONE – CENTRAL COAST BRINGS TOGETHER EXTENSIVE COMMUNITY FEEDBACK TO SET KEY DIRECTIONS AND PRIORITIES**

One - Central Coast will shape and inform Council's business activities, future plans, services and expenditure. Where actions are the responsibility of other organisations, sectors and groups to deliver, Council will work with key partners to advocate on behalf of our community.

Ultimately, every one of us who live on the Central Coast has an opportunity and responsibility to create a sustainable future from which we can all benefit. Working together we can make a difference.

## RESPONSIBLE

**WE'RE A RESPONSIBLE COUNCIL AND COMMUNITY, COMMITTED TO BUILDING STRONG RELATIONSHIPS AND DELIVERING A GREAT CUSTOMER EXPERIENCE IN ALL OUR INTERACTIONS.**

We value transparent and meaningful communication and use community feedback to drive strategic decision making and expenditure, particularly around the delivery of essential infrastructure projects that increase the safety, liveability and sustainability of our region. We're taking a strategic approach to ensure our planning and development processes are sustainable and accessible and are designed to preserve the unique character of the coast.



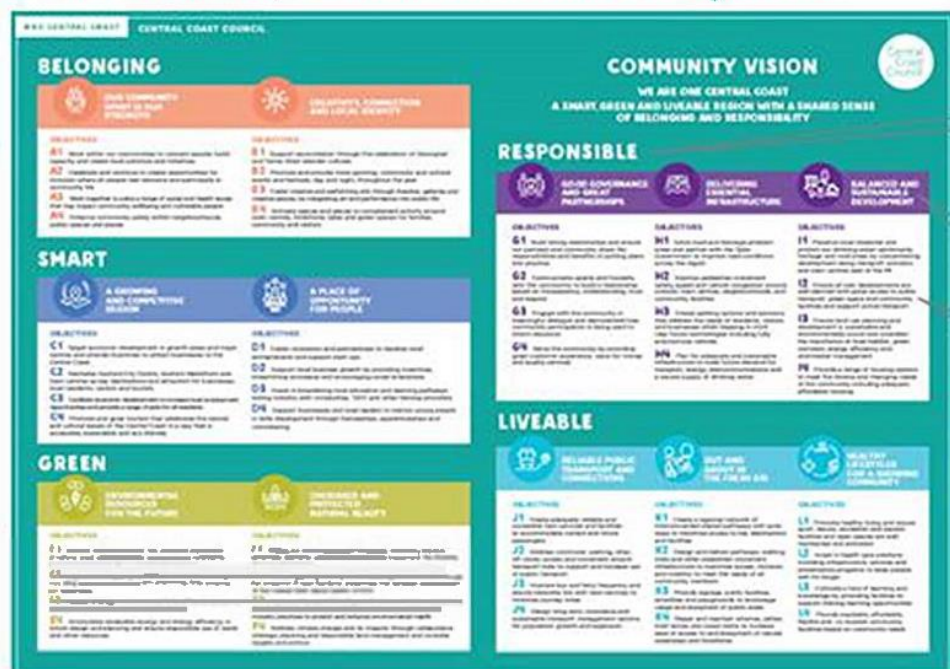
**Good governance and great partnerships**

**G2** Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making

**There are 5 themes, 12 focus areas and 48 objectives**

### COMMUNITY STRATEGIC PLAN 2018-2028 FRAMEWORK

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



Theme

Focus Area

Objective

# Meeting Notice

**The Ordinary Council Meeting  
of Central Coast Council  
will be held in the Central Coast Council Chambers,  
2 Hely Street, Wyong  
on Tuesday 27 February 2024 at 6.30pm,  
for the transaction of the business listed below:**

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

Further information and details on registration process:

[www.centralcoast.nsw.gov.au/council/meetings-and-minutes/council-meetings](http://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:** Disclosures of Interest  
**Department:** Corporate Services

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27 February 2024 Ordinary Council Meeting

Reference: F2023/00021 - D16041981  
Author: Rachel Gibson, Team Leader Civic Support  
Manager: Teresa Chadwick Hock, Unit Manager Governance, Risk and Legal (Acting)  
Executive: Marissa Racomelara, Director Corporate Services

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

Section 451 of the LG Act states:

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

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

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

Nil

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

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27 February 2024 Ordinary Council Meeting

Reference: F2023/00021 - D16041965



### **Recommendation**

***That Council confirms the minutes of the Ordinary Meeting of Council held on 23 January 2024.***

### **Summary**

Confirmation of minutes of the Ordinary Meeting of Council held on 23 January 2024.

### **Attachments**

<b>1</b>	MINUTES - Council Meeting - 23 January 2024	Provided Under Separate Cover	D16032162
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**Item No:** 1.3  
**Title:** Notice of Intention to Deal with Matters in Confidential Session  
**Department:** Corporate Services

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27 February 2024 Ordinary Council Meeting

Reference: F2024/00015 - D16050255

### **Recommendation**

***That Council notes 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 formalize 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 categorized 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 categorized 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)**

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- 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 December 2023  
**Department:** Corporate Services

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27 February 2024 Ordinary Council Meeting

Reference: F2020/03205 - D16047569  
Author: Leslie Chan, Team Leader Financial Accounting  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

***That Council receives the Monthly Financial Report – December 2023.***

## **Report purpose**

To present to Council the monthly financial report for December 2023.

## **Executive Summary**

This report presents the December 2023 monthly financial report.

For 2023/2024 FY Council has budgeted an operating surplus before capital income of \$5.6M. The budgeted net operating position will fluctuate throughout the financial year, reflecting income and expenditure timing.

As at 31 December 2023, on a consolidated basis, Council has an operating surplus of \$17.3M against a budgeted operating deficit of (\$0.2M).

## **Background**

The monthly financial reports have been prepared in accordance with the requirements of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021*, 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.

## **Consultation**

The preparation of the December 2023 monthly financial report included consultation with business units across Council to ensure all revenue and expenditure attributable to the 2023/2024 FY is captured.

## Financial Considerations

This report presents the financial position of Council as at 31 December 2023. Variations from budgeted amounts are detailed and an explanation provided. For the reporting period, Council is performing better than budget. To date, there are no concerns regarding Council's financial performance for the remainder of the financial year.

## Consolidated Operating Statement

As at 31 December 2023, Council has a consolidated net operating surplus of \$17.3M, before capital income, which is favourable to budget by \$17.5M, and a net operating surplus including capital income of \$51.0M which is favourable to budget by \$12.1M.

Consolidated Operating Statement											
December 2023											
	CURRENT MONTH			YEAR TO DATE				FULL YEAR			
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Adopted Changes (Q1)	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>											
Rates and Annual Charges	30,499	30,760	(262)	206,870	210,785	(3,915)	195,790	389,283	421,456	296	421,752
User Charges and Fees	13,501	14,487	(986)	80,741	81,011	(269)	77,632	164,977	163,782	1,139	164,921
Other Revenue	2,049	1,138	911	10,750	6,150	4,600	9,487	21,086	13,663	271	13,955
Interest	3,355	1,966	1,389	18,709	14,420	4,288	9,371	23,888	15,244	4,690	19,934
Grants and Contributions	1,856	1,535	321	12,141	7,337	4,804	10,051	56,621	49,880	(3,126)	46,754
Gain on Disposal	93	-	93	812	-	812	1,014	7,785	-	-	-
Other Income	883	830	53	5,215	4,885	331	4,774	9,754	8,775	752	9,527
Internal Revenue	4,339	4,821	(482)	27,677	29,093	(1,415)	30,599	61,923	60,701	(2,105)	58,596
<b>Total Income attributable to Operations</b>	<b>56,575</b>	<b>55,538</b>	<b>1,037</b>	<b>362,916</b>	<b>353,680</b>	<b>9,236</b>	<b>338,717</b>	<b>735,318</b>	<b>733,521</b>	<b>1,919</b>	<b>735,440</b>
<b>Operating Expenses</b>											
Employee Costs	15,594	15,221	(373)	93,409	92,552	(857)	85,973	184,873	195,069	(279)	194,790
Borrowing Costs	793	1,736	943	4,907	5,530	622	5,295	13,073	13,746	1,243	14,989
Materials and Services	17,988	21,056	3,068	103,779	115,318	11,539	99,192	216,095	237,509	(560)	236,949
Depreciation and Amortisation	18,162	15,560	(2,602)	96,293	93,456	(2,838)	72,479	174,925	192,226	-	192,226
Other Expenses	4,844	5,102	258	22,342	22,718	376	23,053	44,044	44,523	127	44,649
Loss on Disposal	20	-	(20)	1,207	-	(1,207)	-	17,193	-	-	-
Internal Expenses	3,687	3,967	280	23,683	24,353	670	24,302	50,087	47,634	(1,401)	46,233
Overheads	0	0	-	(0)	(0)	-	0	(0)	(0)	-	(0)
<b>Total Expenses attributable to Operations</b>	<b>61,088</b>	<b>62,642</b>	<b>1,554</b>	<b>345,621</b>	<b>353,926</b>	<b>8,305</b>	<b>310,294</b>	<b>700,290</b>	<b>730,708</b>	<b>(871)</b>	<b>729,837</b>
<b>Operating Result after Overheads and before Capital Amounts</b>	<b>(4,513)</b>	<b>(7,104)</b>	<b>2,591</b>	<b>17,295</b>	<b>(246)</b>	<b>17,541</b>	<b>28,423</b>	<b>35,028</b>	<b>2,813</b>	<b>2,790</b>	<b>5,603</b>
Capital Grants	1,758	3,244	(1,486)	21,205	21,892	(687)	16,161	48,684	59,854	722	60,577
Capital Contributions	1,735	5,795	(4,060)	12,516	17,242	(4,726)	8,379	63,141	17,500	10,924	28,424
<b>Grants and Contributions Capital Received</b>	<b>3,492</b>	<b>9,038</b>	<b>(5,546)</b>	<b>33,721</b>	<b>39,134</b>	<b>(5,414)</b>	<b>24,540</b>	<b>111,824</b>	<b>77,354</b>	<b>11,647</b>	<b>89,001</b>
<b>Net Operating Result</b>	<b>(1,020)</b>	<b>1,935</b>	<b>(2,955)</b>	<b>51,016</b>	<b>38,888</b>	<b>12,127</b>	<b>52,962</b>	<b>146,852</b>	<b>80,167</b>	<b>14,437</b>	<b>94,604</b>

An overview of consolidated financial performance against budget, and variance analysis is as follows:

### Operating Revenue – \$9.2M favourable to YTD Budget

- **Rates and Annual Charges (\$3.9M)**
  - unfavourable timing only variance relating to the receipt of the pensioner subsidy claim for Rates and Domestic Waste submitted to the Office of Local Government.
- **User charges and fees (\$0.3M)**
  - (\$1.1M) unfavourable variance in water supply user charges.

- \$0.4M favourable variance in statutory and regulatory fees.
- \$0.2M favourable variance in sewer user charges.
- \$0.2M favourable variance in plumbing and drainage inspection fees.
- **Other revenue +\$4.6M**
  - \$3.4M favourable variance in unrealised gain on investments, floating rate notes and bonds.
  - \$0.4M favourable variance in fines income.
  - \$0.4M favourable variance in insurance recoveries.
  - \$0.2M favourable variance in Section 355 Committee income.
  - \$0.2M favourable variance in miscellaneous sales income.
- **Interest +\$4.3M**  
Favourable variance predominantly from an increased interest rate environment, hence receiving more interest on investments than budgeted.
- **Grants and contributions +\$4.8M**  
Favourable, timing only difference relating to:
  - \$2.8M in operating grants relating to Roads and Bridges Programs.
  - \$1.0M in operating grants relating to Library Programs.
  - \$0.6M in operating grants relating to Community Care.
  - \$0.4M in operating grants relating to Environmental Programs.
- **Gain on Disposal +\$0.8M**
  - \$0.8M favourable variance from disposals of plant & equipment.
- **Other Income +\$0.3M**
  - \$0.2M favourable variance in Community Facilities rental income.
  - \$0.1M favourable variance in recovery of outgoings from rental properties.
- **Internal revenue (\$1.4M)**
  - (\$0.9M) unfavourable variance in plant and fleet permanent hire.
  - (\$0.4M) unfavourable variance in plant pool hire.
  - (\$0.1M) unfavourable variance in internal water usage charge.

**Operating Expenses – \$8.3M favourable to YTD Budget**

- **Employee costs (\$0.9M)**  
Overall employee costs and associated expense is on track (within 0.9% of budget).
- **Borrowing costs +\$0.6M**
  - \$0.6M favourable variance due to timing difference only.

- *Materials and services* **+\$11.5M**
  - \$7.3M favourable variance in contract, labour hire and consultant costs.
  - \$1.4M favourable variance in garbage collection.
  - \$0.8M favourable variance in materials purchased.
  - \$0.6M favourable variance in cleaning services.
  - \$0.5M favourable variance in software licenses, memberships and software expenses.
  - \$0.4M favourable variance in green waste processing contract costs.
  - \$0.3M favourable variance in audit fees.
  - \$0.2M favourable variance in training costs.

Some of these variances are timing differences only. Budget phasing of various expenditure lines has been reviewed as part of the Q2 Budget Review.

- *Depreciation* **(\$2.8M)**
  - (\$2.3M) unfavourable variance in depreciation of roads.
  - (\$0.2M) unfavourable variance in depreciation of sewerage network.
  - (\$0.1M) unfavourable variance in depreciation of buildings.
  - (\$0.1M) unfavourable variance in depreciation of plant and equipment.
  - (\$0.1M) unfavourable variance in depreciation of furniture and fittings.

- *Other expenses* **+ \$0.4M**

Overall other expenses are on track (within 1.7% of budget).

- *Loss on Disposal* **(\$1.2M)**

Unfavourable variance due to disposals of assets being replaced that were unbudgeted for, including:

- Roads (\$0.5M).
- Stormwater Drainage (\$0.2M).
- Open Space/Recreation Assets (\$0.2M).
- Bridges (\$0.2M).
- Plant and Equipment (\$0.1M).

- *Internal expenses* **+0.7M**
  - \$1.0M favourable variance in plant and fleet permanent hire.
  - (\$0.3M) unfavourable variance in external plant hire.

### Capital Items – (\$5.4M) unfavourable to YTD Budget

- **Capital Grants (\$0.7M)**  
Unfavourable, small timing only differences relating to multiple categories of capital grants.
- **Capital Contributions (\$4.7M)**  
Unfavourable timing only differences, primarily relating to:
  - Open Space Works (\$3.3M).
  - Drainage Works (\$1.1M).
  - Other small amounts from multiple categories of Capital Contributions (\$0.3M).

### Financial Performance by Fund

The following Tables summarise the financial performance for the reporting period by Fund.

Total General (+ Drainage & Waste) Fund											
Operating Statement											
December 2023											
	CURRENT MONTH			YEAR TO DATE				FULL YEAR			
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Adopted Changes	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>											
Rates and Annual Charges	25,243	25,330	(87)	154,106	157,958	(3,852)	153,161	302,073	312,872	662	313,534
User Charges and Fees	5,664	6,608	(944)	35,512	34,925	587	35,804	79,306	72,227	1,139	73,367
Other Revenue	1,804	1,138	666	9,961	6,150	3,811	8,926	19,957	13,683	271	13,955
Interest	2,516	1,558	958	14,219	11,971	2,247	7,654	18,149	12,336	2,640	14,976
Grants and Contributions	1,933	1,518	315	12,003	7,235	4,768	9,993	56,253	49,880	(3,330)	46,550
Gain on Disposal	93	-	93	812	-	812	1,014	7,785	-	-	-
Other Income	883	830	53	5,215	4,885	331	4,774	9,752	8,763	764	9,527
Internal Revenue	4,186	4,621	(435)	26,603	27,893	(1,290)	29,740	59,248	58,030	(2,105)	55,925
<b>Total Income attributable to Operations</b>	<b>42,223</b>	<b>41,603</b>	<b>619</b>	<b>258,432</b>	<b>251,017</b>	<b>7,415</b>	<b>251,066</b>	<b>552,521</b>	<b>527,792</b>	<b>42</b>	<b>527,834</b>
<b>Operating Expenses</b>											
Employee Costs	12,632	13,249	617	77,004	76,944	(60)	73,621	156,491	163,347	(279)	163,068
Borrowing Costs	207	1,189	982	1,150	1,803	653	1,284	5,280	5,358	1,265	6,622
Materials and Services	14,668	17,177	2,509	84,276	94,253	9,977	82,993	181,380	190,650	(947)	189,703
Depreciation and Amortisation	11,793	9,159	(2,634)	57,652	55,053	(2,599)	42,682	102,748	113,759	(106)	113,653
Other Expenses	4,842	5,102	260	22,143	22,718	575	22,792	43,291	44,523	127	44,649
Loss on Disposal	20	-	(20)	1,046	-	(1,046)	-	15,015	-	-	-
Internal Expenses	2,809	2,899	90	17,514	17,620	105	18,580	37,851	35,857	(2,157)	33,700
Overheads	(2,067)	(2,067)	-	(12,400)	(12,400)	-	(11,330)	(20,067)	(24,801)	-	(24,801)
<b>Total Expenses attributable to Operations</b>	<b>44,905</b>	<b>46,709</b>	<b>1,804</b>	<b>249,386</b>	<b>255,991</b>	<b>7,605</b>	<b>230,622</b>	<b>521,989</b>	<b>528,692</b>	<b>(2,098)</b>	<b>526,594</b>
<b>Operating Result after Overheads and before Capital Amounts</b>	<b>(2,682)</b>	<b>(5,105)</b>	<b>2,423</b>	<b>10,046</b>	<b>(4,974)</b>	<b>15,019</b>	<b>20,444</b>	<b>30,533</b>	<b>(900)</b>	<b>2,140</b>	<b>1,240</b>
	-	-	-	-	-	-	-	-	-	-	-
Capital Grants	1,997	2,641	(644)	15,762	15,575	187	8,836	30,264	35,318	8,131	43,449
Capital Contributions	1,289	5,250	(3,961)	9,585	13,501	(3,915)	5,029	54,647	10,964	10,451	21,415
<b>Grants and Contributions Capital Received</b>	<b>3,286</b>	<b>7,891</b>	<b>(4,605)</b>	<b>25,347</b>	<b>29,075</b>	<b>(3,729)</b>	<b>13,865</b>	<b>84,911</b>	<b>46,282</b>	<b>18,581</b>	<b>64,863</b>
<b>Net Operating Result</b>	<b>603</b>	<b>2,786</b>	<b>(2,183)</b>	<b>35,392</b>	<b>24,102</b>	<b>11,291</b>	<b>34,309</b>	<b>115,443</b>	<b>45,381</b>	<b>20,722</b>	<b>66,103</b>

Total Water & Sewer Fund											
Operating Statement											
December 2023											
	CURRENT MONTH			YEAR TO DATE				FULL YEAR			
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD	Last Year Actual	Original Budget	Adopted Changes	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>											
Rates and Annual Charges	5,255	5,430	(175)	52,764	52,827	(63)	42,628	87,209	108,584	(366)	108,218
User Charges and Fees	7,837	7,879	(42)	45,230	46,086	(856)	41,828	85,672	91,555	-	91,555
Other Revenue	245	-	245	789	-	789	561	1,130	-	-	-
Interest	839	408	431	4,490	2,449	2,041	1,717	5,739	2,908	2,050	4,958
Grants and Contributions	23	17	6	137	102	35	58	368	-	204	204
Gain on Disposal	-	-	-	-	-	-	-	-	-	-	-
Other Income	-	-	-	-	-	-	-	2	12	(12)	-
Internal Revenue	153	200	(48)	1,074	1,199	(125)	859	2,676	2,671	-	2,671
<b>Total Income attributable to Operations</b>	<b>14,352</b>	<b>13,935</b>	<b>417</b>	<b>104,484</b>	<b>102,663</b>	<b>1,821</b>	<b>87,651</b>	<b>182,796</b>	<b>205,729</b>	<b>1,876</b>	<b>207,605</b>
<b>Operating Expenses</b>											
Employee Costs	2,962	1,972	(990)	16,405	15,608	(798)	12,352	28,383	31,722	(0)	31,722
Borrowing Costs	586	548	(38)	3,757	3,727	(31)	4,011	7,794	8,389	(22)	8,367
Materials and Services	3,320	3,879	559	19,503	21,065	1,562	16,199	34,716	46,859	387	47,246
Depreciation and Amortisation	6,369	6,400	32	38,641	38,403	(238)	29,797	72,177	78,468	106	78,574
Other Expenses	1	-	(1)	199	-	(199)	261	752	-	-	-
Loss on Disposal	-	-	-	161	-	(161)	-	2,178	-	-	-
Internal Expenses	878	1,068	190	6,169	6,733	565	5,722	12,236	11,777	756	12,534
Overheads	2,067	2,067	-	12,400	12,400	-	11,330	20,067	24,801	-	24,801
<b>Total Expenses attributable to Operations</b>	<b>16,182</b>	<b>15,933</b>	<b>(249)</b>	<b>97,235</b>	<b>97,935</b>	<b>700</b>	<b>79,672</b>	<b>178,301</b>	<b>202,015</b>	<b>1,227</b>	<b>203,243</b>
<b>Operating Result after Overheads and before Capital Amounts</b>	<b>(1,830)</b>	<b>(1,998)</b>	<b>168</b>	<b>7,250</b>	<b>4,728</b>	<b>2,521</b>	<b>7,979</b>	<b>4,495</b>	<b>3,713</b>	<b>649</b>	<b>4,363</b>
Capital Grants	(239)	603	(842)	5,443	6,317	(874)	7,324	18,420	24,537	(7,408)	17,128
Capital Contributions	446	545	(99)	2,931	3,742	(811)	3,350	8,494	6,536	474	7,009
<b>Grants and Contributions Capital Received</b>	<b>207</b>	<b>1,147</b>	<b>(941)</b>	<b>8,374</b>	<b>10,059</b>	<b>(1,685)</b>	<b>10,675</b>	<b>26,913</b>	<b>31,072</b>	<b>(6,934)</b>	<b>24,138</b>
<b>Net Operating Result</b>	<b>(1,624)</b>	<b>(851)</b>	<b>(773)</b>	<b>15,623</b>	<b>14,787</b>	<b>837</b>	<b>18,654</b>	<b>31,409</b>	<b>34,786</b>	<b>(6,285)</b>	<b>28,501</b>

## Financial Performance Benchmarks

Below is a summary of Council's performance, on a consolidated basis against main industry financial performance benchmarks set by the Office of Local Government.

Financial Performance Ratio	Industry Benchmark	Ratio as at 31/12/2023
Operating Performance Ratio	> 0%	<b>4.9%</b>
Own Source operating Revenue Ratio	> 60%	<b>87.4%</b>
Unrestricted Current Ratio	> 1.5x	<b>3.0x</b>
Cash Expense Cover Ratio	> 3 months	<b>6.7 months</b>
Buildings and Infrastructure Renewals Ratio	> = 100%	<b>88.9%</b> (year to date)

As at the end of the December 2023, on a consolidated basis, Council exceeded the mandated benchmark for the operating result, achieving 4.9%.

Council has also performed favourably against the unrestricted current ratio, achieving 3.0x against a benchmark of > 1.5x. This ratio considers all assets and liabilities, including cash. Council also maintained positive performance regarding the cash expense cover. Council is in a strong liquidity position.

As at 31 December 2023, Council was tracking well to meet the building and infrastructure renewals benchmark by the end of the financial year.



## Cash and Investments

Details on cash and investments as at December 2023 was included in the Monthly Investment Report December 2023, submitted to the Council meeting on 23 January 2024.

## Restricted Funds

A summary of restricted and unrestricted funds is as follows:

Fund	General Fund	Drainage Fund	Consolidated General Fund	Water Fund	Sewer Fund	Domestic Waste Fund
	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)
External Restricted Funds	221,864	36,159	258,023	16,320	28,736	105,263
Internal Restricted Funds	108,915	68	108,983	974	935	45
<b>Total Restricted Funds</b>	<b>330,779</b>	<b>36,227</b>	<b>367,006</b>	<b>17,294</b>	<b>29,671</b>	<b>105,308</b>
Unrestricted Funds	95,037	(34,242)	60,795	(475)	122,157	17,377
<b>Total funds by Fund</b>	<b>425,816</b>	<b>1,985</b>	<b>427,801</b>	<b>16,819</b>	<b>151,828</b>	<b>122,685</b>

Details on Council's restriction balances as at 31 December 2023 were included in the Monthly Investment Report December 2023, submitted to the Council meeting on 23 January 2024.

## Emergency Loans

In 2020 Council obtained emergency loans totalling \$150M. These loans were required to finance Council's working capital, cash reserves, maturing debt facilities and capital expenditure.

As at 31 December 2023, the \$100M Emergency Loan was settled and repaid in full, with no requirement to refinance any amount. The remaining Emergency Loan of \$50M is due to be refinanced in November 2025.

Council will continue to internally restrict funds with the aim of settling the remaining \$50M in November 2025, without the need to refinance any amount. The interest rates environment will be monitored and the timing and amount of any repayment or extinguishment of the loan will be optimised accordingly.

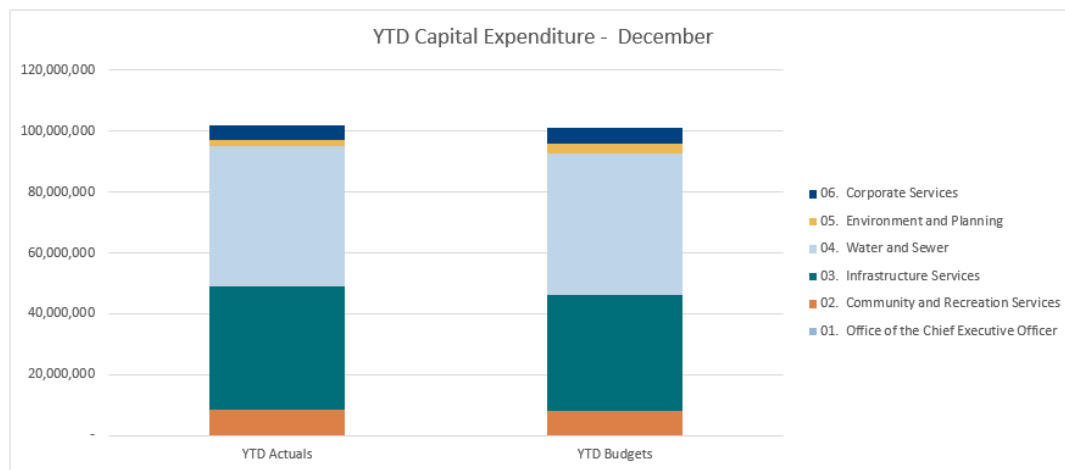
## Capital Works

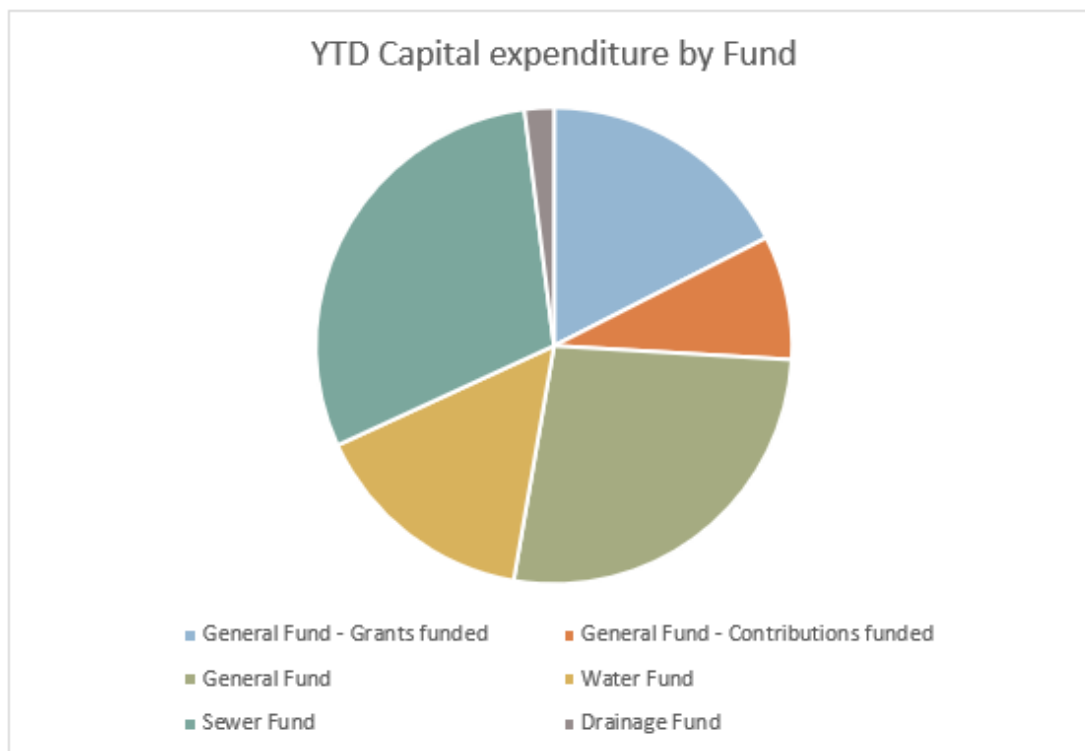
## 2.1

## Monthly Finance Report December 2023 (cont'd)

As at 31 December 2023 capital expenditure is \$101.8M against a YTD budget of \$101.1M for the same period, and a 2023/2024 FY budget of \$216.5M.

Department	YTD Actuals	YTD Budgets	YTD Variance	Full Year Approved Budget
01. Office of the Chief Executive Officer	-	-	-	-
02. Community and Recreation Services	8,415,126	8,184,358	(230,768)	25,650,885
03. Infrastructure Services	40,522,496	38,029,292	(2,493,204)	77,857,305
04. Water and Sewer	46,129,559	46,646,793	517,235	84,155,137
05. Environment and Planning	2,245,830	2,941,686	695,857	10,600,536
06. Corporate Services	4,524,639	5,268,514	743,875	18,236,000
<b>Total</b>	<b>101,837,649</b>	<b>101,070,643</b>	<b>(767,005)</b>	<b>216,499,862</b>





### Link to Community Strategic Plan

Theme 4: Responsible

### Goal G: Good governance and great partnerships

R-G2: Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making.

### Attachments

Nil

**Item No:** 2.2  
**Title:** Monthly Finance Report January 2024  
**Department:** Corporate Services

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27 February 2024 Ordinary Council Meeting

Reference: F2020/03205 - D16047570  
Author: Leslie Chan, Team Leader Financial Accounting  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

***That Council receives the Monthly Financial Report – January 2024.***

## **Report purpose**

To present to Council the monthly financial report for January 2024.

## **Executive Summary**

This report presents the January 2024 monthly financial report.

For 2023/2024 FY Council has budgeted an operating surplus before capital income of \$5.6M. The budgeted net operating position will fluctuate throughout the financial year, reflecting income and expenditure timing.

As at 31 January 2024, on a consolidated basis, Council has an operating surplus of \$29.8M against a budgeted operating surplus of \$3.4M.

## **Background**

The monthly financial reports have been prepared in accordance with the requirements of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021*, 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.

## **Consultation**

The preparation of the January 2024 monthly financial report included consultation with business units across Council to ensure all revenue and expenditure attributable to the 2023/2024 FY is captured.

## Financial Considerations

This report presents the financial position of Council as at 31 January 2024. Variations from budgeted amounts are detailed and an explanation provided. For the reporting period, Council is performing better than budget. To date, there are no concerns regarding Council's financial performance for the remainder of the financial year.

## Consolidated Operating Statement

As at 31 January 2024, Council has a consolidated net operating surplus of \$29.8M, before capital income, which is favourable to budget by \$26.4M, and a net operating surplus including capital income of \$67.0M which is favourable to budget by \$21.5M.

Consolidated Operating Statement											
January 2024											
	CURRENT MONTH			YEAR TO DATE				FULL YEAR			
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Adopted Changes	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Operating Income											
Rates and Annual Charges	37,984	34,619	3,365	244,854	245,404	(550)	224,272	389,283	421,456	296	421,752
User Charges and Fees	16,948	15,209	1,739	97,689	96,219	1,470	90,512	164,977	163,782	1,139	164,921
Other Revenue	1,264	1,061	202	12,014	7,211	4,803	11,775	21,086	13,683	271	13,955
Interest	3,451	932	2,520	22,160	15,352	6,808	11,531	23,888	15,244	4,690	19,934
Grants and Contributions	2,354	3,962	(1,608)	14,494	11,299	3,195	13,286	56,621	49,880	(3,126)	46,754
Gain on Disposal	186	-	186	998	-	998	1,015	7,785	-	-	-
Other Income	725	713	12	5,940	5,598	343	5,606	9,754	8,775	752	9,527
Internal Revenue	4,001	4,821	(820)	31,679	33,914	(2,235)	33,853	61,923	60,701	(2,105)	58,596
Total Income attributable to Operations	66,913	61,316	5,597	429,829	414,996	14,832	391,849	735,318	733,521	1,919	735,440
Operating Expenses											
Employee Costs	12,374	15,396	3,021	105,784	107,948	2,164	96,561	184,873	195,069	(279)	194,790
Borrowing Costs	687	596	(91)	5,594	6,126	532	6,070	13,073	13,746	1,243	14,989
Materials and Services	17,448	18,799	1,351	121,226	134,116	12,890	113,956	216,095	237,509	(560)	236,949
Depreciation and Amortisation	15,950	15,549	(401)	112,243	109,004	(3,239)	84,512	174,925	192,226	-	192,226
Other Expenses	3,133	3,465	332	25,475	26,183	708	26,193	44,044	44,523	127	44,649
Loss on Disposal	1,130	-	(1,130)	2,338	-	(2,338)	-	17,193	-	-	-
Internal Expenses	3,712	3,847	135	27,395	28,200	805	27,341	50,087	47,634	(1,401)	46,233
Overheads	0	0	-	0	0	-	(0)	0	(0)	-	(0)
Total Expenses attributable to Operations	54,434	57,651	3,217	400,055	411,577	11,522	354,634	700,290	730,708	(871)	729,837
Operating Result after Overheads and before Capital Amounts	12,479	3,665	8,813	29,774	3,419	26,354	37,215	35,028	2,813	2,790	5,603
Capital Grants	1,025	2,348	(1,322)	22,230	24,240	(2,010)	18,097	48,684	59,854	722	60,577
Capital Contributions	2,440	545	1,895	14,956	17,787	(2,831)	8,910	63,141	17,500	10,924	28,424
Grants and Contributions Capital Received	3,465	2,892	573	37,185	42,026	(4,841)	27,006	111,824	77,354	11,647	89,001
Net Operating Result	15,943	6,557	9,386	66,959	45,446	21,513	64,221	146,852	80,167	14,437	94,604

An overview of consolidated financial performance against budget, and variance analysis is as follows:

### Operating Revenue – \$14.8M favourable to YTD Budget

- **Rates and Annual Charges (\$0.5M)**  
Overall rates and annual charges are on track (within 0.4% of budget).
- **User charges (\$0.5M)**  
Overall user charges are on track (within 0.9% of budget).
- **Fees +\$1.9M**
  - \$0.7M favourable variance from statutory and regulatory fees.

- \$0.7M favourable variance on RMS User Charges.
- \$0.5M favourable variance on CCB Childcare Fee Relief.
- *Other revenue* **+\$4.8M**
  - \$3.7M favourable variance in unrealised gain on investments, floating rate notes and bonds. Net unrealised gain of \$2.8M January YTD.
  - \$0.4M favourable variance in insurance recoveries.
  - \$0.3M favourable variance in fines income.
  - \$0.2M favourable variance in Section 355 Committee income.
  - \$0.2M favourable variance in miscellaneous sales income.
- *Interest* **+\$6.8M**  
Favourable variance predominantly from an increased interest rate environment, hence receiving more interest on investments than budgeted.
- *Grants and contributions* **+\$5.3M**  
Favourable, timing only difference relating to:
  - \$3.2M in operating grants relating to Roads and Bridges Programs.
  - \$2.1M in operating grants relating to Bushfire and Emergency Services.
- *Gain on Disposal* **+\$1.0M**
  - \$1.0M favourable variance from disposals of plant & equipment.
- *Other Income* **+\$0.3M**
  - \$0.2M favourable variance in Community Facilities rental income.
  - \$0.1M favourable variance in Commercial rentals.
- *Internal revenue* **(\$2.2M)**
  - (\$1.0M) unfavourable variance in plant and fleet permanent hire.
  - (\$0.7M) unfavourable variance in plant pool hire.
  - (\$0.3M) unfavourable variance in road rehabilitation income.
  - (\$0.2M) unfavourable variance in facilities management charges.

### ***Operating Expenses – \$11.5M favourable to YTD Budget***

- *Employee costs* **+\$2.2M**
  - \$2.2M favourable variance due to vacancies across multiple Units.
- *Borrowing costs* **+\$0.5M**
  - \$0.5M favourable variance due to timing differences only.

- *Materials and services* **+\$12.9M**
  - \$8.6M favourable variance in contract, labour hire and consultant costs.
  - \$1.3M favourable variance in garbage collection.
  - \$1.3M favourable variance in materials purchased.
  - \$0.6M favourable variance in software licenses, memberships and software expenses.
  - \$0.4M favourable variance in electricity and gas costs.
  - \$0.3M favourable variance in green waste processing contract costs.
  - \$0.2M favourable variance in training costs.
  - \$0.2M favourable variance in audit fees.

Some of these variances are timing differences only.

- *Depreciation* **(\$3.2M)**
  - (\$2.9M) unfavourable variance in depreciation of roads.
  - (\$0.2M) unfavourable variance in depreciation of sewerage network.
  - (\$0.1M) unfavourable variance in depreciation of buildings.
- *Other expenses* **+\$0.7M**
  - \$1.1M favourable variance in EPA Waste Min Levy.
  - \$0.2M favourable variance in Crown Land Manager Levy.
  - \$0.2M favourable variance in Doubtful Debts (timing difference of calculation).
  - (\$0.8M) unfavourable variance in unrealised loss on investments, floating rate notes and bonds. Net unrealised gain of \$2.8M January YTD.
- *Loss on Disposal* **(\$2.3M)**

Unfavourable due to disposals of assets that were unbudgeted for, including:

  - Sewerage Network (\$1.1M)
  - Roads (\$0.5M)
  - Stormwater Drainage (\$0.2M)
  - Open Space/Recreation Assets (\$0.2M)
  - Bridges (\$0.2M)
  - Buildings (\$0.2M)
- *Internal expenses* **+\$0.8M**
  - \$1.1M favourable variance in Plant and Fleet Permanent Hire.
  - (\$0.3M) unfavourable variance in External Plant Hire.



**Capital Items – (\$4.8M) unfavourable to YTD Budget**

- *Capital Grants* **(\$2.0M)**

Timing only difference relating to:

- (\$3.7M) of capital grants relating to RMS.
- (\$2.3M) of multiple other capital grant categories.
- \$0.4M of capital grants relating to Environmental Programs.
- \$0.8M of capital grants relating to Community Centres.
- \$1.0M of capital grants relating to Parks, Gardens and Beaches.
- \$1.8M of capital grants relating to Roads to Recovery.

- *Capital Contributions* **(\$2.8M)**

Unfavourable timing only differences relating to:

- (\$3.0M) of Open Space Works.
- (\$0.2M) of other small amounts from multiple categories of capital contributions.
- \$0.4M slightly offset by favourable timing only difference from non-developer contributions.

**Financial Performance by Fund**

The following tables summarise the financial performance for the reporting period by Fund.

## Total General (+ Drainage & Waste) Fund Operating Statement



January 2024

	CURRENT MONTH			YEAR TO DATE				FULL YEAR			
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD Actuals	Last Year Actual	Original Budget	Adopted Changes	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>											
Rates and Annual Charges	29,333	26,114	3,219	183,439	184,072	(633)	177,676	302,073	312,872	662	313,534
User Charges and Fees	8,720	7,361	1,359	44,232	42,286	1,946	42,311	79,306	72,227	1,139	73,367
Other Revenue	1,188	1,061	127	11,149	7,211	3,938	10,892	19,957	13,683	271	13,955
Interest	2,514	524	1,990	16,732	12,495	4,237	8,921	18,149	12,336	2,640	14,976
Grants and Contributions	2,311	3,945	(1,633)	14,315	11,180	3,135	13,228	56,253	49,880	(3,330)	46,550
Gain on Disposal	186	-	186	998	-	998	1,015	7,785	-	-	-
Other Income	725	713	12	5,940	5,598	343	5,604	9,752	8,763	764	9,527
Internal Revenue	3,647	4,621	(974)	30,250	32,514	(2,264)	32,738	59,248	58,030	(2,105)	55,925
<b>Total Income attributable to Operations</b>	<b>48,625</b>	<b>44,338</b>	<b>4,286</b>	<b>307,056</b>	<b>295,355</b>	<b>11,701</b>	<b>292,385</b>	<b>552,521</b>	<b>527,792</b>	<b>42</b>	<b>527,834</b>
<b>Operating Expenses</b>											
Employee Costs	10,343	13,891	3,548	87,347	90,835	3,488	82,764	156,491	163,347	(279)	163,068
Borrowing Costs	128	61	(68)	1,278	1,865	587	1,483	5,280	5,358	1,265	6,622
Materials and Services	14,854	15,396	542	99,130	109,649	10,519	95,247	181,380	190,650	(947)	189,703
Depreciation and Amortisation	9,573	9,148	(424)	67,225	64,201	(3,024)	49,749	102,748	113,759	(106)	113,653
Other Expenses	3,133	3,465	332	25,276	26,183	906	25,851	43,291	44,523	127	44,649
Loss on Disposal	78	-	(78)	1,124	-	(1,124)	-	15,015	-	-	-
Internal Expenses	2,841	2,817	(24)	20,355	20,437	81	20,913	37,851	35,857	(2,157)	33,700
Overheads	(2,067)	(2,067)	-	(14,467)	(14,467)	-	(13,219)	(20,067)	(24,801)	-	(24,801)
<b>Total Expenses attributable to Operations</b>	<b>38,883</b>	<b>42,711</b>	<b>3,828</b>	<b>287,269</b>	<b>298,702</b>	<b>11,433</b>	<b>262,789</b>	<b>521,989</b>	<b>528,692</b>	<b>(2,098)</b>	<b>526,594</b>
<b>Operating Result after Overheads and before Capital Amounts</b>	<b>9,742</b>	<b>1,627</b>	<b>8,115</b>	<b>19,788</b>	<b>(3,346)</b>	<b>23,134</b>	<b>29,596</b>	<b>30,533</b>	<b>(900)</b>	<b>2,140</b>	<b>1,240</b>
	-	-	-	-	-	-	-	-	-	-	-
Capital Grants	79	1,885	(1,806)	15,840	17,460	(1,620)	10,165	30,264	35,318	8,131	43,449
Capital Contributions	1,288	-	1,288	10,873	13,501	(2,628)	5,409	54,647	10,964	10,451	21,415
<b>Grants and Contributions Capital Received</b>	<b>1,366</b>	<b>1,885</b>	<b>(519)</b>	<b>26,713</b>	<b>30,960</b>	<b>(4,247)</b>	<b>15,575</b>	<b>84,911</b>	<b>46,282</b>	<b>18,581</b>	<b>64,863</b>
<b>Net Operating Result</b>	<b>11,108</b>	<b>3,512</b>	<b>7,596</b>	<b>46,501</b>	<b>27,614</b>	<b>18,887</b>	<b>45,171</b>	<b>115,443</b>	<b>45,381</b>	<b>20,722</b>	<b>66,103</b>

Total Water & Sewer Fund											
Operating Statement											
January 2024											
	CURRENT MONTH			YEAR TO DATE				FULL YEAR			
	Actuals	Adopted Budget	Variance	Actuals	Adopted Budget	Variance	Last Year YTD	Last Year Actual	Original Budget	Adopted Changes	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>											
Rates and Annual Charges	8,651	8,505	146	61,415	61,332	83	46,595	87,209	108,584	(366)	108,218
User Charges and Fees	8,227	7,847	380	53,457	53,933	(476)	48,201	85,672	91,555	-	91,555
Other Revenue	75	-	75	864	-	864	882	1,130	-	-	-
Interest	938	408	530	5,428	2,857	2,571	2,609	5,739	2,908	2,050	4,958
Grants and Contributions	42	17	25	180	119	61	58	368	-	204	204
Gain on Disposal	-	-	-	-	-	-	-	-	-	-	-
Other Income	-	-	-	-	-	-	2	2	12	(12)	-
Internal Revenue	354	200	154	1,428	1,400	29	1,116	2,676	2,671	-	2,671
<b>Total Income attributable to Operations</b>	<b>18,288</b>	<b>16,978</b>	<b>1,310</b>	<b>122,772</b>	<b>119,641</b>	<b>3,131</b>	<b>99,464</b>	<b>182,796</b>	<b>205,729</b>	<b>1,876</b>	<b>207,605</b>
<b>Operating Expenses</b>											
Employee Costs	2,031	1,505	(526)	18,436	17,113	(1,324)	13,797	28,383	31,722	-	31,722
Borrowing Costs	559	535	(24)	4,316	4,261	(55)	4,587	7,794	8,389	(22)	8,367
Materials and Services	2,594	3,403	809	22,096	24,468	2,371	18,709	34,716	46,853	387	47,246
Depreciation and Amortisation	6,377	6,400	23	45,018	44,803	(215)	34,763	72,177	78,468	106	78,574
Other Expenses	-	-	-	199	-	(199)	342	752	-	-	-
Loss on Disposal	1,053	-	(1,053)	1,214	-	(1,214)	-	2,178	-	-	-
Internal Expenses	871	1,030	159	7,040	7,763	724	6,428	12,236	11,777	756	12,534
Overheads	2,067	2,067	-	14,467	14,467	-	13,219	20,067	24,801	-	24,801
<b>Total Expenses attributable to Operations</b>	<b>15,551</b>	<b>14,940</b>	<b>(611)</b>	<b>112,786</b>	<b>112,875</b>	<b>89</b>	<b>91,845</b>	<b>178,301</b>	<b>202,015</b>	<b>1,227</b>	<b>203,243</b>
<b>Operating Result after Overheads and before Capital Amounts</b>	<b>2,737</b>	<b>2,038</b>	<b>699</b>	<b>9,986</b>	<b>6,766</b>	<b>3,220</b>	<b>7,619</b>	<b>4,495</b>	<b>3,713</b>	<b>649</b>	<b>4,363</b>
	-	-	-	-	-	-	-	-	-	-	-
Capital Grants	947	463	484	6,390	6,780	(390)	7,931	18,420	24,537	(7,408)	17,128
Capital Contributions	1,152	545	607	4,083	4,286	(204)	3,500	8,494	6,536	474	7,009
<b>Grants and Contributions Capital Received</b>	<b>2,099</b>	<b>1,007</b>	<b>1,091</b>	<b>10,472</b>	<b>11,066</b>	<b>(594)</b>	<b>11,432</b>	<b>26,913</b>	<b>31,072</b>	<b>(6,934)</b>	<b>24,138</b>
<b>Net Operating Result</b>	<b>4,835</b>	<b>3,045</b>	<b>1,790</b>	<b>20,458</b>	<b>17,832</b>	<b>2,627</b>	<b>19,051</b>	<b>31,409</b>	<b>34,786</b>	<b>(6,285)</b>	<b>28,501</b>

### Financial Performance Benchmarks

Below is a summary of Council's performance, on a consolidated basis against main industry financial performance benchmarks set by the Office of Local Government.

Financial Performance Ratio	Industry Benchmark	Ratio as at 31/01/24
Operating Performance Ratio	> 0%	<b>7.8%</b>
Own Source operating Revenue Ratio	> 60%	<b>88.0%</b>
Unrestricted Current Ratio	> 1.5x	<b>3.5x</b>
Cash Expense Cover Ratio	> 3 months	<b>7.3 months</b>
Buildings and Infrastructure Renewals Ratio	> = 100%	<b>82.9%</b> (year to date)

As at the end of the January 2024, on a consolidated basis, Council exceeded the mandated benchmark for the operating result, achieving 7.8%.

Council has also performed favourably against the unrestricted current ratio, achieving 3.5x against a benchmark of > 1.5x. This ratio considers all assets and liabilities, including cash. Council maintained positive performance regarding the cash expense cover. Council is in a strong liquidity position.

As at 31 January 2024, Council was tracking well to meet the building and infrastructure renewals benchmark by the end of the financial year.

### Cash and Investments

Details on cash and investments as at January 2024 is included in the Monthly Investment Report January 2024, included as a separate report in this business paper.

### Restricted Funds

A summary of restricted and unrestricted funds is as follows:

Fund	General Fund	Drainage Fund	Consolidated General Fund	Water Fund	Sewer Fund	Domestic Waste Fund
	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)
External Restricted Funds	224,603	38,542	263,145	16,320	28,619	106,447
Internal Restricted Funds	112,383	68	112,451	974	935	45
<b>Total Restricted Funds</b>	<b>336,986</b>	<b>38,610</b>	<b>375,596</b>	<b>17,294</b>	<b>29,554</b>	<b>106,492</b>
Unrestricted Funds	88,238	(32,383)	55,855	12,199	128,944	15,444
<b>Total funds by Fund</b>	<b>425,224</b>	<b>6,227</b>	<b>431,451</b>	<b>29,493</b>	<b>158,498</b>	<b>121,936</b>

Details on Council's restriction balances as at January 2024 is included in the Monthly Investment Report January 2024, included as a separate report in this business paper.

### Emergency Loans

In 2020 Council obtained emergency loans totalling \$150M. These loans were required to finance Council's working capital, cash reserves, maturing debt facilities and capital expenditure.

In December 2023, the \$100M Emergency Loan was settled and repaid in full, extinguishing the requirement to refinance any amount.

Council will continue to internally restrict funds with the aim of settling the remaining \$50M in November 2025, without the need to refinance any amount. The interest rates environment

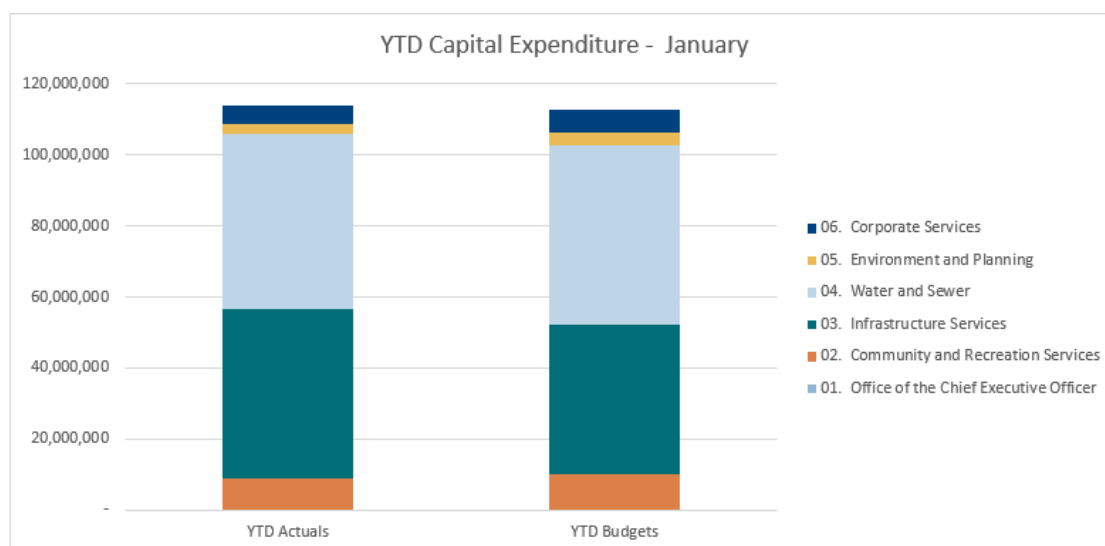
## 2.2 Monthly Finance Report January 2024 (cont'd)

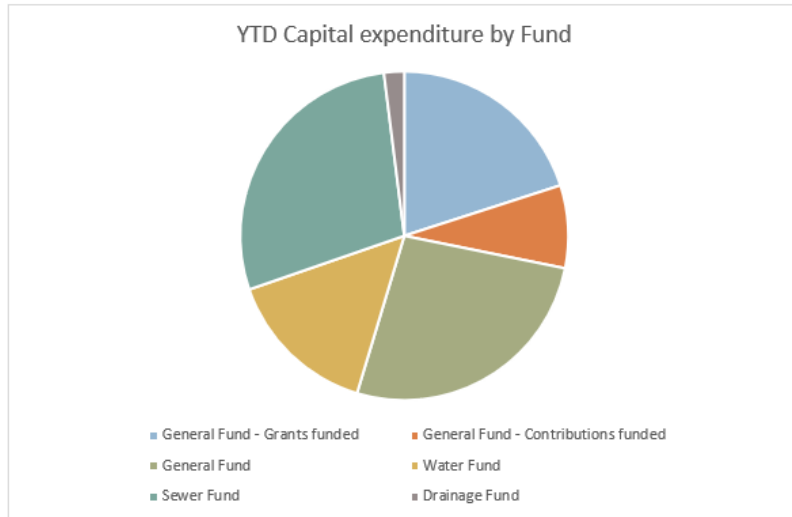
will be monitored and the timing and amount of any repayment or extinguishment of the loan will be optimised accordingly.

### Capital Works

As at 31 January 2024 capital expenditure is \$114.1M against a YTD budget of \$112.6M for the same period, and a 2023/2024 FY budget of \$216.5M.

Department	YTD Actuals	YTD Budgets	YTD Variance	Full Year Approved Budget
01. Office of the Chief Executive Officer	-	-	-	-
02. Community and Recreation Services	8,971,188	9,957,150	985,962	25,650,886
03. Infrastructure Services	47,539,509	42,249,417	(5,290,092)	77,857,305
04. Water and Sewer	49,472,805	50,673,223	1,200,418	84,155,136
05. Environment and Planning	2,681,314	3,525,220	843,906	10,600,536
06. Corporate Services	5,451,240	6,174,081	722,841	18,236,000
<b>Total</b>	<b>114,116,056</b>	<b>112,579,091</b>	<b>(1,536,965)</b>	<b>216,499,863</b>





### Link to Community Strategic Plan

Theme 4: Responsible

### Goal G: Good governance and great partnerships

R-G2: Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making.

### Attachments

Nil

**Item No:** 2.3  
**Title:** Investment Report for January 2024  
**Department:** Corporate Services

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27 February 2024 Ordinary Council Meeting

Reference: F2004/06604 - D16053237  
Author: Michelle Best, Section Manager Financial Accounting and Assets  
Manager: Emma Galea, Chief Financial Officer  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

### ***That Council:***

- 1     *Notes the Investment Report for January 2024.***
- 2     *Allocates the required unrestricted funds available in the General Fund to meet its January 2024 unrestricted funds deficit of \$32.38M in the Drainage Fund.***

## **Report purpose**

To present the monthly Investment Report in accordance with cl. 212 of the *Local Government (General) Regulation 2021* 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 31 January 2024.



## Background

Council's investments are made in accordance with the Local Government Act 1993, Local Government (General) Regulation 2005, Council's adopted Investment Policy, 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 \$741.38M as at 31 January 2024. A summary of investments as at 31 January 2024 is attached as Attachment 1 to this report.

**Table 1 - Council's Cash and Investment Portfolio by Type**

Type	Value (\$'000)
Investment Portfolio	\$698,285
Transactional accounts and cash in hand	\$43,093
<b>Total</b>	<b>\$741,378</b>

During January 2024, Council's total cash and investments increased by \$22.25M from \$719.13M to \$741.38M. This increased inflow included the second loan drawdown of \$5M for the Mardi water treatment plant upgrade project and reduced outflow in payments to suppliers. Council's cash inflows including investment maturities have been used to manage outflows with maturities during the month re-invested taking into consideration operational cashflow requirements.

**Table 2 – Council's Portfolio by Fund**

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

Fund	General Fund	Drainage Fund	Consolidated General Fund	Water Fund	Sewer Fund	Domestic Waste Fund
	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)
External Restricted Funds	224,603	38,542	263,145	16,320	28,619	106,447
Internal Restricted Funds	112,383	68	112,451	974	935	45
<b>Total Restricted Funds</b>	<b>336,986</b>	<b>38,610</b>	<b>375,596</b>	<b>17,294</b>	<b>29,554</b>	<b>106,492</b>

### 2.3 Investment Report for January 2024 (cont'd)

Unrestricted Funds	88,238	(32,383)	55,855	12,199	128,944	15,444
<b>Total funds by Fund</b>	<b>425,224</b>	<b>6,227</b>	<b>431,451</b>	<b>29,493</b>	<b>158,498</b>	<b>121,936</b>

*Note: The above table consolidates General Fund and Drainage Fund. From 1 July 2026, Drainage Fund fees and charges will no longer be regulated by IPART and will become part of Council's General Fund.*

Detailed restrictions have been provided in Attachment 2. The unrestricted funds balances above, across the five Funds will increase and decrease during each financial year as revenues are received and expenditures occur.

Council has now commenced setting aside funds to enable extinguishment of the remaining emergency loan in November 2025 restricting \$1.4M each month for this purpose.

Council is continuing to manage the reported negative unrestricted funds balance in the Drainage Fund through its consolidation with the General Fund. The negative unrestricted funds balance in the Drainage Fund is currently \$32.38M. From 2026/2027 the Drainage Fund will become part of Council's General Fund as IPART will no longer regulate Stormwater Drainage prices.

In the interim, the unrestricted funds deficit of \$32.38M in the Drainage Fund is proposed to be funded through the General Fund's available unrestricted cash balance as at 31 January 2024 of \$88.24M.

#### Portfolio Management

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

The total value of the Council's investment portfolio as at 31 January 2024 is outlined in Table 3 below. Total net return on the portfolio for Council in January 2024, comprising entirely of interest earned, was \$3.10M.

**Table 3 – Portfolio Movement (Investments only)**

Description	2022-23 Financial Year \$'000	Jul-Sep Qtr 2023/24 \$'000	Oct-Dec Qtr 2023/24 \$'000	Jan-24 2023/24 \$'000	FYTD 2023/24 \$'000
<b>Opening Balance</b>	<b>628,005</b>	<b>707,301</b>	<b>745,827</b>	<b>696,817</b>	<b>707,301</b>
movement in cash at call, additions and disposals	76,828	37,117	-50,368	1,285	-11,966
Movement in Market Value	2,468	1,409	1,358	183	2,950
<b>Closing Balance</b>	<b>707,301</b>	<b>745,827</b>	<b>696,817</b>	<b>698,285</b>	<b>698,285</b>
Interest earnings	22,168	8,346	9,205	3,104	20,655

The market value of Council's investment portfolio, excluding interest, as at 31 January 2024 is \$698.29M.

## 2.3 Investment Report for January 2024 (cont'd)

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 is presented in Table 4 below.

**Table 4 - Investment Maturities**

Time Horizon	Percentage Holdings	Maturity on or before	Value \$'000
<b>At Call</b>	1.01%	Immediate	7,022
<b>Investments</b>			
0 - 3 months	11.67%	Apr-2024	81,499
4 - 6 months	10.24%	Jul-2024	71,475
7 - 12 months	14.21%	Jan-2025	99,260
1 - 2 years	25.57%	Jan-2026	178,544
2 - 3 years	32.55%	Jan-2027	227,289
3 - 4 years	1.97%	Jan-2028	13,783
4 - 5 years	2.78%	Jan-2029	19,413
<b>Total Investments</b>	<b>98.99%</b>		<b>691,263</b>
<b>Total Portfolio</b>	<b>100.00%</b>		<b>698,285</b>
<b>Interest Accrued to December 2023 (Excluding Interest on call accounts)</b>			6,216
<b>Market Value of Investment per Portfolio Valuation Report (Attachment 5)</b>			<b>704,501</b>

The investment portfolio is concentrated in AA (17.97%), A (42.39%), and BBB (39.64%).

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. In this regard, all of Council's investments were within policy guidelines as at 31 January 2024.

The current spread of investments and counterparty exposure for January 2024 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 in Attachment 1 and are highlighted in green.

Council currently holds 2.34% or \$16.34M in ESG investments as at 31 January 2024.

### Portfolio Return

Interest rates on investments in the month, ranged from 1.15% to 6.40%. The monthly Bank Bill Swap Rate (BBSW) benchmark was 4.31%. Changes in economic conditions have led to the Reserve Bank of Australia (RBA) maintaining the cash rate at 4.35% at its meeting in February 2024. The next RBA meeting is scheduled for 18-19 March 2024. BBSW has also followed cash rate trends and has been increasing steadily. Comparative interest rates are shown in the table below.

**Table 5 – Interest Rate Increases**

Month	RBA Cash Rate	1 Month Bank Accepted Bills
January 2023	3.10%	3.08%
February 2023	3.35%	3.28%
March 2023	3.60%	3.54%
April 2023	3.60%	3.60%
May 2023	3.85%	3.81%
June 2023	4.10%	4.07%
July 2023	4.10%	4.10%
August 2023	4.10%	4.05%
September 2023	4.10%	4.05%
October 2023	4.10%	4.08%
November 2023	4.35%	4.26%
December 2023	4.35%	4.29%
January 2024	4.35%	4.31%
February 2024	4.35%	Available at end of February

Source: RBA Statistics [Interest Rates and Yields – Money Market – Monthly – F1.1](#)

Investments are made within Council policy and at the best rates available at the time of placement. Interest rate rises have meant that earnings from some prior month investments have fallen below the current monthly BBSW rate.

The weighted running yield for January 2024 is 4.67%. Performance Statistics for Council are shown in Table 1 in Attachment 3.

Trading Limits are detailed in Attachment 4. 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

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.*

*Emma Galea, 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.




**Risk Management**

Council's bank and investment accounts are reconciled daily to ensure sufficient funds are maintained for the provision of services.

**Options**

Not Applicable

**Attachments**

<b>1</b>	Summary of Investments as at 31 January 2024	Provided Under Separate Cover	D16060036
			
<b>2</b>	Restrictions as at 31 January 2024	Provided Under Separate Cover	D16060910
			
<b>3</b>	Investment Report Graphs and Table for January 2024	Provided Under Separate Cover	D16060041
			
<b>4</b>	Trading Limits Report as at 31 January 2024	Provided Under Separate Cover	D16060044
			
<b>5</b>	Portfolio Valuation Report as at 31 January 2024	Provided Under Separate Cover	D16060046
			



**Item No:** 2.4  
**Title:** 2023-24 Quarter 2 Review  
**Department:** Environment and Planning and Corporate Services

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27 February 2024 Ordinary Council Meeting

Reference: F2022/02276 - D16043804  
Author: Sharon McLaren, Section Manager Corporate Planning and Reporting  
Leslie Chan, Team Leader Financial Accounting  
Manager: Shannon Turkington, Unit Manager Strategic Planning  
Emma Galea, Chief Financial Officer  
Executive: Alice Howe, Director Environment and Planning

## Recommendation

### *That Council:*

- 1 *Adopts the Q2 Business Report 2023-24 (Attachment 1), including the proposed amendments to the Operational Plan actions as outlined in this report.***
- 2 *Adopts the amendments to the 2023-24 Full Year Budget as outlined in this report.***
- 3 *Includes changes to the Capital Works Program as detailed in this report in future updates to the Long-Term Financial Plan.***

## Report purpose

To report on Central Coast Council's performance as measured against the organisation's Operational Plan for 2023-24. The *Q2 Business Report* (Attachment 1) covers the progress on the Operational Plan activities and financial performance for the period 1 October 2023 to 31 December 2023. This report and Attachment 1 provide information on Council's financial performance and financial position for:

- The second quarter of the 2023-24 financial year (Q2); and
- The resulting financial position including proposed Budget variations.

## Executive Summary

### Operational Plan Action and Target Progress

At the end of Q2, the overall performance against the original adopted Operational Plan actions and indicators shows:

- 5 out of 127 actions (4%) are Completed;
- 92 are On Track (72%) for delivery by the end of the financial year; and
- 30 (24%) are Delayed.

### Financial Performance

Council is required to review its progress in achieving the financial objectives set out in its Operational Plan within two months of the end of each quarter.

The Responsible Accounting Officer has revised Council's income and expenditure for the 2023-24 financial year and recommends revising estimates in line with Council's financial performance as at the end of December 2023, and as projected for the remainder of the financial year.

The *Q2 Business Report* (Attachment 1) recommends Budget adjustments that result in an improved projected operating result for the 2023-24 financial year, on a consolidated basis.

The proposed Q2 adjustments will move the 2023-24 budgeted operating surplus (excluding capital grants and contributions) from \$5.6M to a budgeted operating surplus of \$8.3M, on a consolidated basis. Including capital grants and contribution, the budgeted operating surplus will move from \$94.6M to \$101.7M.

The proposed Q2 capital expenditure budget adjustment is an increase of \$38.3M, which will result in a revised 2023-24 full year capital works program of \$254.8M. The increase mainly relates to grant funded projects. As capacity to deliver these projects was considered when developing the Original Budget, these additional projects will not adversely impact delivery of the planned capital works program for 2023-24.

More information and details of progress and financial performance are provided in the *Q2 Business Report* (Attachment 1).

### **Background**

As required under the NSW Integrated Planning and Reporting Framework, Council must report on progress with respect to its actions and targets against the objectives of the Operational Plan, at least every six months.

Clause 203 of the *Local Government (General) Regulation 2021* requires that no later than two months after the end of each quarter (except the June quarter), the Responsible Accounting Officer of Council must prepare and submit to Council a Quarterly Budget Review Statement (QBRS) that shows a revised estimate of the income and expenditure for that year.

This QBRS is presented in the necessary format (see Attachment 1) and is considered to satisfy relevant legislative requirements.

### **Current Status**

#### Operational Plan Actions and Targets



The table below is a summary of the overall progress on the actions and indicators for Q2. The information contained in Attachment 1 includes specific details of progress.

Theme:	Belonging	Smart	Green	Responsible	Liveable	Total
Completed	0	0	0	5	0	5
On Track	11	5	13	44	19	92
Delayed	0	1	4	24	1	30
Scheduled	0	0	0	0	0	0
On Hold	0	0	0	0	0	0
Closed	0	0	0	0	0	0
<b>Total</b>	<b>11</b>	<b>6</b>	<b>17</b>	<b>73</b>	<b>20</b>	<b>127</b>

The following amendments to the wording of actions DP\_502 and DP\_076 are proposed for inclusion from Q3 onwards.

#### *Amendments*

Action / Indicator	Original Target / Timeline	Amended Target / Timeline	Responsible Unit	Reason for Amendment
<b>DP_502</b> Create a dedicated webpage to water and sewer services and functions	By 30 September 2023	By 30 June 2024	Water and Sewer	To align with Water and Sewer Progress Report the date will be revised to 30 June 2024.
<b>DP_076</b> Species Management Plans for Squirrel Glider and Swift Parrot	Species Management Plans (SMP) for the Squirrel Glider and Swift Parrot drafted for public exhibition by 30 June 2024	Species Management Plans for the Squirrel Glider and Swift Parrot drafted by 30 June 2024	Strategic Planning	Due to SMPs being technical guidelines that go through an external peer review process they are not required to be publicly exhibited. The target will be updated to remove the need for public exhibition.

#### Financial Performance

As at the end of Q2 Council has a consolidated net operating surplus of \$17.3M, before capital income, which is favourable to budget by \$17.5M and a net operating surplus including capital income of \$51.0M, which is favourable to budget by \$12.1M. These results reflect the amortisation of annual rates and charges.

# Consolidated Operating Statement

December 2023


 Central  
Coast  
Council

	YEAR TO DATE			FULL YEAR			
	Actuals	Adopted Budget	Variance	Original Budget	Adopted Changes (Q1)	Proposed Changes (Q2)	Year End Forecast
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Operating Income</b>							
Rates and Annual Charges	206,870	210,785	(3,915)	421,456	296	(233)	421,519
User Charges and Fees	80,741	81,011	(269)	163,782	1,139	(1,151)	163,770
Other Revenue	10,750	6,150	4,600	13,683	271	153	14,108
Interest	18,709	14,420	4,288	15,244	4,690	3,738	23,672
Grants and Contributions	12,141	7,337	4,804	49,880	(3,126)	2,335	49,089
Gain on Disposal	812	-	812	-	-	812	812
Other Income	5,215	4,885	331	8,775	752	91	9,618
Internal Revenue	27,677	29,093	(1,415)	60,701	(2,105)	177	58,772
<b>Total Income attributable to Operations</b>	<b>362,916</b>	<b>353,680</b>	<b>9,236</b>	<b>733,521</b>	<b>1,919</b>	<b>5,921</b>	<b>741,361</b>
<b>Operating Expenses</b>							
Employee Costs	93,409	92,552	(857)	195,069	(279)	1,099	195,889
Borrowing Costs	4,907	5,530	622	13,746	1,243	-	14,989
Materials and Services	103,779	115,318	11,539	237,509	(560)	(1,342)	235,607
Depreciation and Amortisation	96,293	93,456	(2,838)	192,226	-	3,020	195,246
Other Expenses	22,342	22,718	376	44,523	127	88	44,737
Loss on Disposal	1,207	-	(1,207)	-	-	6	6
Internal Expenses	23,683	24,353	670	47,634	(1,401)	321	46,555
Overheads	0	0	-	0	-	-	0
<b>Total Expenses attributable to Operations</b>	<b>345,621</b>	<b>353,926</b>	<b>8,305</b>	<b>730,708</b>	<b>(871)</b>	<b>3,192</b>	<b>733,029</b>
<b>Operating Result after Overheads and before Capital Amounts</b>	<b>17,295</b>	<b>(246)</b>	<b>17,541</b>	<b>2,813</b>	<b>2,790</b>	<b>2,729</b>	<b>8,331</b>
Capital Grants	21,205	21,892	(687)	59,854	722	8,649	69,226
Capital Contributions	12,516	17,242	(4,726)	17,500	10,924	(4,291)	24,133
<b>Grants and Contributions Capital Received</b>	<b>33,721</b>	<b>39,134</b>	<b>(5,414)</b>	<b>77,354</b>	<b>11,647</b>	<b>4,358</b>	<b>93,359</b>
<b>Net Operating Result</b>	<b>51,016</b>	<b>38,888</b>	<b>12,127</b>	<b>80,167</b>	<b>14,437</b>	<b>7,087</b>	<b>101,691</b>

It is noted that as part of the Q2 Budget review process, the phasing of planned income and expenditure has been reviewed to ensure changes to projections required to reflect Budget trend are captured in a timely manner.

As at Q2, Council's overall performance was better than Budget as financial discipline continues to be applied to all expenditure and trends are monitored. Actual financial performance as at the end of Q2 has been considered when revising projections as part of the Q2 QBRs.

The Q2 YTD capital expenditure is \$101.9M compared to a YTD budget of \$101.1M and an Original Budget of \$203.0M. More information is provided in the Q2 QBRs included in Attachment 1.

### Financial Performance Benchmarks

Below is a summary of Council's performance, against the main financial performance benchmarks set by the Office of Local Government.

Financial Performance Ratio	Industry Benchmark	Ratio as at 31/12/2023
Operating Performance Ratio	> 0%	4.9%
Own Source operating Revenue Ratio	> 60%	87.4%
Unrestricted Current Ratio	> 1.5x	3.0x
Cash Expense Cover Ratio	> 3 months	6.7 months
Buildings and Infrastructure Renewals Ratio	> = 100%	88.9% (year to date)

As at the end of the December 2023, on a consolidated basis, Council exceeded the mandated benchmark for the operating result, which is greater than zero, achieving 4.9%.

Council has also performed favourably against the unrestricted current ratio, achieving 3.0x against a benchmark of > 1.5x. This ratio considers all assets and liabilities, including cash. Council also maintained positive performance regarding the cash expense cover. Council is in a strong liquidity position.

### Restricted Funds

A summary of restricted and unrestricted funds is as follows:

Fund	General Fund	Drainage Fund	Consolidated General Fund	Water Fund	Sewer Fund	Domestic Waste Fund
	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)	(\$'000)
External Restricted Funds	221,864	36,159	258,023	16,320	28,736	105,263
Internal Restricted Funds	108,915	68	108,983	974	935	45
<b>Total Restricted Funds</b>	<b>330,779</b>	<b>36,227</b>	<b>367,006</b>	<b>17,294</b>	<b>29,671</b>	<b>105,308</b>
Unrestricted Funds	95,037	(34,242)	60,795	(475)	122,157	17,377
<b>Total funds by Fund</b>	<b>425,816</b>	<b>1,985</b>	<b>427,801</b>	<b>16,819</b>	<b>151,828</b>	<b>122,685</b>

### Proposed Budget Adjustments

Council's financial focus continues to be on maintaining expenditure, raising additional income, monitoring incoming cash flow, performing cashflow forecasts and ensuring a more sustainable cash preservation. Details on the proposed budget adjustments are provided in Attachment 1.

#### *Capital Works Program*

Council's capital works program adopted as part of the 2023-24 Operational Plan totalled \$202.1M. A Budget of \$0.9M was added to reflect unexpended FY23 budgets for projects continuing in FY24, resulting in a full year budget of \$203.0M. The Budget was increased by \$13.5M as part of the Q1 Budget review.

Actual Q2 YTD capital expenditure is \$101.9M against the Q2 YTD Budget of \$101.1M. An increase of \$38.3M is proposed as part of this Q2 QBRS. The increase is mainly associated with grant funded projects.

#### **Consultation**

All Units of Council were consulted during the development of this report and contributed to the information contained in the report.

#### **Financial Considerations**

Council's budgeted financial position continues to be a surplus position. Budget adjustments are proposed in this report and are detailed in the Attachment 1.

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

Theme 4: Responsible

#### **Goal G: Good governance and great partnerships**

R-G3: Provide leadership that is transparent and accountable, makes decisions in the best interest of the community, ensures Council is financially sustainable and adheres to a strong audit process.

#### **Options**

Quarterly reporting of Council's operational and financial performance is mandatory under the *Local Government (General) Regulation 2021*.

#### **Critical Dates or Timeframes**

Sub-clause 203(1) of the *Local Government (General) Regulation 2021* requires a Council's Responsible Accounting Officer to prepare and submit a QBRS to the Council within two months of

the end of each quarter (excluding June). This requirement is met by adoption of the *Q2 Business Report* (Attachment 1), which is due by 29 February 2024.

**Attachments**

- 1  Q2 Business Report 2023-24 Provided Under Separate Cover D16071535



**Item No:** 2.5  
**Title:** Water and Sewer Delivery Plan Progress Report  
(July - December 2023)  
**Department:** Water and Sewer

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27 February 2024 Ordinary Council Meeting

Reference: F2004/06782 - D16058478  
Author: Emily Haines, Executive Assistant to Director, Water and Sewer  
Manager: Krystie Bryant, Section Manager Asset Security and Reliance  
Executive: Jamie Loader, Director Water and Sewer

## **Recommendation**

***That Council notes the Water and Sewer Delivery Plan 2022-2026 (Delivery Plan) Progress Report for July – December 2023 for publication on Council's website.***

## **Report purpose**

To provide Council and the community with an update on the progress of the Water and Sewer Delivery Plan 2022-2026 (Delivery Plan) for the period July – December 2023.

## **Executive Summary**

The Delivery Plan, including progress updates, was a recommendation made by the Independent Pricing and Regulatory Tribunal (IPART) in May 2022 as part of its pricing Determination for Central Coast Council's Water and Sewer services.

At the Extraordinary Council Meeting held on 31 October 2022, it was resolved:

*"That Council adopts the Water and Sewer Delivery Plan 2022-2026."*

Council has committed to providing the community with six-monthly progress reports on the Delivery Plan, with this report covering the period July to December 2023. Of the committed actions for the 2023-2024 period, 4 actions have been completed, 5 are in progress and on track, 1 is in progress and delayed and 2 are yet to commence. Work will continue on these initiatives throughout the 2023-2024 period.

The Progress Report enhances Council's transparency of the operation of Council's water and sewer services and our promise to listen to our customers and will be placed on Council's website (Attachment 1).

## **Background**

In May 2022, IPART released its Final Determination on the prices that Council can charge customers for water and sewer related services from 1 July 2022 to 30 June 2026.

As part of its Determination, IPART recommended that Council publish an implementation plan by 31 October 2022 for improving its performance, accountability, and transparency. The plan was adopted as Central Coast Council's Water and Sewer Delivery Plan 2022-2026 (Delivery Plan), with progress updates provided to the community bi-annually.

The Delivery Plan sets out Council's Water and Sewer commitments to the community on what will be delivered over the four years of its current IPART determination. The plan focuses on:

- 1 Accountability
- 2 Community Engagement
- 3 Asset Management.

The Delivery Plan Progress Report is published for the information of the community on Council's website and outlines the progress of actions that support those focus areas.

## **Report**

This latest report covering the period July – December 2023, highlights some important achievements across the three focus areas:

### Accountability

- A list of publicly reportable performance measures was defined by our customers through our community engagement activities, resulting in the first 'customer-defined' Water and Sewer Performance Report which was published on Council's website in October 2023.

### Community Engagement

- Council's first Water and Sewer Customer Charter was co-designed with our community. The Charter, complemented by a refined Customer Complaints Management Framework, was adopted by Council in September 2023.
- Council's Water and Sewer Community Engagement and Education Strategy outlining how Council will engage, communicate and educate customers and the community was adopted by Council in November 2023 following public exhibition.

### Asset Management

- Asset management plans are on track for completion by June 2024. This work will ensure that we provide a reliable water and sewer service to meet customer expectations.
- Internal reporting has been developed to track our progress on the implementation of our business cases that formed our previous IPART submission.
- Somersby Water Treatment Plant's condition and performance audit has commenced. This work is essential to enable the shutdown of Mardi Water Treatment plant to facilitate the upgrade works to the plant.

Further progress continues across these focus areas since 31 December 2023 and will be included in the next update provided mid-year.

### **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 Delivery Plan Progress Report July – December 2023 outlines Council's commitment and accountability to deliver improved water and sewer services for the Central Coast community, in line with the IPART pricing determination 2022-2026. There is no financial impact.

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

Theme 4: Responsible

### **Goal G: Good governance and great partnerships**


R-G3: Provide leadership that is transparent and accountable, makes decisions in the best interest of the community, ensures Council is financially sustainable and adheres to a strong audit process.



### **Risk Management**

There have been no risks identified in the preparation of the Delivery Plan Progress Report July – December 2023.

### **Attachments**

<b>1</b>	Water and Sewer Delivery Progress Report July-  December 2023 FINAL	Provided Under Separate Cover	D16059479
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**Item No:** 2.6  
**Title:** Acquisition - Toowoyn Bay Road and Watkins Street - Intersection Upgrade  
**Department:** Infrastructure Services

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27 February 2024 Ordinary Council Meeting

Reference: F2022/01146 - D15939633  
Author: Rhianne Simmonds, Personal Assistant to the Unit Manager Roads and Drainage Infrastructure  
Manager: Michael Bamber, Section Manager. Roads and Drainage Design  
Executive: Boris Bolgoff, Director Infrastructure Services

## **Recommendation**

### ***That Council:***

- 1 Resolves to acquire the following land for the purpose of road widening due to the Intersection Upgrade. That part of Lots 17/2/DP10984, SP21025 and 1/DP1078040 as highlighted in green in the plan Attachment 1 ('Land').***
- 2 Authorises the Chief Executive Officer to execute all necessary documentation relevant to the acquisition of the lands.***
- 3 Resolves to acquire the lands 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 the Lands with the relevant property owner or owners cannot be satisfactorily resolved.***
- 4 Resolves to make an application to the Minister for Local Government and the Governor for approval to acquire the Lands by compulsory process pursuant to the 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.***
- 5 Resolves, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 2 remains confidential in accordance with section 10A(2)(d)(iii) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it and because consideration of the attachments in open Council would on balance be contrary to the public interest as it would affect Council's ability to obtain value for money for the Central Coast community.***

### **Report purpose**

For Council to consider acquiring part of Lots 17/2/DP10984, SP21025 and 1/DP1078040, Toowoorn Bay Rd and Watkins St for road widening purposes due to the proposed roundabout.

### **Executive Summary**

*This project is identified, and part funded by The Entrance District Development Contribution Plan Section 7.11. The project has been deemed essential to supporting the increased growth and densification of the Entrance Area.*

*Key benefits of this project are:*

- *Upgrading the current intersection to a single lane roundabout.*
- *Improved road user safety in the vicinity of the roundabout.*
- *Improved pedestrian access and safety in the vicinity of the roundabout.*

*Property acquisition required to accommodate the upgrade has been identified and is pending Council approval.*

### **Background**

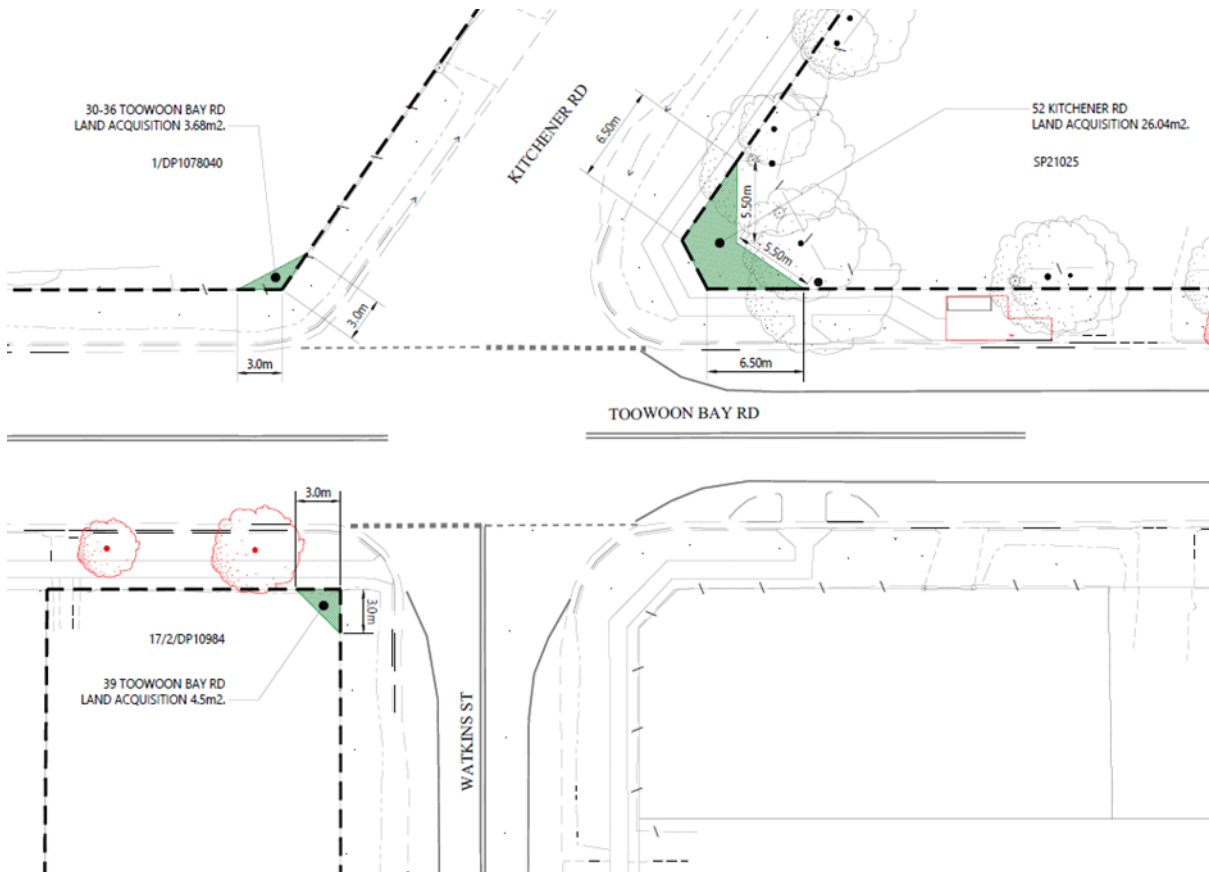
Progression of the detailed design phase has identified the need for land acquisition of the corners (chamfering) of the neighbouring lots nearest to the intersection. The proposed roundabout design needs to facilitate large vehicle movements, pedestrian refuges, pathways, and motorist sight lines, which equates to a larger footprint than the current intersection. An informal plan of acquisition has been prepared indicating the areas required.

To facilitate the road infrastructure requirements for the Project, it will be necessary to acquire land for road widening.

- 39 Toowoorn Bay Rd, LONG JETTY (being Lot 17/2/DP10984) is approximately 835 square metres and is zoned R1 general residential. Approximately 4.5 square metres is required for the acquisition.
- 52 Kitchener Rd, LONG JETTY (being Lot SP21025) is approximately 1067 square metres and is zoned R3 medium residential. Approximately 26 square metres is required for the acquisition.
- 30-36 Toowoorn Bay Rd, LONG JETTY (being Lot 1/DP1078040) is approximately 12009 square metres and is zoned R3 medium residential. Approximately 3.7 square metres is required for the acquisition. This acquisition will be at no cost to Council in accordance with the Conditions of Consent for the associated development of the subject lot.

## 2.6

## Acquisition - Toowoon Bay Road and Watkins Street - Intersection Upgrade (cont'd)



### Current Status

The affected property owners have received the concept design plans and are aware of the proposed acquisitions – but have not yet received formal letters regarding any acquisition process. Valuations for the proposed acquisitions have been included as confidential attachments in this report.

### Consultation

Council wrote to the affected property owners during the community consultation process in 2023. These letters were sent to all nearby residents and included a copy of the concept design plan – which showed the need for the property acquisitions. Subject to endorsement of this Report, Council's Commercial Property Section will commence the formal consultation and negotiation process with the affected property owners regarding the proposed acquisitions.

### **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.

Total land acquisition costs inclusive of initiation, documentation, valuation, negotiation based on Just Terms legislative compensation principles, purchase of land, property remediation, special value considerations, finalisation of agreement and associated legal expenses is estimated to be \$137,500 exclusive of GST. This figure could increase in the event that compulsory acquisition was required for any of the portions of land.

Funds are being utilised from The Entrance District Development Contribution Plan Section 7.11 and General Revenue. Capital budget allocations have been made to commence construction in the 24/25 – subject to adoption of the 24/25 capital works program.

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

Theme 4: Responsible

### **Goal H: Delivering essential infrastructure**

R-G2: Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making.

### **Attachments**

<b>1</b>	Design - Land Acquisition SKT-0001 - Toowoorn Bay Rd and Watkins St LONG JETTY	Provided Under Separate Cover	D15885582
<b>2</b>	CONFIDENTIAL - K2195LongJetty39ToowoornBayRd-RW-new -	Provided Under Separate Cover	D16056847
<b>3</b>	CONFIDENTIAL - K2196LongJetty30-36ToowoornBayRd-RW-new -	Provided Under Separate Cover	D16056845
<b>4</b>	CONFIDENTIAL - K2196LongJetty30-36ToowoornBayRd-RW-new -	Provided Under Separate Cover	D16056844



**Item No:** 2.7  
**Title:** Outcome of Public Exhibition of the Draft Hardship and Debt Recovery Policy  
**Department:** Corporate Services

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27 February 2024 Ordinary Council Meeting

Reference: F2004/06604 - D16044198  
Author: Priya Pratap, Section Manager Financial Operations  
Manager: Emma Galea, Chief Financial Officer  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

### ***That Council:***

- 1. Adopts the Draft Hardship and Debt Recovery Policy 2024 (attachment 1).***
- 2. Revokes the Debt Recovery and Hardship Policy 2021 (attachment 2).***

## **Report purpose**

To present the Draft Hardship and Debt Recovery Policy to the Council for adoption after the public exhibition period.

## **Executive Summary**

This report presents feedback received during the public exhibition period of the draft Policy, which was presented to the Council on 31 October 2023. One submission was received providing general feedback. There are no changes proposed as a result of the feedback received. It is considered that the matters raised in the submission are adequately addressed in the proposed Policy.

## **Background**

Council adopted the 'Debt Recovery and Hardship Policy 2021' at its meeting on 23 March 2021. A review of the adopted Policy has been undertaken and some changes are recommended to improve the effectiveness of the Policy in achieving its objectives.

The purpose of the Policy is to:

1. provide a framework to assist ratepayers and sundry debtors during periods of financial hardship.
2. provide a process for the assessment and determination of financial hardship applications.

## 2.7 Outcome of Public Exhibition of the Draft Hardship and Debt Recovery Policy (cont'd)

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3. ensure effective controls, policies, and procedures are in place for the collection of overdue rates, water, and charges by the Council.

The revised Policy considers the Debt Management and Hardship Guidelines issued by the Office of Local Government in 2018. Other councils' debt recovery and hardship policies were also reviewed to understand industry practices.

The proposed Policy is in line with Council's policy framework. The Policy, if adopted, will guide all debt recovery actions undertaken by Council, including the assessment of hardship applications.

### Current Status

The draft Policy is now presented to Council for final adoption and revoking of the current Policy.

### Report

On 31 October 2023, the Council resolved to place the Draft Hardship and Debt Recovery Policy on public exhibition. One submission was received during the exhibition period, which provided general feedback.

The Council values all feedback and submissions that assist in developing a policy that meets the community's expectations.

The table below provides a summary of the matters raised in the submissions and how they have been addressed:

Clause	Submission comment	Response
3. Policy Statement 4.1 Financial Hardship	The council's current draft Hardship and Debt Recovery Policy does not reflect this community expectation. The policy makes no reference to the conduct of staff or reference to the conduct of staff or its contracted debt recovery agents in implementing the policy. There is no obligation to be helpful nor are any ethical standards mentioned.	This Policy considers the Debt Management and Hardship Guidelines issued by the Office of Local Government in 2018. These guidelines recommend the best practices for councils to manage the debt of ratepayers better and to respond to genuine cases of hardship. The Council acknowledges that certain situations require respect and compassion for those facing genuine financial

difficulties. This Policy aims to establish a framework for staff to consistently assess applications for financial hardship while considering the individual's circumstances. Fairness and integrity guide the staff in their decision-making, and confidentiality and compliance with statutory requirements ensure the individual's information is secure. All Council's staff are bound by Council's Code of Conduct and the associated expected standard of behaviour.

The adoption of the draft Policy will support significant improvements in Council's debt recovery processes.

Following the adoption of the Policy Council will be undertaking the following steps:

- A procurement process will be undertaken to engage a debt recovery agent. The scope of the engagement will be based on the implementation of the broad processes as identified in the Policy.
- Council's debt recovery steps will be reviewed to align with the Policy, resulting in a timelier and cost - effective process. This includes the reduction in the number of reminder letters issued before legal action is undertaken. This will result in reduced cost to Council, and consequently the ratepayer or customer, but more importantly it will also ensure that overdue amounts are addressed in a shorter timeframe. The streamlined process will provide the opportunity for ratepayers and other debtors to engage with Council from an early stage to discuss a suitable way forward to resolve the outstanding amounts.
- A review of all amounts owed to Council, including, but not limited to, amounts associated with sundry debtors will be undertaken. The process will ensure that debts outstanding that are reflected in Council's records are valid amounts that can be recovered. The process may identify legacy amounts that may need to be included in a write-off process.
- After the above review of legacy amounts, a process will be implemented whereby overdue outstanding sundry debts are reviewed on an annual basis and written off if



## **2.7 Outcome of Public Exhibition of the Draft Hardship and Debt Recovery Policy (cont'd)**

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all avenues of debt recovery have been exhausted, and it is not economical to pursue the debts any further.

- A process will be implemented whereby outstanding rates and charges falling within the scope of Section 713 of the Local Government Act are addressed on an annual basis.
- Council will continue to support ratepayers and other debtors that are experiencing genuine financial hardship, through the application of a transparent and consistent assessment of hardship applications and payment arrangements requested.

### **Consultation**

The Draft Policy was placed on public exhibition for an extended period of 60 days. During this period the community had the opportunity to provide feedback on the proposed Policy.

### **Financial Considerations**

There are no additional costs associated with this Policy review. The Policy, if adopted, will support a more efficient and effective debt recovery process. The various types of assistance that Council can offer to support ratepayers experiencing hardship will ensure that payments can still be made without placing undue pressure on these ratepayers.

The improved approach will also contribute to the improvement of Council's performance against the rates and annual charges outstanding percentage measure mandated by the Office of Local Government. For the 2022/2023 financial year Council did not meet the benchmark, noting that this measure is impacted by payment arrangements entered with Council, which result in amount being unpaid past the due date and a delayed receipt of payment.

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

Theme 4: Responsible

### **Goal G: Good governance and great partnerships**

R-G3: Provide leadership that is transparent and accountable, makes decisions in the best interest of the community, ensures Council is financially sustainable and adheres to a strong audit process.

### **Risk Management**

Once adopted the Policy will ensure that Council's approach to supporting individuals facing

## 2.7 Outcome of Public Exhibition of the Draft Hardship and Debt Recovery Policy (cont'd)

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genuine financial hardship, and to undertaking debt recovery, follows a consistent and transparent framework.

### Options

Option 1: Adopt the Draft Hardship and Debt Recovery Policy 2024 attached as Attachment 1 to this report. (Recommended option)

Option 2: Not adopt the Draft Hardship and Debt Recovery Policy 2024 and retain the current Debt Recovery and Hardship Policy 2021. This option is not recommended as the improvements recommended in the revised Policy will improve the effectiveness of Council's current debt recovery process.

### Attachments

<b>1</b>	Current Debt Recovery and Hardship Policy 2021 (attachment 2)	Provided Under Separate Cover	D16061285
<b>2</b>	DRAFT Hardship and Debt Recovery Policy	Provided Under Separate Cover	D15909881



**Item No:** 2.8  
**Title:** Submission to Department Planning, Housing & Infrastructure on proposed Transport Orientated Development Program and Low Mid Rise Housing Reforms  
**Department:** Environment and Planning

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27 February 2024 Ordinary Council Meeting

Reference: F2022/01640 - D16023589  
Author: Sarah Hartley, Senior Strategic Planner Local Planning and Policy  
Manager: Scott Duncan, Section Manager. Local Planning and Policy  
Executive: Alice Howe, Director Environment and Planning

## Recommendation

### ***That Council:***

- 1 Notes and endorses the submission to the Department of Planning, Housing and Infrastructure made by staff in response to proposed low and mid-rise housing reforms (Attachment 1).***
- 2 Notes and endorses the submission to the Department of Planning, Housing and Infrastructure made by staff in response to the proposed Transport Orientated Development Program (Attachment 2).***

## Report purpose

To seek endorsement of submissions in response to the targeted consultation period for the Transport Orientated Development (TOD) Program and the public consultation period for proposed Low and Mid-rise Housing Reform (LMRH Reform).

## Executive Summary

The Department of Planning, Housing, and Infrastructure (DPHI) has recently exhibited changes to the NSW planning framework for transport orientated developments and low and mid-rise housing, which opened for consultation in December 2023.

The LMRH Reform seeks to speed up the delivery of a greater diversity of housing stock in the medium density bracket. The reforms target centres and transport corridors identified as well-located areas.

The TOD Program seeks to deliver a new State Environmental Planning Policy (SEPP) encouraging sustainable and mixed-use development around established transport

## 2.8 Submission to Department Planning, Housing & Infrastructure on proposed Transport Orientated Development Program and Low Mid Rise Housing Reforms (cont'd)

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corridors. Part 2 of the TOD SEPP applies to the Central Coast Local Government Area (LGA), with these provisions proposed to apply to the centres of Gosford, Tuggerah, and Wyong.

The DPHI target consultation period for the TOD Program closed on 31 January 2024 and the LMRH consultation period closed on 23 February 2024. DPHI did not permit extension of the consultation periods to allow for these matters to be considered by Council. To meet DPHI timeframes, staff submissions on both reforms were submitted by the respective closing dates. These submissions are provided to Council for consideration.

### Background

On 18 December 2023, the [then] Department of Planning and Environment released information on the TOD Program that seeks to deliver a new SEPP encouraging sustainable and mixed-use development around established transport corridors. The SEPP is due to come into force in April 2024 and will amend planning controls within 400m of 31 metro and rail stations. Gosford, Tuggerah, and Wyong rail stations are included in the proposed SEPP.

On 20 December 2023, the then Department of Planning and Environment placed on exhibition an *Explanation of Intended Effect: Changes to create low-and mid-rise housing* (EIE). The intent of the change to planning controls is to enable more diverse, well designed, low rise and mid-rise housing near established town centers and in areas where there is good public transport.

Although legislative changes are being proposed, neither exhibition included a draft instrument for review and therefore the submissions have been prepared based on the limited information available.

### Current Status

Submissions have been submitted in response to the consultation undertaken by the DPHI for consideration by Council.

### Report

#### *Low-rise and Mid-rise Housing Reform*

The LMRH Reform applies to the Six Cities Region to which the Central Coast belongs. Within the Six Cities Region, the reform proposes to:

- Apply in 'well located' centres and areas with access to services.
- Broaden the inclusion of land uses across all Residential and limited Employment zones (E1 Local Centre and MU1 Mixed Use only) to allow increased permissibility of medium density style developments. This will include;

- permit dual occupancies in all R2 Low Density Residential zones (note the *Central Coast Local Environmental Plan 2022* (CCLEP 2022) currently permits this in the Central Coast LGA, so there will be no change in this respect);
- permit multi-dwelling housing and manor houses in the R2 Low Density Residential zone within the station and town centre precincts – Manor houses are defined as 2-storey residential flat buildings (which is a small apartment building, which are currently not permitted in the Central Coast LGA);
- permit residential flat buildings (3 – 6 storeys) in the R3 Medium Density Residential zone within the station and town centre precincts (note CCLEP 2022 currently permits residential flat buildings at mapped heights);
- introduce non-refusal standards for building height, floor space ratio and minimum lot sizes, which mean that councils cannot refuse developments for these reasons where an application complies with these controls.
- Introduce standalone controls to vary the requirements of the Apartment Design Guide to include design criteria for mid-rise housing (such as building separation, setbacks, vehicle access, visual privacy and communal open space), which staff expect will be less onerous than the current DCP controls.
- Setting different standards for 'inner station' and 'out station' precincts to provide transition in the density standards, with higher densities permitted in the inner station precinct.

The concept of increasing residential densities in existing centres is generally supported; however, this needs to be driven by evidence-based actions alongside infrastructure delivery. The proposed "cookie cutter" approach taken across the Six Cities Region has the potential to undermine the strategic work undertaken through the *Central Coast Regional Plan 2041* (CCRP 2041) and Council's draft *Central Coast Local Housing Strategy*.

The following key issues are discussed in the staff submission (Attachment 1):

- Any future instrument should be progressed through public consultation so that it is subject to appropriate public feedback. The EIE is too broad to provide sufficient feedback on future instruments that have both financial and legal implications for Council. A draft SEPP and proposed amendments to the Apartment Design Guidelines should also be exhibited as part of the consultation material.
- There is inconsistency across definitions and accepted terminology with the Standard Instrument and the *Environmental Planning and Assessment Act 1979* (EP&A Act) throughout the EIE. The definitions and terminology need to be consistent with the Standard Instrument and EP&A Act.
- The location definitions or criteria for where the provisions apply need to be specific, clearly interpreted, and unchallengeable in Court. The definition of "walking distance"

## 2.8 **Submission to Department Planning, Housing & Infrastructure on proposed Transport Orientated Development Program and Low Mid Rise Housing Reforms (cont'd)**

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creates ambiguity for a proponent or assessor and should be replaced with either mapping or a clearer definition, as has been used by the Housing SEPP for 'accessible area' or seniors housing.

- Due to the expedited manner in which the LMRH EIE has been developed, the supporting information has not given a clear structure to any proposed instrument, demonstrated its consistency with the existing planning framework, nor is it likely to be easily interpreted by technical staff. Where this occurs, it typically leads to poor quality applications inundating the system, slower assessing times, and increased challenges through the Courts to interpret the legislation. The implementation should be delayed and the LMRH SEPP exhibited so that the proposed changes can be properly evaluated, and wording of definitions and terms reviewed to ensure consistency with existing legislation.
- The reform undermines Council's strategic planning for centres and a retail hierarchy developed over many years in consultation with the DPHI and the Central Coast community. Although the Central Coast is supported by a north-south rail corridor, significant key destinations are serviced only by bus networks. Due to a one size fits all approach, rail stations have been included where the existing rail infrastructure (stations, parking, access) cannot support increased network use.
- The implementation of the proposed changes needs to be done to allow time for councils to update their Development Control Plans (DCPs) to align with the proposed changes, where needed. The changes to development standards have the potential to render Council DCPs outdated or requiring on-going variation to a point they become redundant. Consistent variation to a council's DCP leaves the document challengeable in the Court and compromises the integrity of these documents as they apply across the LGA.
- Council supports 'in principle' the affordable housing intentions, however inclusive zoning and affordable housing delivery are themselves complex planning frameworks and the EIE provides little direction or clarity on the mechanisms proposed to accelerate delivery of supply.
- Council is committed to prioritising housing delivery, and in particular affordable housing across the Central Coast.

### Transport Orientated Development (TOD) Program

From 1 April 2024, a new *Transport Oriented Development State Environmental Planning Policy* (TOD SEPP) will amend planning controls within 400 m of the Gosford, Tuggerah and Wyong rail stations. The draft SEPP proposes new density and height standards that will allow for the development of new and affordable housing within walking distance of public transport.

The proposed changes will allow:

## 2.8 Submission to Department Planning, Housing & Infrastructure on proposed Transport Orientated Development Program and Low Mid Rise Housing Reforms (cont'd)

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- Residential flat buildings (RFB) in all residential zones (R1, R2, R3 and R4) within 400 m of identified stations, where currently an RFB is excluded from R2 low density zones under CCLEP 2022. CCLEP 2022 has not adopted the R4 High Density zoning.
- RFBs and shop top housing in E1 Local Centre zone and E2 Commercial Centres zone within 400 m of identified stations. Currently RFBs and shop top housing are already permitted in both the E1 and E2 zone in the Central Coast LGA.

The NSW Government is also mandating a minimum 2% affordable housing contribution on all new developments in the TOD SEPP locations.

Council staff have undertaken a review of the TOD Program information (noting no draft instrument was available during the targeted consultation period). The proposed TOD SEPP changes applying to Gosford, Tuggerah, and Wyong are unlikely to generate any significant increase in housing to warrant the complications of creating new policy layers. It is recommended that these areas be removed from the application of the SEPP.

The following key issues are discussed in the staff submission:

- Council requests that Gosford, Tuggerah, and Wyong TOD locations be excluded from the future SEPP due to low opportunity for housing yield, limited land application for the provisions and the existing approval frameworks in place that have a more locally based strategic direction for these centres.
- The location definitions and criteria of where the provisions apply need to be specific, clearly interpreted, and unchallengeable in Court. Council's preference would be that, should the SEPP apply in the Central Coast LGA (which is not preferred), the instrument includes mapping, which staff understand from the briefing session will be provided at a later date. Where this is not provided, the definition of '*walking distance*' should be clearly articulated as it creates ambiguity for a proponent or assessor and should be replaced with either mapping layers or a clearer definition as has been used by the Housing SEPP for '*accessible location*' or seniors housing.
- Due to the expedited manner in which the TOD Program has been developed, the supporting information has not given a clear structure to any proposed instrument, demonstrated its consistency with the existing planning framework, nor is likely to be easily interpreted by technical staff. Where this occurs, it typically leads to poor quality applications inundating the system, slowing assessing times, and increasing challenges through the Courts to interpret the legislation. The implementation should be delayed, and the TOD SEPP exhibited so that the proposed changes can be properly evaluated, and wording of definitions and terms reviewed to ensure consistency with existing legislation.

- Council supports the provision of affordable housing through the TOD SEPP but it should be provided by the developer and managed through a Community Housing Provider. The provision of a 2% monetary contribution to Council is not sufficient to purchase land and build community housing within the 400m train station catchment. Council's preference would be for affordable housing to be constructed as part of the development by the developer. Clarification is sought on the interaction of the affordable housing requirements in the TOD SEPP, council Affordable Housing Schemes (where the scheme applies to land within the TOD SEPP) and contributions for affordable housing in Section 48 of the SEPP Housing.
- Will assistance be provided from the DPHI to Council to assist with the delivery of local infrastructure such as open space, community facilities and local traffic and transport improvements to cater for the additional development and or assistance to update local infrastructure contribution plans? The TOD SEPP and LMRH Reform are happening faster than Council can amend local infrastructure contribution plans. Where the population is proposed to change substantially Council will need to review its forward works program and funding stream (including local infrastructure contribution plans) to ensure adequate funding and resources are available to deliver local infrastructure.

### **Consultation**

The submissions have been developed by Council's Local Planning and Policy Section, in consultation with the Community and Culture Unit and the Strategic Planning Projects Section within the Strategic Planning Unit.

Council staff participated in a targeted consultation briefing session with the DPHI on the 23 January 2024 and Council's Administrator was briefed on 5 February 2024, after the conclusion of the consultation period.

### **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 is no direct financial impact on the operational budget of Council in the preparation of the submission. However, there may be significant implications associated with the NSW Government reforms in relation to Council infrastructure funding and delivery of key local infrastructure upgrades to support additional housing density across the Central Coast, and the proposed requirement for Council to provide affordable housing with insufficient funding.



## **Link to Community Strategic Plan**

Theme 4: Responsible

### **Goal G: Good governance and great partnerships**

R-12: 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 material risk to Council in preparing a submission to the Department of Planning, Housing, and Infrastructure in relation to the proposed reforms. Council has no decision-making authority, and the submission seeks to provide local expertise for further consideration by DPHI.

There are considerable financial and reputational risks to Council of the proposal, particularly in relation to expectations around delivery of public infrastructure and affordable housing signalled in the reforms.

### **Options**

The options available to Council are:

- 1        Endorse the submissions provided in Attachment 1 and Attachment 2 to the Department of Planning, Housing and Infrastructure setting out Council's position in response to State-led housing planning policy reform. – **This is the recommended option.**
- 2        Do not endorse the submission provided in Attachment 1 and Attachment 2 – this is not the recommended option.

### **Attachments**

<b>1</b>	Submission on Low and Mid Rise Housing Reform	Provided Under Separate Cover	D16053909
<b>2</b>	Submission on Transport Oriented Development Program	Provided Under Separate Cover	D16031709



**Item No:** 2.9  
**Title:** Submission - Local Infrastructure Contribution Practice Notes  
**Department:** Environment and Planning

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27 February 2024 Ordinary Council Meeting

Reference: F2018/01687 - D16047523  
Author: Richard Griffiths, Section Manager. Local Infrastructure and Planning  
Executive: Alice Howe, Director Environment and Planning

## **Recommendation**

***That Council makes a submission (Attachment 1) to the Department of Planning Housing and infrastructure on the draft Local infrastructure Practice Notes.***

## **Report purpose**

This report relates to a submission to the NSW Department of Planning, Housing, and Infrastructure, which is revising its Practice Notes on Local Infrastructure Contributions.

## **Executive Summary**

On 5 December 2023, the Department of Planning, Housing, and Infrastructure (DPHI), wrote to Council extending an invitation to provide feedback on revised and updated practice notes for the NSW infrastructure contributions framework. This report proposes that Council make a submission to the exhibition of the draft practice notes, via the required feedback form.

## **Background**

The draft practice notes were made available online for public review at [Draft local infrastructure contributions practice notes | Department of Planning Housing and Infrastructure \(nsw.gov.au\)](https://www.dphi.nsw.gov.au/draft-local-infrastructure-contributions-practice-notes).

The aim of the draft practice notes is to provide advice to help stakeholders better understand and use the local infrastructure contributions system, ensuring communities are well-planned and have the infrastructure and services they need. Updates to the practice notes include clearer, more consistent design and structure, simplified language where possible, and detailed guidance, and examples.

Council was invited to make a submission to the exhibition by 23 February 2024. To enable a review of the proposed submission at the Council meeting of 27 February 2024, DPHI has granted an extension to the deadline for submissions until 1 March 2024.

**Current Status**

A proposed submission has been drafted (Attachment 1) for Council consideration, by means of the feedback form provided by DPHI.

**Report**

The revised practice notes include improved access and usability of the guidance provided for Local Infrastructure Contributions. The practice notes are intended to help councils prepare contribution plans, financial statements, annual reports, development contributions registers, planning agreement registers, planning agreements, and provide stakeholders with improved information to better understanding the local contributions system.

Feedback is provided on the draft practice notes (Attachment 1), focusing on where further clarification or amendments are required to better explain concepts or gaps in the guidance and legislation. Proposed comments are informed through experience operating in the current system, including calculation of local infrastructure contributions for state or local development applications, preparing, reviewing, or updating Section 7.11 and Section 7.12 development contributions plans and preparing, negotiating and reviewing planning agreements and works in kind agreements.

Feedback is provided on:

- The local infrastructure contributions system - concepts relating to Planning Circulars and Ministerial Directions can be improved, particularly in relation to exemptions.
- Section 7.11 contributions
- Section 7.12 levies - concepts relating to high growth precincts should be considered.
- Planning agreements
- Administering contributions.

An infrastructure contributions system that is certain, transparent, simpler, efficient, and consistent is welcome as it provides certainty on how contributions are calculated, applied and managed. However, it remains unclear how the current contributions system will support state-led rezonings, state-assessed planning proposals and the transport orientated development program and low and mid-rise housing reforms currently under consideration by DPHI. The practice notes do not include concepts or guidance to support these scenarios.

A comprehensive review of the local contributions practice notes is overdue. The proposed revisions are much clearer, more accessible, and more comprehensive than the existing practice notes. However, further modernisation is required to capture Planning Circulars, Ministerial Directions and accelerated rezoning or uplift of land. Clearer direction or guidance is required to create greater certainty around exemptions, including intent of exempt development and complementary pathways for planning proposals and development applications (Crown, state or local).

Greater alignment is required between state and local government activities, and the practice notes could go further to specify when the Minister is unlikely to apply a condition for contributions (e.g., renewable energy projects / energy storage) and when a contribution plan is required to be prepared and exhibited with a major state significant DA or state led planning proposal seeking uplift and changes to planning controls. This would make expectations clear and may not require other legislative changes to implement the intended outcomes.

### **Consultation**

The submission has been prepared in consultation with Council staff involved in calculating, applying and managing Council's local infrastructure contribution system.

### **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 material financial impacts that will arise from Council making a submission to the Inquiry. The submission was drafted with existing in-house resources.

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

Theme 4: Responsible

### **Goal H: Delivering essential infrastructure**

R-12: 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 are no material risks to Council making a submission to the public exhibition of the draft local infrastructure practice notes.

### **Options**

The options available to Council are to:

## 2.9 Submission - Local Infrastructure Contribution Practice Notes (contd)

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- 1 Endorse the submission provided in Attachment 1 to the Department of Planning, Housing and Infrastructure setting out Council's response to the changes to the Local infrastructure Contribution Practice Notes. **This is the recommended option.**
- 2 Do not endorse the submission provided in Attachment 1– this is not the recommended action.

### Critical Dates or Timeframes

Council is required to make a submission to the exhibition by 1 March 2024.

### Attachments

<b>1</b>	Submission - Local Infrastructure Contribution Practice Notes	Provided Under Separate Cover	D16065452
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**Item No:** 2.10  
**Title:** Central Coast Local Planning Panel Membership - Extension of Appointment  
**Department:** Environment and Planning

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27 February 2024 Ordinary Council Meeting

Reference: F2020/00812 - D16047576  
Author: Andrew Roach, Unit Manager. Development Assessment  
Executive: Alice Howe, Director Environment and Planning

## **Recommendation**

### ***That Council:***

- 1. Notes the amendment to Ministerial Directions, dated 22 January 2024, for the operation of Local Planning Panels in NSW, resolve in accordance with Section 2.18(1) of the Environmental Planning and Assessment Act 1979 to extend the term of the current membership of the Central Coast Local Planning Panel (as set out in Attachment 1) until 30 June 2024.***
- 2. Notes that the Department of Planning, Housing and Infrastructure has advised the commencement of recruitment of a revised pool of Local Planning Panel experts and chairs for the next three-year term. The Department has advised that the Minister will appoint this pool by 30 June 2024 so that councils with a Local Planning Panel can appoint their chairs and experts for the new term commencing on 1 July 2024.***

## **Report purpose**

To extend the appointment period of Central Coast Local Planning Panel members until 30 June 2024 (Panel membership is currently due to expire on 29 February 2024).

## **Executive Summary**

The members to the Central Coast Local Planning Panel have been appointed for a period that currently expires on 29 February 2024.

Ministerial Directions that underpin the operating procedures for Local Planning Panels in NSW have recently been updated. Significantly, the revised Ministerial Directions, dated 22 January 2024, require the current term of Panel membership to be extended to 30 June 2024.

This report recommends extending the term of the current Central Coast Local Planning Panel membership to 30 June 2024, in order to ensure compliance with the revised

## 2.10 Central Coast Local Planning Panel Membership - Extension of Appointment (cont'd)

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Ministerial Directions and to meet Council's obligations under the *Environmental Planning and Assessment Act 1979*.

### Background

Central Coast Council must, by virtue of Section 2.17 of the *Environmental Planning and Assessment Act 1979*, have a functioning Local Planning Panel to determine a range of development applications and provide advice on strategic matters, such as Planning Proposals. Directions issued by the Minister for Planning set out which matters are referred to the Panel.

A pool of members is appointed and at each meeting, the Panel is comprised of four members from the pool, being:

- The Chair (the Chair and alternate Chairs are nominated by the Minister for Planning);
- Two professional Panel members with expertise in urban design, urban planning or other related field (selected from a pool of expert Panel members appointed by Council from an approved list of candidates endorsed by the Minister for Planning); and
- One community representative (selected from a pool of members appointed by Council, following a defined appointment process).

The Central Coast Local Planning Panel was constituted by resolution at the Ordinary Meeting of Council on 11 May 2020 and the inaugural Panel members appointed.

In early 2022, the (then) Department of Planning and Environment advised its intent to '*align appointment terms across all LPPs*' with an appointment term to '*run through to 29 February 2024*'. That is, to bring into alignment the appointment terms of all Local Planning Panel across NSW. On 24 May 2022 Council resolved to extend the term of appointment of the then Panel members to 29 February 2024 consistent with the direction from the Department at the time. This is the current term of appointment of Panel members.

### Amendment to Ministerial Directions

Recent amendments to Ministerial Directions that underpin the Operating Procedures for Panels under the provisions of Section 9.1 of the *Environmental Planning and Assessment Act 1979* have been amended. The Directions (dated 22 January 2024) require the extension of all Panels in NSW for an interim period to 30 June 2024.

The Department of Planning, Housing and Infrastructure (DPHI) has further advised that they are proceeding to recruit a revised pool of experts and chairs for the next three-year term, with an expression of interest process intended to be commenced imminently. DPHI has advised that the Minister will appoint this pool by 30 June 2024 so that councils with a Local

## **2.10 Central Coast Local Planning Panel Membership - Extension of Appointment (cont'd)**

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Planning Panel can appoint their chairs, expert members and community representatives for the new Panel term that is expected to commence on 1 July 2024.

The intent of the recent Ministerial Directions is to provide interim arrangements until 30 June 2024, via the extension of terms of appointments of current Panel membership.

### **Term of Appointment of Local Planning Panel Members**

A Local Planning Panel Member may sit on a Local Planning Panel for a maximum period of six years in accordance with Schedule 2 clause 11 (6) of the *Environmental Planning and Assessment Act 1979*. The initial constitution of the Central Coast Local Planning Panel and appointment of the members was made on 11 May 2020. As such, all current Panel members are entitled to have their terms extended to 30 June 2024.

### **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 provisions of the *Environmental Planning and Assessment Act 1979* are clear that Council must make all the necessary arrangements for the operation of the Local Planning Panel. This includes: '... provide staff and facilities for the purpose of enabling a local planning panel to exercise its functions' including general secretariat services (Section 2.20(4)), provision of meeting facilities (clause 25(1) of Schedule 2); reporting, technical advice and assistance to the Panel, and the payment of sitting fees for Panel members (noting that minimum sitting fees for the Local Planning are set out in the '*Remuneration Determination*' for Local Planning Panels (issued under the provisions of the clauses 14 and 15 of Schedule 2).

Provision is already made in Council's budget for costs associated with operation of the Local Planning Panel, and the decisions recommended in this report will have no additional cost implications.

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

Theme 4: Responsible

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



## 2.10 Central Coast Local Planning Panel Membership - Extension of Appointment (cont'd)

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

### Risk Management

Central Coast Council must, by virtue of Section 2.17 of the *Environmental Planning and Assessment Act, 1979* have a functioning Local Planning Panel to determine a range of development applications and provide advice on Planning Proposals. Failure to provide Panel membership, by either extending the tenure of the current Panel members or selecting alternate membership, may result in Council failing to meet its legislative obligations.

### Options

- 1 That Council resolve to continue the Panel membership as set out in Attachment 1. **This is the recommended option** to support continuity for Panel operations.
- 2 Resolve not to extend the appointment of current Panel membership, and instead pursue the appointment of entirely new Panel members. Note, that the process would require a formal selection process as set out in the Ministerial Direction titled '*Local Planning Panels Direction – Operational Procedures*' and other NSW Government Guidance and it would take several months to complete these required actions. This action is not recommended as it does not provide continuity for operation of the Panel, will involve lengthy selection process, and does not provide certainty and consistency in Panel operations for the near future.
- 3 Do nothing. This action is not recommended as it does not provide continuity for the operation of the Panel and may result in Council failing to meet its statutory obligations to ensure a functioning Panel as required under Section 2.17 of the *Environmental Planning and Assessment Act 1979*.

### Critical Dates or Timeframes

Appropriate decision making will need to be made to ensure Panel members are in place beyond the current cessation of Panel membership on 29 February 2024.

### Attachments

- 1  LPP Members - January 2024 Provided Under Separate Cover D16047086



**Item No:** 2.11  
**Title:** Variations to Development Standards - October to December 2023  
**Department:** Environment and Planning

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27 February 2024 Ordinary Council Meeting

Reference: F2020/00039 - D16065426  
Author: Alison Millerchip, Section Manager. Business Support and Systems  
Executive: Alice Howe, Director Environment and Planning

## **Recommendation**

### ***That Council:***

- 1. Notes the report on Variations to Development Standards – October to December 2023.***
- 2. Notes that the Department of Planning, Housing and Infrastructure no longer requires councils to report on variations to development standards quarterly, as this information is now available in real time via the NSW Planning Portal.***
- 3. Resolves that quarterly reporting to Council of variations to development standards be discontinued.***

## **Report purpose**

To present to Council a summary of development applications (DAs) determined between 1 October to 31 December 2023 where there has been a variation in relevant development standards under an applicable Environmental Planning Instrument; and to inform Council that as of 1 November 2023, a publicly available online register of all DAs with variation requests lodged and determined is available on the NSW Planning Portal, which removes the need for manually reporting development standard variations.

## **Executive Summary**

For the 1 October to 31 December 2023 quarter, 519 DAs were lodged with Council and 585 DAs were determined. Of the 585 DAs determined in this quarter, 15 had a variation to a relevant development standard under an applicable Environmental Planning Instrument. A copy of the quarterly report is included as Attachment 1.

The reporting of this data to Council quarterly was a requirement under the NSW Government's *Planning Circular PS 20-002 – Varying Development Standards*.

However, as of 1 November 2023, a publicly available online register of all DAs with variation requests lodged and determined is available on the NSW Planning Portal and the

NSW Department of Planning, Housing and Infrastructure has now revoked the former [NSW Planning Circular \(PS 20-002 -Varying Development Standards\)](#).

### **Variations to Development Standards**

The following consents were granted between 1 October to 31 December 2023 that included a variation to a development standard within the Gosford Local Environmental Plan (LEP) or Wyong Local Environmental Plan (LEP), or Central Coast Local Environmental Plan (LEP):

- 10 DAs determined by Central Coast staff
- 5 DAs determined by the Local Planning Panel
- 0 DAs determined by the Hunter Central Coast Regional Planning Panel
- 0 DAs determined by the Land and Environment Court

### **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 material financial implications for Council associated with this report. The assessment of DAs is part of the regular business of Council and included in Council's adopted 2023-2024 budget.

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

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 are no material risk implications for Council associated with this report.

### **Attachments**

<b>1</b>	Variations to Development Standards Register –  October to December 2023 Period	Provided Under Separate Cover	D16065757
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**Item No:** 2.12  
**Title:** Community Support Grant Program - December 2023  
**Department:** Community and Recreation Services

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27 February 2024 Ordinary Council Meeting

Reference: F2017/02117-002 - D16056961

Author: Belinda McRobie, Section Manager Community Development  
Manager: Glenn Cannard, Unit Manager Community and Culture  
Executive: Melanie Smith, Director Community and Recreation Services

## **Recommendation**

### ***That Council:***

- 1     *Allocates \$13,226.20 (inclusive of GST where applicable) from the 2023/24 grants budget to the Community Support Grant program, as outlined below and in Attachment 1.***
  - a.     Brackets and Jam Central Coast - rent and Insurance costs - \$2,364.20.***
  - b.     Youth In Performing Arts YIPA - Central Coast Incorporated – Theatre Hire fees- \$5,000.00.***
  - c.     Saratoga Sailing Club Incorporated - Cherub State Championship Regatta - \$302.00***
  - d.     YFC Care Limited - The Aspire Program - \$1,560.00***
  - e.     Gosford Showground Land Manager - 2024 Central Coast Regional Show - \$4,000.00.***
- 2     *Declines 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.     Soroptimist International Brisbane Water Incorporated - application is ineligible***
  - b     Ocean Beach Surf Life Saving Club - identified for a more suitable grant program.***
  - c.     Matcham Public Hall Incorporated– insufficient information provided to make an accurate assessment***

## **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 faster 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, and 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 provides 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	2023/2024 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	\$219,319.00	\$13,226.20	\$232,545.20
<b>TOTAL</b>			<b>\$219,319.00</b>	<b>\$13,226.20</b>	<b>\$232,545.20</b>

**Current Status**

Applications submitted from 1 – 31 of December 2023 are considered in this report. 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**

A total of eight applications were received and assessed by 10 January 2024, with five applications recommended for funding in this Council report. Three applications are not recommended for funding.

One application was not recommended for funding because it is ineligible, one application did not provide sufficient information to make an accurate assessment and one application has been identified for a more suitable grant program. All applicants will be advised to discuss their proposal further with Council's Grants Officers prior to resubmission in a future round.

Council's Unit Manager Community and Culture and the Community Grants Team assessed the Community Support Grant program applications, 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 59 attendees and four grant information sessions with 116 attendees.

Additionally, Council staff also undertook two drop-in support sessions with three 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 2023/2024 Council Operational Expenditure original budget allocates \$300,000 to the Community Support Grant Program.

Expenditure is approved until the end of the 2023-2024 financial year. Unspent funds will lapse on 30 June 2024.

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 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.

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**

<b>1</b>	Community Support Grants - December 2023 -  Recommended and Not Recommended	Provided Under Separate Cover	D16056915
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**Item No:** 2.13  
**Title:** Minutes of Advisory Group and Committee meetings held in December 2023  
**Department:** Corporate Services

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27 February 2024 Ordinary Council Meeting

Reference: F2023/00021 - D16017236  
Author: Rachel Gibson, Team Leader Civic Support  
Manager: Teresa Chadwick, Unit Manager Governance Risk and Legal  
Executive: Marissa Racomelara, Director Corporate Services

## Recommendation

***That Council notes the minutes of the following Advisory Group and Committee meetings that were held in December 2023:***

- ***Coastal Open Spaces – meeting held 5 December 2023***
- ***Audit Risk and Improvement Committee – meeting held 6 December 2023***
- ***Heritage Advisory Committee – meeting held 6 December 2023***
- ***Mangrove Mountain and Spencer Advisory Committee – meeting held 7 December 2024***
- ***Catchments to Coast Committee – meeting held 13 December 2023***
- ***Protection of the Environment Trust – meeting held 14 December 2023***
- ***Pedestrian Access and Mobility Advisory Committee – meeting held 14 December 2023***

## Report purpose

To note the unconfirmed minutes of the Advisory Group and Committee meetings held in December 2023, which include three (3) with recommendations for Council and are reported for information only.

## Executive Summary

Advisory Group and Committee meetings were held in December 2023, as listed below.

The associated minutes were approved by the respective Coordinators and Chairs and were circulated to members via email. It is noted that minutes from previous meetings are confirmed by Advisory Groups and Committees at their next meeting, so are uploaded to Council's website as 'unconfirmed minutes' until that time.

## Report

## **2.13 Minutes of Advisory Group and Committee meetings held in December 2023 (cont'd)**

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Minutes from Council's Advisory Group and Committee meetings that contain no recommendations to Council are reported to Council as a combined report for information only.

Links to the unconfirmed minutes on Council's website are included below for the information of Council.

- [Coastal Open Spaces - held 5 December 2023](#)
- [Audit Risk and Improvement Committee - held 6 December 2023](#)
- [Heritage and Culture Advisory Committee meeting - held 6 December 2023](#)
- [Mangrove Mountain and Spencer Advisory Committee - held 7 December 2023](#)
- [Catchments to Coast Committee - held 13 December 2023](#)
- [Protection of the Environment Trust - held 14 December 2023](#)
- [Pedestrian Access Mobility Committee - held 14 December 2023](#)

There were two (2) Advisory Group and Committee meetings held in December 2023, which resulted in recommendations to Council. It is noted the recommendations and minutes from these meetings were reported to Council separately at this meeting, 27 February 2024, as follows:

- Recommendations from the Coastal Open Space System Committee.
- Recommendations from the Protection of the Environment Trust.

It is also noted that the following meetings were scheduled but did not occur:

- Status of Women Advisory Group (SOWAG) scheduled for 7 December 2023. Meeting did not proceed as a quorum was not reached.
- Water Management (WMAC) scheduled for 30 November 2023. Meeting did not proceed as a quorum was not reached.

### **Financial Considerations**

This report has no financial implications.

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

Theme 4: Responsible

### **Goal G: Good governance and great partnerships**

R-G2: Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making.

**Item No:** 2.14  
**Title:** Minutes of the Protection of the Environment Trust Committee from 14 December 2023  
**Department:** Environment and Planning

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27 February 2024 Ordinary Council Meeting

Reference: F2018/00732-002 - D16067054  
Author: Larry Melican, Section Manager Natural Assets and Biodiversity  
Manager: Teresa Chadwick, Unit Manager Governance, Risk and Legal (Acting)  
Executive: Alice Howe, Director Environment and Planning

## **Recommendation**

### ***That Council:***

- 1. Notes that the Protection of the Environment Trust Committee considered Grant Application POET 006 202223 titled "Landcare Green Teams on Private Land" submitted by the Community Environment Network (CEN) and deferred making a recommendation pending further advice being sought from the applicant.***
- 2. Notes that the Protection of the Environment Trust grant guidelines are to be reviewed in consultation with the Committee to provide greater clarity for grant applicants and to better guide the Committee's assessment of grant applications.***
- 3. Releases \$22,719 from the Protection of the Environment Trust Fund to the University of Technology Sydney to undertake Project POET 009 202223 titled "Hanging on by their Teeth: The Distribution of Endangered Long-nosed Potoroo and Spotted-tailed Quoll in the Former Gosford Local Government area.***
- 4. Releases \$30,427 from the Protection of the Environment Trust Fund to the Central Coast Marine Discovery Centre Inc. to undertake Project POET 010 202223 title "Bush Stone-curlew and Estuary Bird – Education and Citizen Science.***
- 5. Requires that as a condition of awarding POET grant funds that recipients must acknowledge the POET on any signage and/or advertisement relating to the funded project in order to promote the POET.***

## **Report purpose**

To primarily seek resolutions to release funds from the Protection of the Environment Trust (POET) Fund for two environmental projects that were recommended for funding at the Trust Committee's meeting on 14 December 2023.

### **Executive Summary**

At its meeting on 14 December 2023 the POET Committee considered grant applications for three projects with an environmental focus that align with the dual purpose of the Trust. A specific resolution is required to release funds from the POET Fund for the two projects supported by the Committee.

Further information is to be sought from the applicant of the remaining project and from Council to assist the Committee in assessing the application.

It is also recommended that the POET grant guidelines be reviewed in consultation with the POET Committee, and that successful applicants are to acknowledge the contribution of the POET.

### **Background**

At its meeting on 14 December 2023 the POET Committee made the following recommendations to Council in relation to the grant applications it considered at that meeting:

#### **Item 2.3: Grant Application POET 006 202223 Landcare Green Teams on Private Land**

1. The POET Committee deferred consideration of the grant application POET 006 202223 titled Landcare Green Teams on Private Land by the Community Environment Network (CEN).
2. The POET Committee seek advice from Council on the proposed expenditure of grant funds requested in application POET 006 202223.
3. The POET Committee review the grant guidelines to provide greater clarity for applicants and to better guide the Committee's assessment of grant applications.

#### **Item 2.4: Grant Application POET009 202223 Hanging on by their Teeth: The Distribution of Endangered Long-nosed Potoroo and Spotted-tailed Quoll in the former Gosford LGA**

1. The POET Committee recommend that Council release \$22,719 to fund Grant Application POET 009 202223 from the University of Technology Sydney for the project titled Hanging on by Their Teeth: The Distribution of Endangered Long-nosed Potoroo and Spotted-tailed Quoll in the Former Gosford LGA.
2. It is recommended that any report to Council include a recommendation to pay out grant money include that POET be listed on any signage and/or advertising to promote the Trust.

**Item 2.5: Grant Application POET010 202223 Bush-stone Curlew and Estuary Birds - Education and Citizen Science**

1. The POET Committee recommends that Council release \$30,427 from the POET Fund for grant application POET 010 202223 from the Central Coast Marine Discovery Centre Inc. for the project titled Bush Stone-curlew and Estuary Birds – Education and Citizen Science.
2. It is recommended that any report to Council for recommendation to pay out grant money include that POET be listed on any signage and/or advertising to promote POET.

**Current Status**

A specific Council resolution is required to release funds from the POET Fund for the two projects supported by the Committee at its meeting of 14 December 2023.

**Report**

At its meeting on 12 December 2023 the POET Committee considered grant applications from three projects with an environmental focus that align with the dual purpose of the Trust:

- To promote the protection and enhancement of the natural environment or of a significant aspect of the natural environment and in particular, the conservation of flora and fauna indigenous to the Local Government area (LGA); and
- For the provision of information or education or the carrying on of research about the natural environment or a significant aspect of the natural environment in particular relating to flora and fauna of the area for the benefit of persons with the LGA.

This report recommends that Council resolve to adopt the recommendations of the POET Committee relating to the allocation of trust funds to two of the environmental projects.

Consideration of the third project is recommended to be postponed pending additional advice being received from the applicant.

It is also recommended that the guidelines of the POET Grant Program be reviewed in consultation with the Committee to provide improved clarity for applicants and to better guide the Committee's assessment against grant guidelines.

While already identified as a condition of funding in the grant guidelines, it is recommended that successful applications are advised that one of the conditions of receiving the grant is

that they must acknowledge the contribution made by the POET on any signage and/or advertising in order to promote the Trust.

### **Consultation**

The Committee has considered the grant applications in detail and has recommended that POET funds be allocated to the two environmentally focused projects.

### **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.

There is no impact on Council's General Fund associated with allocating funds from the POET Fund to the two projects supported by the Committee.

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

Theme 3: Green

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

G-E1: Educate the community on the value and importance of natural areas and biodiversity, and encourage community involvement in caring for our natural environment.

### **Risk Management**

There is low risk associated with the release of funds from the POET for small scale environmental projects delivered by an incorporated community organisation and a major university.

### **Options**

- 1 To resolve to allocate POET funds to the two environmental projects as per recommendations made by the POET Committee of 14 December 2023. **This is the recommended option.**



## **2.14 Minutes of the Protection of the Environment Trust Committee from 14 December 2023 (contd)**

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- 2 To resolve not to allocate POET funds to the two environmental projects which were recommended for funding by the POET Committee on 14 December 2023. **Not recommended.**
- 3 To resolve to allocate a portion of the POET funds requested for the two environmental projects which were recommended for funding by the POET Committee on 14 December 2023. **Not recommended.**

### **Critical Dates or Timeframes**

Allocation of the funding to the two projects will allow the project works to commence as soon as is practicable.

### **Attachments**

Nil



**Item No:** 2.15  
**Title:** COSS Advisory Committee Minutes 5 December 2023  
**Department:** Environment and Planning

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27 February 2024 Ordinary Council Meeting

Reference: F2018/00099-002 - D16062713  
Author: Larry Melican, Section Manager Natural Assets and Biodiversity  
Manager: Luke Sulkowski, Unit Manager. Environmental Management  
Executive: Alice Howe, Director Environment and Planning

## **Recommendation**

### ***That Council:***

- 1. Notes the recommendations of the Coastal Open Space System (COSS) Advisory Committee provided in Section 2.6 of the Committee's minutes of 5 December 2023 in regard to a proposed COSS Reserve trial at Porters Creek Wetland and Warnervale Floodplain.***
- 2. Provide in-principle support to the proposal, subject to further investigation.***
- 3. Request that a report be provided to Council that considers, and amends as necessary, the COSS Advisory Committee's proposal whilst also considering:***
  - a. The findings of the exhibited draft Warnervale Airport Masterplan***
  - b. The proposed Warnervale Link Road***
  - c. The proposed Conservation Agreement for Porters Creek Wetland that Council has previously publicly exhibited***
  - d. The feedback received in regard to the proposed Conservation Agreement for Porters Creek Wetland***
  - e. Any other proposed infrastructure on Council owned land in this locality to avoid conflicts in land use and define appropriate boundaries for each intended use.***
- 4. Defer implementation of a proposed COSS Reserve trial at Porters Creek Wetland and Warnervale Floodplain until:***
  - a. The report referred to in Part C is considered by Council.***
  - b. Council determines the appropriate approach for management of competing land uses on Council-owned land in this locality.***
  - c. Consultation occurs on the Warnervale Floodplain Masterplan (expected to occur in 2025)***
  - d. That as part of the consultation of the Warnervale Floodplain Masterplan, community support for a trial COSS Reserve site at Warnervale***

***Floodplain and Porters Creek Wetland, is also gauged, particularly among residents local to the trial area.***

- e. Evidence-based performance measures for the COSS Reserve trial are developed in consultation with the COSS Advisory Committee.***
- f. The resources required to undertake the trial are identified, and can facilitate community consultation, data collection and analysis and any additional works required to support the trial.***

### **Report purpose**

To recommend that Council resolve to defer the implementation of a COSS Reserve trial at Warnervale Floodplain and Porters Creek Wetland until other various matters are addressed.

### **Executive Summary**

At the Coastal Open Space System (COSS) Advisory Committee meeting on 5 December 2023, the Committee developed recommendations in relation to a proposed COSS Reserve trial over Porters Creek Wetland and the Warnervale Floodplain. The Committee was advised during the meeting that staff would need to further consider the recommendations put forward by the Committee's community representatives prior to making a recommendation to Council on the matter.

This report provides further advice and recommendations to Council in response to the COSS Advisory Committee's proposal.

### **Background**

The COSS Advisory Committee, at its meeting of 5 December 2023 resolved to support a proposed COSS Reserve trial at Porters Creek Wetland and the Warnervale Floodplain and to recommend to Council that:

- A. Porters Creek Wetland and Warnervale Wetland (also referred to as Warnervale Floodplain R0360) is selected as the preferred site to trial the expansion of COSS into the northern section of the Central Coast Council.***
- B. In selecting this site:***
  - a) The area of the proposed COSS extension is illustrated on the accompanying map titled 'Porters Creek and Warnervale Wetland' consisting of lots (Lot 4 DP 1275094 at 17 Virginia Road, Warnervale; Lot 3 DP 1230740 at 15 Jack Grant Ave, Warnervale; Lot 2 DP 1234942 at 30 Jack Grant Ave, Warnervale; Lot 2 DP 1059616 at 88-98 Alison Road, Wyong)***
  - b) It is noted that the railway line and the proposed Wyong to Warnervale link road that runs parallel to the railway line physically separates the wetland into Porters***

*Creek Wetland and the Warnervale Wetland. Notwithstanding the physical separation the Porters Creek Wetland and the Warnervale Wetland is the same ecological unit.*

- c) The Porters Creek wetland is restricted and limited to the C2 Environmental Conservation zoned land and does not include any of the E4 General Industrial land associated with the Central Coast Airport or any industrial use.*

*C. That Council:*

- a) Rezone the area of land currently zoned C3 Environmental Management on Lot 704/DP 1275094, to C2 Environmental Conservation.*
- b) Subdivide 15 Jack Grant Ave, Warnervale, 2259 identified as Lot 3 DP 1230740 and 30 Jack Grant Avenue, Warnervale, 2259 identified as Lot 2 DP 1234942 along the zone boundary to separate the Central Coast Airport and industrial land from Porters Creek Wetland. Minutes of the Coastal Open Space Committee Meeting 05 December 2023*

*D. That Council staff:*

- a) Bring a report back to the COSS Advisory Committee within 3 months on the implementation of the recommendation.*
- b) Bring a report back to the COSS Advisory Committee within 9 months presenting a preliminary strategy on concepts and engagement of the community for the rehabilitation of the Warnervale Wetland.*

The location of the proposed trial COSS site referenced in Parts A and B of the Committee's recommendation is provided in Figure 1. Recommendations C and D require significant additional investment of Council budget and staff resources to implement. The capacity to deliver this project with consideration of current Council staff resources and anticipated future year budgets does not currently exist.

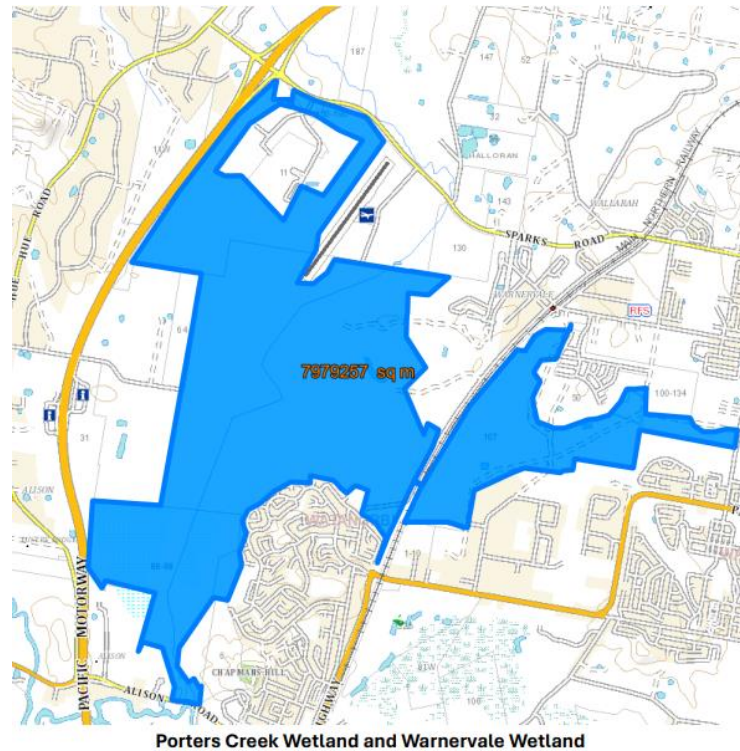


Figure 1: Proposed Trial COSS Reserve location across Porters Creek Wetland and Warnervale Floodplain

The transfer of approximately 138 hectares of land in the Warnervale Floodplain to Council occurred in October 2022. The land has been subject to a variety of uses including livestock grazing, water extraction and a sporting field. The natural hydrology of the site has been altered by the construction of drains, and the native vegetation and habitats on the site have been subject to clearing and weed invasion.

The site is to be managed as a natural area and management works proposed include bush regeneration and revegetation, the installation of fencing and gates to minimise unauthorised access and works in the catchment aimed at restoring the natural hydrology of the site. Passive recreation that has minimal impact on the natural values of the site, such as walking, are proposed to be catered for. Upgrade of the site is proposed to be funded using collected developer contributions.

A draft management plan is proposed to guide management of the site once further investigations are completed. Community consultation will occur as part of the management plan process. At this point in time, it is anticipated that a management plan that has considered feedback from the community will be available for Council's consideration by late 2025.

Council completed community consultation on the draft *Central Coast Airport Masterplan* on 13 February 2024. The Porters Creek Wetland adjoins the Warnervale airport, with the buffer of the coastal wetland and an associated buffer mapped under the *Resilience and Hazards State Environmental Planning Policy* and the *Coastal Management Act 2016* intersecting with the current airport footprint. The draft *Central Coast Airport Masterplan* identifies investigation areas which support native vegetation. As part of this consultation, community

feedback on a proposed biodiversity stewardship site for Porters Creek Wetland was also sought (Figure 2).

### **Current Status**

The draft minutes of the Coastal Open Space System (COSS) Advisory Committee from 5 December 2023 are posted on Council's website. The recommendations in relation to this matter are included in Section 2.6 – Update from Community Representatives of the draft minutes.

### **Report**

Although the recommendations of the COSS Advisory Committee are noted, staff have made an alternative recommendation to Council given that the recommendations seek to commit resources that are not available and are potentially inconsistent with other potential uses of the site.

Council's resolution on the draft *Central Coast Airport Masterplan* may result in a change to the footprint of the airport, realignment of property boundaries and/or rezoning. In order to avoid a potential misalignment of Council resolutions on the airport masterplan and the proposed COSS Reserve trial, the extent of the COSS Reserve trial area should be defined after the footprint of the airport is adopted by Council.

It is recommended that Council provide in-principle support to the proposed COSS Reserve trial but first consider other implications that affect the land proposed for the trial prior to implementing.



Figure 2 – Proposed Porter's Creek Wetland Biodiversity Stewardship Site

## Consultation

Consultation on the draft *Central Coast Airport Masterplan* and associated biodiversity stewardship site has recently concluded and will be considered when the masterplan and biodiversity stewardship site are reported back to Council.

Further discussion will be held with the COSS Advisory Committee in relation to Council's resolution on this matter, and in relation to development of the COSS Reserve trial more generally.

Consultation on proposed management of the Porters Creek Wetland and Warnervale Floodplain will be undertaken during development of the proposed management plan for the area, which is scheduled to be completed in 2025.

## 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 impacts on Council's General Funds associated with the recommendations of this report. There are considerable, unbudgeted financial implications associated with the COSS Advisory Committee's recommendations to Council.

## Link to Community Strategic Plan

Theme 3: Green

### Goal E: Environmental resources for the future

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

## Risk Management

The recommendations in this report seek to provide a prudent approach to the management of financial, social and environmental risks associated with the management of Porters Creek Wetland and Warnervale Floodplain, and their interactions with the Central Coast Airport.

## Options

Options available to Council are to:

1. Adopt the recommendations of this report to provide in-principle support to the COSS Advisory Committee's recommendations and conduct further investigations.  
**This is the recommended option.**
2. Adopt the COSS Advisory Committee's recommendations as recorded in the draft minutes of the Coastal Open Space System (COSS) Advisory Committee meeting of 5 December 2023. Not recommended.

## Critical Dates or Timeframes

The next meeting of the Coastal Open Space System (COSS) Advisory Committee is scheduled for 5 March 2024.



**Attachments**

*Nil.*



**Item No:** 2.16  
**Title:** Status Update on Active Council Resolutions  
**Department:** Corporate Services

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27 February 2024 Ordinary Council Meeting

Reference: F2023/00021 - D15955654  
Author: Rachel Gibson, Team Leader Civic Support  
Manager: Teresa Chadwick, Unit Manager Governance, Risk and Legal  
Executive: Marissa Racomelara, Director Corporate Services

## **Recommendation**

### ***That Council:***

- 1. Receives and notes the Status Update on Active Council Resolutions report.***
- 2. Rescinds the Council resolution on Creek Naming at Central Mangrove.***

## **Report purpose**

This report provides Council with a status update on all active and ongoing actions arising from resolutions made at Council meetings.

## **Executive Summary**

The attached quarterly Status Update on Active Council Resolutions Report is presented to Council for noting and to rescind a previous resolution regarding the creek naming at Central Mangrove as outlined in this report.

## **Background**

It is a requirement under the Local Government Act that lawful decisions of Council are implemented without undue delay. It is prudent to track the status of Council resolutions to ensure that what Council has resolved to do is subsequently carried out in a timely manner. Therefore, reporting of all active Council resolutions will be provided to Council quarterly.

## **Report**

The attachment is a report extracted from the Council Meeting System which shows all active resolutions as at 16 February 2024 with commentary and target completion dates. There are currently a total of 25 active resolutions, some of which are long term actions.

The next quarterly status update on active resolutions report will outline the actions which have been completed since this report and provide a status update on those which are still in progress, as well as any new resolutions that have been adopted since the last report.

Active actions with specific complexity are discussed below.

Creek naming at Central Mangrove

Resolution 307/16 - 24 August 2016

*That Council resolve to adopt the proposed naming of Stringybark Creek.*

Resolution 308/16 – 24 August 2016

*That Council notify all affected residents of the proposed creek name.*

Resolution 309/16- 24 August 2016

*That Council formally submit the proposal to the Geographical Names Board for approval.*

The Geographical Names Board (GNB) has been, and continues to be, unable to progress the proposed creek naming due to legal proceedings on foot. These legal proceedings are regarding a Development Application to fill part of the site; when a creek is officially named, its starting point needs to be determined. The GNB has advised they will investigate the creek source as this will be part of its description in the Geographical Names Register.

Council's legal advice on the matter is not to proceed with the creek naming until the legal proceedings involving this landfill site are finalised.

The reason this resolution is recommended for rescinding is that resolution 309/16 is not currently capable of completion. Council's legal advice is that the proper course of action is to rescind the resolution given the dispute is ongoing and to comply with the GNB Policy. Council will revisit options for creek naming once current and ongoing legal proceedings are formally concluded. Related resolutions 307/16 and 308/16 have already been completed.

Winney Bay Cliff Top Walk – Stage 2

Resolution 861/19 – 9 September 2019

*That Council requests the result of the community consultation be brought back to Council prior to construction commencing on Winney Bay Cliff Top Walk – Stage 2.*

In 2018, the [then] NSW Premier announced funding for Stage 2 of the Winney Bay Cliff Top Walk. Council considered the matter on a number of occasions in 2018 and 2019, and in September 2019 resolved to seek costings and community feedback on options for this stage of the walk and refer the matter back to Council at the conclusion of those investigations. Around this time, the NSW Government advised that funding for the project was withdrawn.

Community consultation on the proposed options was undertaken in 2020. A diversity of opinion about the project was expressed during the 2020 consultation process. Given this diversity of opinion, and that due to there being no current funding source for the project to proceed, it is proposed that an elected Council would be better placed to consider the outcomes of the community consultation. On this basis, it is recommended that the remaining action (resolution 861/19) be deferred until the next term of Council.

**Consultation**

Director Corporate Services  
Director Environment and Planning  
Unit Manager Governance Risk and Legal  
Section Manager Councillor and Democratic Services

**Financial Considerations**

This report has no financial impact on Council's adopted budget.

**Link to Community Strategic Plan**

Theme 4: Responsible

**Goal G: Good governance and great partnerships**

R-G2: Engage and communicate openly and honestly with the community to build a relationship based on trust, transparency, respect and use community participation and feedback to inform decision making.

**Risk Management**

By proactively tracking Council resolutions Council can reduce the risk of not meeting the community's expectations or not delivering on its actions.

**Options**

Not applicable.

**Critical Dates or Timeframes**

See attached Status Update on Active Council Resolutions Report for specific deadlines. This will be a quarterly report beginning February 2024.

**Attachments**

**2.16                      Status Update on Active Council Resolutions (cont'd)**

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<b>1</b>	Active Actions Council meeting	Provided Under Separate	D16021001
	16022024	Cover	