



Central Coast Council
Business Paper
Ordinary Council Meeting
23 May 2023





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.

COMMUNITY STRATEGIC PLAN 2018-2028 FRAMEWORK

THEMES:

- BELONGING:** Own Community, Community Connection, Community Vision
- SMART:** A Growing and Competitive Region, A Place of Opportunity for People
- GREEN:** Environmental Protection, Healthy and Sustainable Region
- RESPONSIBLE:** Local Governance and Great Partnerships, Belonging Essential Infrastructure, An Active and Sustainable Environment
- LIVEABLE:** Reliable Public Transport and Connections, Safe and Sound for the Future, Healthy Lifestyle and Social Wellbeing

Legend:

- Theme (Large box)
- Focus Area (Medium box)
- Objective (Small box)

Meeting Notice

**The Ordinary Council Meeting
of Central Coast Council
will be held in the Central Coast Council Chamber,
2 Hely Street, Wyong
on Tuesday 23 May 2023 at 6.30pm,
for the transaction of the business listed below:**

*Three month trial change to the Public Forum will commence May 2023
Council meeting.*

**The Public Forum will be held on Monday 22 May at 5.00pm, in a
hybrid online and face to face format, subject to any registered
speaker/s to items listed on this agenda**

Further information and details on registration process:

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

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David Farmer
Chief Executive Officer



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

23 May 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15555840

Author: Rachel Gibson, Team Leader, Civic Support

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*

1.1 Disclosures of Interest (contd)

- (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.



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

23 May 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15555836

Recommendation

That Council confirm the minutes of the Ordinary Meeting of Council held on 26 April 2023.

Summary

Confirmation of minutes of the Ordinary Meeting of Council held on 26 April 2023.

Attachments

1 	MINUTES - Council Meeting - 26 April 2023	Provided Under Separate Cover	D15642516
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Item No: 1.3
Title: Notice of Intention to Deal with Matters in Confidential Session
Department: Corporate Services

23 May 2023 Ordinary Council Meeting

Reference: F2023/00021 - D15555831

Recommendation

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

Summary

It is necessary for the Council to adopt a resolution to 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,*
- 2(f) *matters affecting the security of the Council, Councillors, Council staff or Council property,*

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

- 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 April 2023
Department: Corporate Services

23 May 2023 Ordinary Council Meeting

Reference: F2020/03205 - D15655688
Author: Leslie Chan, Regulatory Reporting Senior Accountant
Michelle Best, Financial Controller
Manager: Emma Galea, Chief Financial Officer
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

That Council receive the report Monthly Financial Reports – April 2023.

Report purpose

To present to Council the monthly financial reports for April 2023.

Executive Summary

This report presents the April 2023 monthly financial reports for Central Coast Council.

Background

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

Report

The reports disclose the year-to-date financial results in Operating Statement format, by Fund.

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

Consultation

In the preparation and finalisation of the monthly reports for April 2023, all business areas of Council contributed to the information contained within the financial reports.

Financial Considerations

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

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

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

Financial Strategy Ratios

This Report is prepared in conjunction with Council's Financial Strategy, adopted by Council on 23 August 2022 and reports the following financial performance ratios:

- **Operating Performance Ratio** - measures Council's achievement of containing operating expenditure within operating revenue and is set between 1% and 8%.
- **Unrestricted Current Ratio** - identifies whether there are sufficient funds available to meet short term obligations and is set at the industry benchmark of 1.5.
- **Unrestricted Cash Position** - funds available to cover operational needs and unexpected or emergency costs within each fund. Council will aim to maintain unrestricted cash in each fund and set a target band of between 3% and 10% for each fund. This will monitor the targeted use of unrestricted funds on community services and infrastructure.
- **Loan Principal Payments** - the operating result (excluding capital grants and contributions) for each fund for the year plus if necessary, pre-existing unrestricted cash reserves in each fund needs to at least cover the net loan principal repayments of that fund for that same year. (see Note below the Table)
- **Capital Program Funding** - Council's intent is to provide at least sufficient funds from operations for the capital budget to replace assets as they fall due. The depreciation target is currently used as a proxy for the long-term annual funding requirement to replace Council's assets at their gross replacement value. Council will aim to achieve the industry benchmark of 100% in each fund.

2.1 Monthly Finance Report April 2023 (contd)

A summary of performance against the financial strategy ratios is below. For further information on each ratio including the formula, refer to the April 2023 monthly financial report attachment.

Financial Performance Ratio	Fund	Benchmark Ratio	Actual Ratio as at April 2023	Commentary (if applicable)
Operating Performance Ratio	Consolidated	1% - 8%	6.6%	
Unrestricted Current Ratio	Consolidated	1.5x	1.4x	This is due to the \$100M emergency loan being transferred from non-current liability to current liability as it is due to be repaid in December 2023. This is a recognised timing issue that if not applied would keep Council's unrestricted current ratio above the 1.5 benchmark.
Unrestricted Cash Position	Consolidated	3 – 10%	28.9%	
	General & Drainage		12.2%	
	Water		2.1%	Council is currently holding excess funds in all but the Water Fund to expend on community services and infrastructure.
	Sewer		140.1%	
	Domestic Waste		10.0%	
Capital Program Funding	Consolidated	100%	114%	
	General & Drainage		125%	
	Water		55%	Due to recent revaluation and indexation of the water fund asset base, the depreciation budget has exceeded the Capex budget, which was initially set by IPART.
	Sewer		138%	

Note: The Principal Loan Repayment ratio has been removed from the Table above pending review. It is proposed to align ratios within the Financial Strategy to the mandatory ratios reported in the Annual Financial Statements.

2.1 Monthly Finance Report April 2023 (contd)

Operating Statement

The attached financial reports record actual revenue and expenditure, tracking against the Q2 adjusted budget and for the year-to-date reporting period to 30 April 2023.

For the month of April 2023, Council is reporting an operating result surplus of \$6.0M, before capital income, which was favourable to budget by \$1.1M and a net operating surplus including capital income of \$14.7M which was favourable to budget by \$6.0M.

April 2023 year-to-date, Council is reporting an operating result surplus of \$33.3M, before capital income, which was favourable to budget by \$6.1M and a net operating surplus including capital income of \$80.5M which was unfavourable to budget by \$0.8M.

Consolidated Operating Statement											
											
April 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
Operating Income											
Rates and Annual Charges	35,902	36,035	(134)	326,869	327,330	(461)	306,559	365,740	390,335	150	390,485
User Charges and Fees	13,231	13,456	(224)	134,650	130,454	4,197	115,488	140,237	145,542	11,478	159,769
Other Revenue	1,453	876	577	16,461	9,261	7,200	9,437	12,856	9,666	2,003	13,273
Interest	2,161	418	1,742	18,029	9,999	8,030	4,985	5,470	4,890	6,013	18,438
Grants and Contributions	1,029	1,357	(328)	20,647	22,985	(2,338)	41,448	47,717	34,046	14,463	48,260
Gain on Disposal	487	-	487	2,717	1,819	898	24,942	26,056	5,294	(3,476)	2,557
Other Income	732	577	155	8,008	7,263	745	6,232	7,909	7,917	597	9,020
Internal Revenue	4,939	4,889	50	49,514	49,789	(275)	54,759	68,851	58,441	931	59,381
Total Income attributable to Operations	59,933	57,609	2,325	576,895	558,901	17,994	563,848	674,838	656,131	32,160	701,184
Operating Expenses											
Employee Costs	14,422	14,328	(94)	142,377	147,416	5,039	133,202	162,831	180,750	648	178,783
Borrowing Costs	735	737	2	8,526	8,500	(26)	9,614	12,940	11,421	1,475	12,936
Materials and Services	16,627	19,150	2,522	169,271	180,689	11,418	125,271	174,256	205,479	22,094	221,715
Depreciation and Amortisation	14,889	11,992	(2,897)	144,096	120,538	(23,558)	123,441	169,041	158,781	(526)	177,608
Other Expenses	2,415	2,700	286	35,443	34,631	(812)	29,666	50,717	38,252	2,709	41,287
Loss on Disposal	673	-	(673)	3,650	-	(3,650)	378	4,469	-	200	10,200
Internal Expenses	4,130	3,727	(403)	40,183	39,853	(331)	48,176	60,136	51,691	(184)	51,516
Overheads	(0)	0	0	0	0	0	(0)	(0)	-	0	0
Total Expenses attributable to Operations	53,891	52,633	(1,258)	543,547	531,628	(11,919)	469,745	634,390	646,373	26,417	694,045
Operating Result after Overheads and before Capital Amounts	6,042	4,976	1,067	33,349	27,273	6,075	94,103	40,447	9,758	5,743	7,140
Capital Grants	3,206	2,067	1,138	27,704	34,230	(6,526)	22,091	35,785	55,740	(3,913)	53,002
Capital Contributions	5,477	1,730	3,747	19,477	19,822	(345)	19,345	29,841	20,143	3,049	19,105
Grants and Contributions Capital Received	8,683	3,797	4,885	47,181	54,052	(6,871)	41,436	65,626	75,883	(864)	72,106
Net Operating Result	14,725	8,773	5,952	80,530	81,326	(796)	135,540	106,073	85,640	4,879	79,246

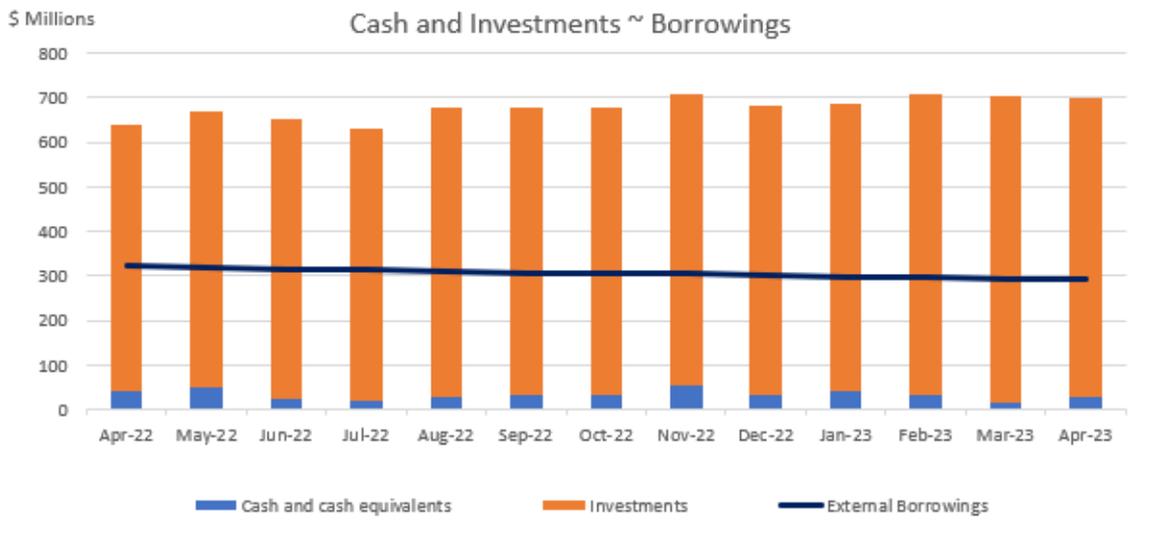
Council has undertaken a review of its Budget as part of the March 2023 Quarterly Budget Review, which is included as a separate report in this business paper. The year-end forecast of an operating surplus (before capital income) of \$7.1M and a net operating surplus of \$79.2M, (including capital income) reflects the budget adjustments included in the March 2023 Quarterly Budget Review.

2.1 Monthly Finance Report April 2023 (contd)

Cash and Investments / External Borrowings / Cash Flows

During April 2023, total cash and investments reduced by \$5.8M from \$706.2M to \$700.4M. External borrowings as of 30 April 2023 were \$293.7M.

During April 2023, principal loan repayments of \$0.3M fell due and were repaid bringing total year-to-date principal loan repayments to \$19.7M which is in line with the lending institutions loan repayments schedules.



	Actual YTD @ 30 Apr 2023 \$'000	Rolling Forecast @30 Apr 2023 \$'000	Variance \$'000	Revised Forecast @ 30 June 2023 \$'000	Original Forecast @ 30 June 2023 \$'000
CONSOLIDATED CASH FLOW MOVEMENTS					
Opening cash & investments @ 1 July 2022	652,137	652,137	-	652,137	652,137
Income receipts (incl Capital grants & contributions)	583,562	611,724	(28,162)	722,686	726,530
Operational payments	(401,134)	(409,644)	8,510	(504,346)	(483,681)
Net operating cash inflow / (outflow)	182,428	202,079	(19,652)	218,341	242,849
Capital projects payments	(119,549)	(133,164)	13,614	(163,263)	(176,509)
Asset sales	5,011	4,229	782	5,011	24,940
Financing receipts	(0)	(0)	-	(0)	80,000
Financing repayments	(19,655)	(19,377)	(278)	(22,675)	(157,485)
Total cash inflow / (outflow)	48,235	53,767	(5,533)	37,414	13,795
Closing cash & investments @ 30 Apr 2023	700,372	705,904	(5,533)	689,551	665,932

2.1 Monthly Finance Report April 2023 (contd)

ACTUAL v FORECAST MONTHLY CASH FLOW GENERAL FUND (incl DRAINAGE FUND)	Actual YTD @ 30 Apr 2023 \$'000	Rolling Forecast @ 30 Apr 2023 \$'000	Variance \$'000	Revised Forecast @ 30 June 2023 \$'000	Original Forecast @ 30 June 2023 \$'000
Opening cash & investments @ 1 July	407,088	407,088	0	407,088	407,088
Income receipts (incl Capital grants & contributions)	349,625	380,084	(30,459)	423,462	447,897
Operational payments	(255,729)	(265,589)	9,860	(312,068)	(303,844)
Net operating cash inflow / (outflow)	93,896	114,494	(20,598)	111,394	144,053
Capital projects payments	(80,225)	(88,308)	8,083	(95,860)	(113,579)
Asset sales	5,011	4,229	782	5,011	24,940
Financing receipts	999	999	0	999	50,000
Financing repayments	(10,224)	(9,946)	(278)	(9,657)	(113,314)
Total cash inflow / (outflow)	9,457	21,468	(12,011)	11,887	(7,900)
Closing cash & investments @ 30 Apr	416,545	428,556	(12,011)	418,976	399,188

Restricted Funds

Total Funds by Fund						
Fund	General Fund	Drainage Fund	Consolidated General Fund	Water Fund	Sewer Fund	Domestic Waste Fund
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
External Restricted Funds	204,545	39,299	243,844	13,761	32,674	99,771
Internal Restricted Funds	126,848	20	126,868	908	877	47
Total Restricted Funds	331,393	39,319	370,712	14,669	33,551	99,818
Unrestricted Funds	83,939	- 38,106	45,833	1,757	126,331	7,701
Total Funds by Fund	415,332	1,213	416,545	16,426	159,882	107,519

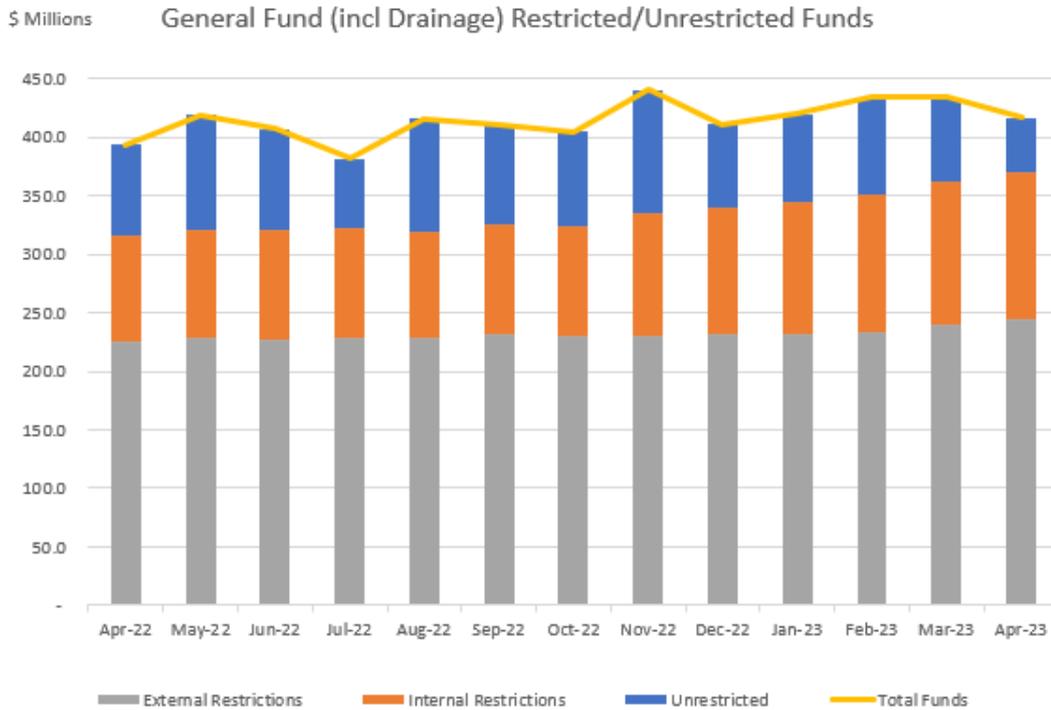
Note: The above table consolidates General Fund and Drainage Fund. From 1 July 2026, Drainage Fund fees and charges will no longer be regulated by IPART and will become part of Council's General Fund.

The General Fund unrestricted balance (inclusive of Council's Drainage Fund) is currently \$45.8M. The graph below highlights Council General Fund unrestricted cash position including the Drainage Fund.

In accordance with the 'Establishment of new Internal Restrictions and Update of Restricted Funds Policy' adopted at the November Council meeting, two new Internal Restrictions were created and during April 2023, \$4.0M was transferred to the Emergency Loan Repayment restricted funds account to cover the \$50M repayment scheduled for December 2023. As at 30 April 2023, the Emergency Loan Repayment restriction has a balance of \$24.0M.

2.1 Monthly Finance Report April 2023 (contd)

The unrestricted funds balances across Council's five Funds will fluctuate during the year as revenues are received and expenditures occur at different periods throughout the financial year.



Capital Works

Council is reporting year-to-date capital works expenditure to 30 April 2023 of \$120.5M compared to budget of \$137.8M. Council currently has 129 active capex projects.

Summary of Capital Expenditure					
Department	YTD Actuals	YTD Budgets	YTD Variance (\$)	YTD Variance (%)	Full Year Approved Budget
	000's	000's	000's	%	000's
01. Office of the Chief Executive Officer	-	-	-	-	-
02. Community and Recreation Services	10,400	15,530	(5,130)	-33.0%	22,143
03. Infrastructure Services	53,045	61,400	(8,355)	-13.6%	74,218
04. Water and Sewer	44,194	44,042	153	0.3%	62,931
05. Environment and Planning	4,826	8,197	(3,371)	-41.1%	11,505
06. Corporate Services	8,023	8,615	(591)	-6.9%	10,854
Total	120,489	137,783	(17,294)	-12.6%	181,650

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

1	Financial Performance - Monthly Finance Report April 2023	Provided Under Separate Cover	D15671755
2	00 Consolidated and By Fund April 2023 Monthly Financial Report	Provided Under Separate Cover	D15671756



Item No: 2.2
Title: Investment Report for April 2023
Department: Corporate Services

23 May 2023 Ordinary Council Meeting

Reference: F2004/06604 - D15654211
Author: Devini Susindran, Team Leader
Manager: Emma Galea, Chief Financial Officer
Executive: Marissa Racomelara, Director Corporate Services

Recommendation

- 1 That Council note the Investment Report for April 2023.**
- 2 That Council note that internally restricted funds are unrestricted funds that have been internally allocated to a certain purpose.**
- 3 That Council allocate the required unrestricted funds available in the General Fund to meet its April 2023 unrestricted funds deficit of \$38.1M in Drainage Fund as set out in this report.**

Report purpose

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

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

Executive Summary

This report details Council’s investments as at 30 April 2023.

Background

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

Current Status

Council’s current cash and investment portfolio totals \$700.37M as at 30 April 2023. A summary of investments as at 30 April 2023 is attached as Attachment 1 to this report.

Table 1 - Council’s Cash and Investment Portfolio by Type

Type	Value (\$'000)
Investment Portfolio	671,063
Transactional accounts and cash in hand	29,308
Total	700,371

During April, Council’s total cash and investments decreased by \$5.90M from \$706.27M to \$700.37M. The decrease during April is due to Council’s cash inflows including investment maturities being used to manage outflows. Maturities during the month have been 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 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	204,545	39,299	243,844	13,761	32,674	99,771

2.2 Investment Report for April 2023 (contd)

Internal Restricted Funds	126,848	20	126,868	908	877	47
Total Restricted Funds	331,393	39,319	370,712	14,669	33,551	99,818
Unrestricted Funds	83,939	(38,106)	45,833	1,757	126,331	7,701
Total funds by Fund	415,332	1,213	416,545	16,426	159,882	107,519

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. 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 \$38.1M. In 2026 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 \$38.1M is proposed to be funded through the General Fund's available unrestricted cash balance as at 30 April 2023 of \$83.9M.

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 30 April 2023 is outlined in Table 3 below. Total net return on the portfolio for Council in April 2023, comprising entirely of interest earned, was \$2.02M.

2.2 Investment Report for April 2023 (contd)

Table 3 – Portfolio Movement (Investments only)

Description	2021-22	Jul-Sep Qtr	Oct-Dec Qtr	Jan-Mar Qtr	Apr-23	FYTD
	Financial Year \$'000	2022/23 \$'000	2022/23 \$'000	2022/23 \$'000	2022/23 \$'000	2022/23 \$'000
Opening Balance	447,221	628,005	643,487	649,768	690,644	628,005
movement in cash at call, additions and disposals	191,662	15,039	5,793	38,688	-19,921	39,599
Movement in Market Value	-10,878	443	488	2,188	340	3,459
Closing Balance	628,005	643,487	649,768	690,644	671,063	671,063
Interest earnings	5,660	3,574	5,230	6,069	2,018	16,891

The market value of Council's investment portfolio as at 30 April 2023 is \$671.06M.

Council's investments are evaluated and monitored against a benchmark appropriate to the risk (APRA Standards BBB long term or above) and time horizon of the investment concerned. A summary of the term deposit and floating rate notes maturities are listed in Table 4 below.

Table 4 - Investment Maturities

Time Horizon	Percentage Holdings	Maturity on or before	Value \$'000
At Call	4.64%	Immediate	31,139
Investments			
0 - 3 months	9.39%	Jul-2023	63,005
4 - 6 months	8.06%	Oct-2023	54,093
7 - 12 months	14.08%	Apr-2024	94,466
1 - 2 years	18.03%	Apr-2025	121,025
2 - 3 years	25.18%	Apr-2026	168,946
3 - 4 years	18.45%	Apr-2027	123,782
4 - 5 years	2.18%	Apr-2028	14,607
Total Investments	95.36%		639,924
Total Portfolio	100.00%		671,063
Interest Accrued to April 2023 (Excluding Interest on call accounts)			4,458
Market Value of Investment per Portfolio Valuation Report (Attachment 5)			675,521

The investment portfolio is concentrated in AA (17.12%), A (48.66%), and BBB (34.22%).

Council monitors and manages the portfolio taking into consideration credit ratings of financial institutions, interest rates offered for the maturity dates required and counterparty exposure. All of Council's investments were within policy guidelines as at 30 April 2023.

The current spread of investments and counterparty exposure for April 2023 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 at Attachment 1 and are highlighted in green.

Council currently holds 3.21% or \$21.5M in ESG investments as at 30 April 2023.

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 3.60%. Changes in economic conditions have led to the Reserve Bank of Australia (RBA) increasing its cash rate (which was at a historic low of 0.10% until 4 May 2022), to 3.85% on 3 May 2023. BBSW has also followed this trend 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
April 2022	0.10%	0.08%
May 2022	0.35%	0.39%
June 2022	0.85%	0.92%
July 2022	1.35%	1.48%
August 2022	1.85%	1.89%
September 2022	2.35%	2.41%
October 2022	2.60%	2.72%
November 2022	2.85%	2.87%
December 2022	3.10%	3.01%
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%	Available at end of May

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 April 2023 is 3.90%. 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.

Consultation

Not Applicable

Financial Considerations

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

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

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

Council's investment portfolio includes rolling maturity dates to ensure that Council has sufficient liquidity to meet its ongoing obligations and the paydown of \$50M against the emergency loans in December 2023.

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

1	Summary of Investments as at 30 April 2023	Provided Under Separate Cover	D15666860
			
2	Summary of Restrictions as at 30 April 2023	Provided Under Separate Cover	D15667901
			
3	Investment Report Graphs and Table for April 2023	Provided Under Separate Cover	D15666861
			
4	Trading Limits Report as at 30 April 2023	Provided Under Separate Cover	D15666865
			
5	Portfolio Valuation Report as at 30 April 2023	Provided Under Separate Cover	D15666868
			



Item No: 2.3
Title: 2022-23 Quarter 3 Review
Department: Corporate Services and Environment and Planning

23 May 2023 Ordinary Council Meeting

Reference: F2021/01492 - D15654540
Author: Leslie Chan, Regulatory Reporting Senior Accountant
Michelle Best, Financial Controller
Sharon McLaren, Section Manager Corporate Planning and Reporting
Manager: Shannon Turkington, Unit Manager Strategic Planning
Emma Galea, Chief Financial Officer
Executive: Alice Howe, Director Environment and Planning
Marissa Racomelara, Director Corporate Services

Recommendation

That Council adopt Central Coast Council's Quarter 3 Business Report for 2022-23 (Attachment 1), including the proposed budget amendments as detailed in this report.

Report purpose

To report on Central Coast Council's performance progress as measured against the organisation's Operational Plan for 2022-23. The *Q3 Business Report* covers the progress on the operational plan activities and financial performance for the period 1 January 2023 to 31 March 2023.

Executive Summary

Clause 203 of the *Local Government (General) Regulation 2021* requires a Council's Responsible Accounting Officer to prepare and submit a *Quarterly Budget Review Statement* to the governing body of Council.

The *Quarterly Budget Review Statement* must show, by reference to the estimated income and expenditure that is set out in the Operational Plan adopted by Council for the relevant year, a revised estimate of income and expenditure for that year. It also requires the *Quarterly Budget Review Statement* to include a report by the Responsible Accounting Officer as to whether or not they consider the statement indicates Council to be in a satisfactory financial position and if not, to include recommendations for remedial action. Council's Operational Plan sets out planned achievements, goals and adopted revenue policy, including estimates of income and expenditure.

The *Quarterly Budget Review Statement* plays an important role in monitoring Council's progress against the Operational Plan.

Operational Plan Action and Target Progress

At the end of Quarter 3, the overall performance against the Operational Plan actions and indicators shows 28 out of 153 actions are Completed and 90 are On Track for delivery by the end of the financial year, 24 are Delayed, 2 are Scheduled to commence, and 9 are On Hold or Closed.

Financial Performance

- The year to date (YTD) operating result (excluding capital grants and contributions) is showing a favourable variance of \$5.0M, consisting of an actual surplus of \$27.3M compared to a budget surplus of \$22.3M.
- The YTD operating result (including capital grants and contributions) is showing an unfavourable variance of (\$6.7M), consisting of an actual surplus of \$65.8M compared to a budget surplus of \$72.5M.
- The proposed Q3 adjustments will move the 2022-23 budgeted operating surplus (excluding capital grants and contributions) from \$15.5M to a budgeted operating surplus (excluding capital grants and contributions) of \$7.1M.
- The proposed Q3 adjustments will move the 2022-23 budgeted operating surplus (including capital grants and contributions) from \$90.5M to a budgeted operating surplus (including capital grants and contributions) of \$79.2M.
- The YTD capital expenditure is \$108.0M compared to a YTD budget of \$113.5M.
- The proposed Q3 capital expenditure budget adjustment is a decrease of \$6.9M, that will result in a revised 2022-23 full year capital works program of \$174.7M.

More information and details of progress and financial performance are provided in the *Q3 Business Report* (Attachment 1).

Background

The 2022-23 *Q3 Business Report* for Central Coast Council is provided in Attachment 1. It incorporates reporting on the progress of actions and targets against the objectives of the Operational Plan and the *Quarterly Budget Review Statement* for Quarter 3.

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* that shows a revised estimate of the income and expenditure for that year.

As required under the Integrated Planning and Reporting Framework, Council is required to report on its progress with respect to its actions and targets against the objectives of the Operational Plan, at least every six months. This report contains progress information for Quarter 3 and is prepared to coincide with the *Quarterly Budget Review Statement*.

This quarterly report is presented in the necessary format 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, measures and projects for Q3. The information contained in the *Q3 Business Report* includes specific details of progress.

Theme:	Belonging	Smart	Green	Responsible	Liveable	Total
Completed	3	2	3	13	7	28
On Track	28	10	6	30	16	90
Delayed	2	2	2	16	2	24
Scheduled	0	0	0	2	0	2
On Hold	0	0	0	1	0	1
Closed	0	0	0	7	1	8
Total	33	14	11	69	26	153

Financial Performance

The below YTD operating results are inclusive of rates and waste management annual charges income being amortised over a 12-month period.

The YTD operating result (excluding capital grants and contributions) is showing a favourable variance of \$5.0M, consisting of an actual surplus of \$27.3M compared to a budget surplus of \$22.3M. More information is provided in Sections 1.1 and 2.2 of Attachment 1.

The YTD operating result (including capital grants and contributions) is showing an unfavourable variance of (\$6.7M), consisting of an actual surplus of \$65.8M compared to a budget surplus of \$72.5M. More information is provided in Sections 1.1 and 2.2 of Attachment 1.

The Q3 YTD capital expenditure is \$108.0M compared to a YTD budget of \$113.5M.

Consultation

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

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.

Budget adjustments are proposed in this report and are detailed in the Attachment 1.

The proposed Q3 adjustments will move the 2022-23 budgeted operating surplus (excluding capital grants and contributions) from \$15.5M to a budgeted operating surplus (excluding capital grants and contributions) of \$7.1M.

The proposed Q3 adjustments will move the 2022-23 budgeted operating surplus (including capital grants and contributions) from \$90.5M to a budgeted operating surplus (including capital grants and contributions) of \$79.2M.

Council's budgeted financial position continues to be a surplus position.

Adjustments proposed to be adopted as part of the *Q3 Business Report* include:

Increase of \$12.9M in operating income

- \$6.7M increase in income from interest on investments being higher than expected due to rising interest rates.
- \$1.5M increase in income from a review of Leisure, Beach Safety and Community Facilities allocations, resulting in additional revenue realised and identified savings across each area.
- \$1.3M increase in income from the Waste Unit, including additional revenue recognised in line with actuals and contract adjustments from the rise/fall of CPI.
- \$1.0M increase in income from Plant & Fleet adjustments, including a net gain on disposal of assets.
- \$0.9M increase in income from Water and Sewer interest revenue being higher than expected due to rising interest rates.
- \$0.8M increase in income from workers' compensation insurance recoveries.
- \$0.5M increase in income from timing changes of funding for Central Coast Airport and managing both underspends and overspends based on operational needs. *
- \$0.3M increase in income from current land sale trend being higher than expected.
- \$0.3M increase in income from additional revenue received for small road related projects.
- (\$0.4M) unfavourable decrease in income from delays in delivery of the Tuggerah Lakes Coastal Management Program (CMP) grant project.

Note: * indicates additional expenditures either fully or partially directly offset the additional income.

Increase of (\$21.2M) in operational expenditure

- (\$19.4M) increase in expenditure from the additional depreciation expense recognised from the most recent asset valuation process.
- (\$10.0M) increase in expenditure from the loss on disposal of assets due to identified assets that were damaged/impaired, did not own/control or replaced during the 2021/22 year-end processes, as well as write off of roads and drainage assets that have been replaced in the last 2 years. This is a one-off adjustment arising from a significant reconciliation of asset registers and will not be an ongoing expense to this extent, except for any routine end-of-year asset reconciliation adjustments.
- (\$0.5M) increase in expenditure from timing changes of funding for Central Coast Airport and managing both underspends and overspends based on operational needs. *
- (\$0.5M) increase in expenditure relating to the Emergency Services Levy, to align with the amount payable for 2022-23.
- (\$0.3M) increase in expenditure associated with the timing of the Gosford Waterfront grant project.
- (\$0.3M) increase in expenditure from the Waste Unit, due to additional spend in line with the additional revenue recognised.
- (\$0.2M) increase in expenditure from additional costs incurred for insurance of (\$0.4M)
- (\$0.2M) decrease in expenditure arising from savings in legal costs.
- (\$0.2M) increase in expenditure from aligning the gas, electricity, and street lighting budget to the latest forecast.
- (\$0.2M) increase in expenditure from additional audit fees due to additional audit work associated with removing the audit qualification in 2021-22.
- \$0.1M favourable decrease in expenditure in the CEO Office arising from reduced consultants and contract costs.
- \$0.3M favourable decrease in expenditure from a review of Communications, Marketing and Customer Engagement allocations, resulting in the identification of cost savings across each area.
- \$0.4M favourable decrease in expenditure from People and Culture Unit and Finance Unit, due to identified savings from certain service deliveries impacted by resourcing issues.
- \$0.6M favourable decrease in expenditure from employee cost vacancy harvesting and contractor adjustments.
- \$0.6M favourable decrease in expenditure from a deferral of the LED Streetlighting project to future years.
- \$1.6M favourable decrease in grants associated expenditure of materials and services from delays in the delivery of current business activities, specifically in the Tuggerah Lakes CMP project and the Open Coast CMP project.
- \$2.1M favourable decrease in expenditure from Information and Technology Unit, including reduced consultancy costs due to vacancies being filled, reduced telecommunication costs and projects delayed until future years.
- \$4.4M favourable decrease in expenditure from Water and Sewer adjustments due to vacancies and recruitment delays impacting the delivery of a number of new initiatives.

Note: * indicates additional income either fully or partially directly offsets the additional expense.

Decrease of (\$2.9M) in capital income

- \$2.0M favourable increase in Water and Sewer capital grants and contributions from recently awarded capital grants and increased non-cash developer contributions.
- \$0.4M favourable increase from additional capital revenue recognised from the Local Roads and Community Infrastructure grant funded works.
- (\$5.3M) unfavourable reduction in developer contribution income due to a delay in development activity for ongoing projects.

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. Further information on the proposed budget adjustments is provided in Section 3.1 and 3.2 of Attachment 1.

Capital Works Program

The proposed Q3 capital expenditure budget adjustment is a decrease of \$6.9M, which will result in a revised 2022-23 full year capital works program of \$174.7M.

A full list of proposed changes to the capital works program is provided in Section 3.3 of 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 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 *Quarterly Budget Review Statement* to the Council within two months of the end of each quarter (excluding June). This requirement is met by adoption of the Q3 Business Report, which is due by 31 May 2023.

Attachments

- 1  2022-23 Q3 Business Report Provided Under Separate Cover D15669929



Item No: 2.4
Title: Determination of water, wastewater and stormwater drainage charges for 2023-24
Department: Corporate Services

23 May 2023 Ordinary Council Meeting

Reference: F2021/01492 - D15671858
Author: Andrew Rodham, Senior Accountant
Manager: Emma Galea, Chief Financial Officer
Executive: Jamie Loader, Director Water and Sewer

Recommendation

- 1 That Council approve the Water, Wastewater (Sewerage) and Stormwater Drainage Fees and Charges set out in Attachment 2.**
- 2 That Council determine, for the purposes of s.315(1)(a) the Water Management Act 2000, that the amount of revenue it proposes to raise in 2023-24 by way of service charges including the usage of the service is \$223,480,085. This is calculated based on the Independent Pricing and Regulatory Tribunal (IPART's) Final Determination dated 24 May 2022.**
- 3 That Council determine, for the purpose of s.315(1)(b) of the Water Management Act 2000, that land is to be classified for the purpose of levying services charges according to the following factors:**
 - a the purpose for which the land is actually being used,**
 - b the intensity with which the land is being used for that purpose,**
 - c the purposes for which the land is capable of being used,**
 - d the nature and extent of the water or wastewater services connected to the land.**
- 4 That Council determine, for the purposes of s.315(1)(c) of the Water Management Act 2000 that services charges be levied on the following bases, as applicable to each charge:**
 - a the availability of the service**
 - i the classification of land**
 - ii the size of the water meter registering supply**
 - iii the cost of providing the service (i.e. wastewater discharge factor)**
 - b the usage of the service**
 - i the volume of water supplied (as measured or estimated by Council)**
 - ii the degree of use (i.e., wastewater discharge factor)**

2.4 Determination of water, wastewater and stormwater drainage charges for 2023-24 (contd)

- 5 That Council determine, for the purposes of s.315(1)(d) of the Water Management Act 2000, that the service charges be levied in accordance with attachment 1 to the report.**
- 6 That Council request that the Chief Executive Officer seek the Minister's approval under s315(3) of the Water Management Act 2000 for the service charges in accordance with the above determinations.**

Report purpose

To report the details of the water, wastewater (sewerage) and stormwater drainage fees and charges for the 2023-2024 charging year.

Executive Summary

This report seeks adoption of water, wastewater and stormwater drainage fees and charges for the 2023-2024 charging year in line with IPART four-year price determination for the period 1 July 2022 to 30 June 2026.

Council's water, wastewater and stormwater drainage charges are also subject to approval by the Minister for Water under s. 315(3) of the Water Management Act 2000, subsequent to adoption by Council.

Background

Under cl. 6(a) of the *Local Government (Council Amalgamations) Proclamation 2016*, from 12 May 2016 Central Coast Council is the "water supply authority" for the Central Coast local government area, for the purpose of the *Water Management Act 2000*.

Section 315 of the *Water Management Act 2000* requires Council to make various determinations in respect to water, wastewater, and stormwater drainage service charges that it will impose no later than one month before the beginning of each "charging year". Council's next "charging year" starts 1 July 2023.

On 24 May 2022, the Independent Pricing and Regulatory Tribunal ("IPART") made a four-year determination concerning Council's water, wastewater, and stormwater drainage charges, for the period 1 July 2022 to 30 June 2026.

As the final determination was made in 2022-2023 dollars, annual CPI adjustments for inflation are applied to service charges. The CPI multiplier as per the IPART determinations is the consumer price index All Groups index number for the weighted average of eight capital cities, published by the Australian Bureau of Statistics. The maximum prices in the

2.4 Determination of water, wastewater and stormwater drainage charges for 2023-24 (contd)

determinations are to be adjusted for inflation by multiplying the specified price in 2022-2023 dollars by the specified CPI multiplier.

For 2023-2024 the CPI multiplier is calculated as the percentage change from the March Quarter 2023 to March Quarter 2024, which equals 7.0% as published by the Australian Bureau of Statistics on 26 April 2023.

See Attachment 1 for a copy of IPART's Final Determination.

Council's water, wastewater and stormwater drainage charges are also subject to approval by the Minister for Water under s. 315(3) of the *Water Management Act 2000*.

Current Status

The (estimated) revenue to be raised in 2023-24 from Water, Wastewater and Stormwater Drainage Service Charges based on the IPART's Final Determination issued on 24 May 2022 and adjusted for inflation is \$223,480,085.

The following table summarises the forecast 2023-2024 Annual Service Charges and budgeted revenue, including indexation and growth.

Service Charge	Basis	2023-2024 Estimated Revenue
Water	Per property per annum	\$ 105,513,885
Wastewater (Sewerage)	Per property per annum	\$ 97,766,937
Stormwater Drainage	Per property per annum	\$ 20,199,263
Total service charges including usage component		\$223,480,085

The following tables estimate the 2023-2024 annual service charges for a typical residential house customer with a comparison to those levied by law in the 2022-2023 charging year. These estimates are based on water consumption of 150kL per year and wastewater usage of 125kL per year.

2.4 Determination of water, wastewater and stormwater drainage charges for 2023-24 (contd)

Charge	Charge Basis	2022-2023 Charges	2023-2024 Charges Per IPART's Determination	Movement in 2022-2023 Charges
Water Service Charge	Per property per annum	\$155.24	\$234.08	\$78.84
Wastewater (Sewerage) Service	Per property per annum	\$443.78	\$492.02	\$48.24
Stormwater Drainage Service	Per property per annum	\$130.07	\$139.17	\$9.10
Water Usage (150KL)	Per property per annum	\$346.50	\$370.50	\$24.00
Wastewater (Sewerage) Usage	Per property per annum	\$120.00	\$128.75	\$8.75
Total estimated charges	Per property per annum	\$1,195.59	\$1,364.52	\$168.93

Consultation

IPART reviewed the maximum prices that Central Coast Council can charge for its water, wastewater, stormwater drainage and other water-related services. Council submitted its [pricing proposal](#) on 10 September 2021, and IPART released its [Issues Paper](#) on 28 September 2021.

During October 2021 IPART sought feedback on Council's pricing proposal and Issues Paper, and held an [online public hearing](#) for the review on 26 October 2021. 175 Community submissions were received and over 1,000 responses to a 'Have Your Say Survey'.

IPART undertook further investigation and analysis, and considered all feedback made through submissions, survey responses, and at the public hearing before releasing its Draft Report seeking further community feedback in March 2022. A second public hearing was held in April 2022 and Final Determination was handed down on 24 May 2022.

Council's proposed Fees and Charges (including the water, wastewater, and stormwater drainage charges) for the 2023-2024 charging year are based on the IPART's Final Determination issued on 24 May 2022 and were publicly exhibited with Council's Draft Operational Plan from 3 April 2023 until 1 May 2023.

2.4 Determination of water, wastewater and stormwater drainage charges for 2023-24 (contd)

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 estimated revenue to be raised from Water, Wastewater and Stormwater Drainage Service Charges based on the IPART Determinations for 2023-2024 is \$223,480,085.

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.

Critical Dates or Timeframes

Under s.315 of the *Water Management Act 2000* Council is required to adopt the pricing at least one month prior to imposing the charges. Accordingly, in order for the charges within this report to be implemented, Council needs to make the relevant determinations by 31 May 2023. If these determinations are made, Council must then seek the approval of the Minister under s.315(3)(a) of the *Water Management Act 2000* and publish in the NSW Government Gazette prior to 30 June 2023.

Attachments

1	Final IPART Determination issued 24 May 2022	Provided Under	D15176884
		Separate Cover	
2	2023-2024 Water, Wastewater and Stormwater	Provided Under	D15672100
	Drainage Charges	Separate Cover	



Item No: 2.5
Title: Central Coast Conservation Fund Draft Policy
Department: Environment and Planning

23 May 2023 Ordinary Council Meeting

Reference: F2020/00878 - D15629751
Author: Rochelle Lawson, Senior Ecologist, Natural Assets and Biodiversity
Manager: Larry Melican, Section Manager Natural Assets and Biodiversity
Executive: Alice Howe, Director Environment and Planning

Recommendation

That Council:

- 1 *Endorse the draft Central Coast Conservation Fund Policy for public exhibition for a period of not less than 42 days.***
- 2 *Note a further report will be provided following the public exhibition period.***

Report purpose

To provide an exhibition draft of the *Central Coast Conservation Fund Policy* to Council for endorsement prior to it being placed on public exhibition as per the Council resolution of 22 November 2022.

Executive Summary

Council resolved on 22 November 2022 to develop a draft policy for the Central Coast Conservation Fund. The establishment of a conservation fund is identified in the *Central Coast Biodiversity Strategy* adopted by Council on 28 September 2020. Council officers have consulted with the Davistown Progress Association, Council's Coastal Open Space System (COSS) Advisory Committee and the Catchments to Coast Advisory Committee in the development of the draft policy.

This report has been prepared to seek Council resolution to exhibit the draft *Central Coast Conservation Fund Policy*. The public exhibition period is expected to commence on the Your Voice Our Coast website in May 2023.

Background

At the ordinary Council meeting on 22 November 2022, Council resolved:

Minute 208/22:

- 1 *That Council note the resolution of 13 April 2021 that Council discontinue any negotiations to purchase by agreement the land known as the Davistown Wetlands.*
- 2 *That Council note the balance of the internally restricted funds held in the Davistown Wetlands Acquisition Fund was \$1,436,039 as of 21 October 2022.*
- 3 *That Council instruct staff to develop a draft policy, in consultation with the Davistown Progress Association, Coastal Open Space System Committee and the Catchment to Coast Committee, for a Central Coast Conservation Fund in accordance with Action 2.2.1 of the Central Coast Council Biodiversity Strategy adopted by Council on 28 September 2020 and that the draft policy be placed on public exhibition for not less than 28 days.*
- 4 *That following the exhibition period a report be brought back to Council on the outcomes of the community consultation, which is to include recommendations in relation to the draft Central Coast Council Conservation Fund Policy and the formal adoption of the Central Coast Conservation Fund.*
- 5 *That subject to the adoption of the Central Coast Conservation Fund, given that Council no longer seeks to acquire Davistown Wetlands, consideration be given by Council to derestricting the Davistown Wetlands Acquisition Fund and reallocating the balance of that fund along with other appropriate environmentally related funds, such as those generated from Council's participation in the NSW Government's Biodiversity Offsets Scheme, to the Central Coast Conservation Fund.*
- 6 *That expenditure of Davistown Wetlands Acquisition Fund on environmental management activities within Davistown be considered in the design of the Central Coast Conservation Fund Policy.*

Current Status

An exhibition draft of the *Central Coast Council Conservation Fund Policy* is provided as an attachment to this report for reference. The exhibition draft has been prepared following presentations and discussions with the Davistown Progress Association, the Coastal Open Space System (COSS) Committee and the Catchments to Coast Committee in accordance with Part 3 of the Council resolution of 22 November 2022.

Report

Presentations on the purpose and scope of a policy to guide the functioning of the *Central Coast Conservation Fund*, as well as opportunities to provide input and feedback to the development of the draft policy were given to the following groups:

- Coastal Open Space System (COSS) Advisory Committee on 6 December 2022 and on 27 March 2023. As there was no time for questions at the December meeting, a second discussion was held in March.
- Catchments to Coast Advisory Committee on 14 December 2022.
- Davistown Progress Association on 16 February 2023.

Feedback was received from the COSS Advisory Committee and the Davistown Progress Association, which has been considered in the exhibition draft policy. No feedback was received from the Catchments to Coast Advisory Committee.

Feedback from the COSS Advisory Committee was that interest earnings should be added to the balance of the Conservation Fund, and that the funds should be spent on habitat enhancement and protection for threatened species, such as the Bush Stone Curlew, both in the Davistown area and elsewhere in the Local Government Area.

The written feedback from Davistown Progress Association, dated 28 March 2023, was that the Davistown Wetland Acquisition Fund should be allocated towards the restoration, management and maintenance of public environmental land in Davistown and to improving access to the foreshore of Brisbane Water. The draft policy states that appropriate use of the fund includes:

- 16 *Expenditure of funds will align with a strategic program of environmental lands acquisition and biodiversity conservation management across the Central Coast Local Government Area and may also consider other Council and external projects and programs.*

Consultation

Direct consultation has been undertaken with the Davistown Progress Association, the Coastal Open Space System (COSS) Advisory Committee and the Catchments to Coast Advisory Committee.

Council's Environmental Management Unit and Finance Unit were also consulted in the development of the draft policy and report. Part of these discussions considered reference to the *Restricted Funds Policy* to ensure compliance with the requirements of that policy.

Public exhibition of the draft Central Coast Conservation Fund policy will commence pending the adoption of the recommendation accompanying this report. Following the exhibition period, a report to Council on the outcomes of the community consultation will be prepared, with a view to formal adoption of the *Central Coast Conservation Fund Policy*.

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 direct financial considerations for the recommendation to publicly exhibit the draft policy. Should the policy be adopted, it will guide operation of a conversation fund that provides for the identification, acquisition, protection and management of environmental land across the Central Coast Local Government Area. It will apply to all types of expenditure payments from a conservation fund for the purposes of biodiversity management, including protection and expansion of the Council-owned conservation reserve system.

Link to Community Strategic Plan

Theme 3: Green

Goal F: Cherished and protected natural beauty

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

Risk Management

There are no material risks identified with the public exhibition of this report, as seeking community input into the development of Council policy is a business as usual activity.

2.5 Central Coast Conservation Fund Draft Policy (contd)

The policy seeks to address potential reputational risks around the transparency, equity and accountability of Council investment in conservation management by providing clear guidance.

Attachments

1	DRAFT Central Coast Conservation Fund Policy	Provided Under Separate Cover	D15649908
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Item No: 2.6
Title: Endorsement of the draft Service Optimisation Framework
Department: Environment and Planning

23 May 2023 Ordinary Council Meeting

Reference: F2023/00346 - D15608562
Author: Sharon McLaren, Section Manager Corporate Planning and Reporting
Taylor Marks, Senior Advisor Policy and Projects Community and Recreation Services
Manager: Shannon Turkington, Unit Manager Strategic Planning
Executive: Alice Howe, Director Environment and Planning

Recommendation

- 1** *That Council endorse the Service Optimisation Framework contained in Attachment 1.*
- 2** *That Council note, subject to recommendation 1, that the policy document details will be updated in the Service Optimisation Framework prior to publication on Council's website.*

Report purpose

The purpose of this report is to provide information on Council's approach to service improvement and seek endorsement of the Service Optimisation Framework contained in Attachment 1.

Executive Summary

In compliance with the Integrated Planning and Reporting Guidelines (IP&R Guidelines), a Service Optimisation Framework (the Framework) has been developed to outline Council's approach to reviewing and improving its services. Using a structured approach, the Framework will support Council to develop transparent processes and a clear evidence base to improve its services and ensure they are fit for purpose.

The Framework is the overarching instrument that will guide the delivery of Service Optimisation Initiatives that are undertaken each financial year.

Background

As per the IP&R Guidelines all NSW councils are required to have a 'service review program' included in their Delivery Program and Operational Plan by the commencement of the next IP&R cycle, which commences on 1 July 2025.

2.6 Endorsement of the draft Service Optimisation Framework (contd)

In compliance with the IP&R Guidelines, Council's 2022-2023 Operational Plan includes an action (DP-188) for Council to develop a framework for reviewing its services, with reviews based on the endorsed framework to commence in 2023-24.

Reference	Year 1 2022-23		Year 2 2023-24		Year 3 2024-25	
	Project / KPI	Timeline / Target	Project / KPI	Timeline / Target	Project / KPI	Timeline / Target
DP_188	Develop and implement a framework and approach to Service Reviews	Framework and approach developed by 30 June 2023	Develop and implement a framework and approach to Service Reviews	Service review conducted (based on Framework and approach) by 30 June 2024	N/A	N/A

Current Status

Council staff have progressed work on the above Operational Plan action and have drafted a Service Optimisation Framework, presented in Attachment 1.

The draft Framework provides Council with an overarching and structured approach for how it will conduct Service Optimisation Initiatives and details the methodology Council staff will apply to determine the services to be considered each financial year.

Report

The draft Framework ensures that Council complies with the IP&R Guidelines and has a program in place and underway at the commencement of the new IP&R cycle, following the local government elections in 2024.

The draft Framework confirms Council's commitment to undertake Service Optimisation Initiatives each financial year, to compliment smaller business improvement initiatives undertaken across the organisation. The draft Framework aims to continue to build the integration and robustness of each, creating a culture of continuous improvement.

The endorsement of this Framework will provide Council with the evidence base to make informed decisions about how to ensure its services are contemporary and tailored to the needs of the community, thereby ensuring it is fit-for-purpose in terms of quality, efficiency, and effectiveness.

Consultation

In developing this draft Framework, Council has engaged with internal and external stakeholders, including:

2.6 Endorsement of the draft Service Optimisation Framework (contd)

- Blacktown City Council and Northern Beaches Council on their framework and process, gaining key learnings and insight on the conduct of their service reviews.
- University of Technology Sydney (UTS) who offer specialised partnerships and professional development across a wide range of public policy, with this draft Framework informed by UTS' Service Review Delivery Practice Manual.
- Council's Senior Leadership Group (CEO, Directors and Unit Managers) on their service delivery challenges and opportunities for improvement for Central Coast Council.
- Audit, Risk and Improvement Committee (ARIC), which is required under Section 428A of the *Local Government Act 1993* to be kept informed of Council's progress on improvement initiatives, with their input incorporated into the draft Framework.

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 conduct of Service Optimisation Initiatives is a new function of the organisation and will require the use of Council resources and an ongoing budget. It is not proposed to seek additional permanent resourcing, but to manage this within Council's existing establishment and budget management process.

As part of the process in selecting which service/s should undergo optimisation, consideration of the level of effort, value and benefit is given, ensuring that the most appropriate services are selected. Depending on the services that are selected, complexity of the initiative and whether there is internal expertise, there may be a need to engage external services. This will be on a fixed-term basis and where there may be a similar need for external expertise, they are done consecutively and within the budget management process.

Link to Community Strategic Plan

Theme 4: Responsible

Goal G: Good governance and great partnerships

2.6 Endorsement of the draft Service Optimisation Framework (contd)

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

The following risks have been considered in the development of the Framework:

- Legislative compliance – development of the draft Framework ensures Council's ongoing compliance in accordance with the IP&R Guidelines regarding service reviews.
- Risk Mitigation – external engagement of other leading councils to gain experienced insight on the process and expert involvement of UTS in the design of the draft Framework ensures that a consistent and structured approach has been considered.

Options

- 1 That Council adopt the Service Optimisation Framework contained in Attachment 1. **This is the recommended option.**

The draft Framework has been developed through consultation with industry experts and internal input and establishes a structured approach for Council to review its services. The development of the draft Framework meets the action within Council's adopted Operational Plan 2022-23. Adoption of the Framework will support staff to implement the Framework and meet the IP&R Guidelines.

- 2 That Council does not endorse the Service Optimisation Framework provided in Attachment 1. Not Recommended.

Critical Dates or Timeframes

In accordance with advice from the Office of Local Government, it is expected that following the 2024 local government elections, all councils will have a service review program in place. Council has progressed this through the development of the Service Optimisation Framework contained in Attachment 1, and subject to adoption, it will be implemented in 2023-24. The services to undergo service optimisation in 2023-24 will be included in the adopted 2023-2024 Operational Plan.

Attachments

1	Service Optimisation Framework	Provided Under Separate Cover	D15664560
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Item No: 2.7
Title: Outcome of exhibition of Planning Proposal related to 231 Pacific Highway and 20 Ashbrookes Road Mount White
Department: Environment and Planning

23 May 2023 Ordinary Council Meeting

Reference: RZ/2/2022 - D15586276
Author: Chelle Leith, Strategic Planner Local Planning and Policy
Lynda Hirst, Principal Strategic Planner Local Planning and Policy
Manager: Shannon Turkington, Unit Manager Strategic Planning
Executive: Alice Howe, Director Environment and Planning

Recommendation

- 1 That Council finalise the Planning Proposal (RZ/2/2022) as exhibited for Lot 1 DP 207158, 231 Pacific Highway and Lot 1 DP 547622, 20 Ashbrookes Road, Mount White to amend the Central Coast Local Environmental Plan 2022 to enable the following additional permitted uses to occur:**
 - a) hotel or motel accommodation, restaurant, or café, small bar and business premises on 231 Pacific Highway, Mount White; and**
 - b) restaurant or café on 20 Ashbrookes Road, Mount White.**
- 2 That Council request the Minister for Planning and Public Spaces to proceed with steps for drafting and making the amendment to Central Coast Local Environmental Plan 2022.**
- 3 That all those who made submissions during public exhibition be notified of Council's decision.**

Report purpose

To consider the results of community consultation for the Planning Proposal on lands at 231 Pacific Highway and 20 Ashbrookes Road, Mount White and seek approval to proceed to make an amendment to the *Central Coast Local Environmental Plan 2022* (CCLEP 2022).

Executive Summary

The 'Saddles Restaurant' is the main tourist attraction on 20 Ashbrookes Road, Mount White. The applicant seeks to permit 'restaurant or café' on site as a permissible land use on this property. The Planning Proposal seeks to permit a range of other land uses on the site (that currently occur on the opposite side of the road), which include 'hotel or motel accommodation', 'restaurant, or café, 'small bar' and 'business premises' (to permit a day

2.7 Outcome of exhibition of Planning Proposal related to 231 Pacific Highway and 20 Ashbrookes Road Mount White (contd)

spa). It is proposed to make these land uses permissible through an additional permitted use clause and apply maximum floor area limits to each use through the CCLEP 2022.

Both lots are currently zoned RU1 Primary Production, and the rear portion of Lot 1 DP 547622 (20 Ashbrookes Road) is zoned C2 Environmental Conservation. No additional development is proposed on this site.

This report provides an overview of the outcomes of public agency and community feedback received following public exhibition.

Based on the results of community and NSW Government agency consultation and further Council staff review, it is recommended that Council endorse the Planning Proposal through an amendment to CCLEP 2022.

Background

The following development approvals have been issued over each parcel of land that is subject to the current Planning Proposal:

20 Ashbrookes Road, Mount White

A garden centre, restaurant and carpark were approved on 23 December 2016, with on-site sewage management approved on 13 October 2017. Stage 1 and 2 construction of 'Saddles Restaurant' to operate as an ancillary use to the garden centre was approved on 31 July 2018. Alterations and additions to the garden centre were approved on 2 February 2022. Prior to the Saddles Garden Centre and Saddles Restaurant, Princeton Nurseries had operated on-site since the 1990s.

231 Pacific Highway, Mount White

A historic use included a petrol station that by 1965 was converted into the Hawkesbury Inn. On 2 July 2021, the inn/dwelling house and ancillary structures were approved for demolition and the site is now vacant with an Integrated Dwelling House and Bed/Breakfast Accommodation development approved on 3 March 2022.

The Planning Proposal applies to two parcels of land, in the north Lot 1 DP 547622 (20 Ashbrookes Road) and to the southwest Lot 1 DP 207158 (231 Pacific Highway) (see Figure 1). These allotments occur in a rural setting in the Mount White area and are located in close proximity to the Pacific Highway and M1 Motorway. Both allotments are zoned RU1 Primary Production and the eastern portion of Lot 1 DP 547622 is zoned C2 Environmental Conservation (no development is proposed within the C2 zone).

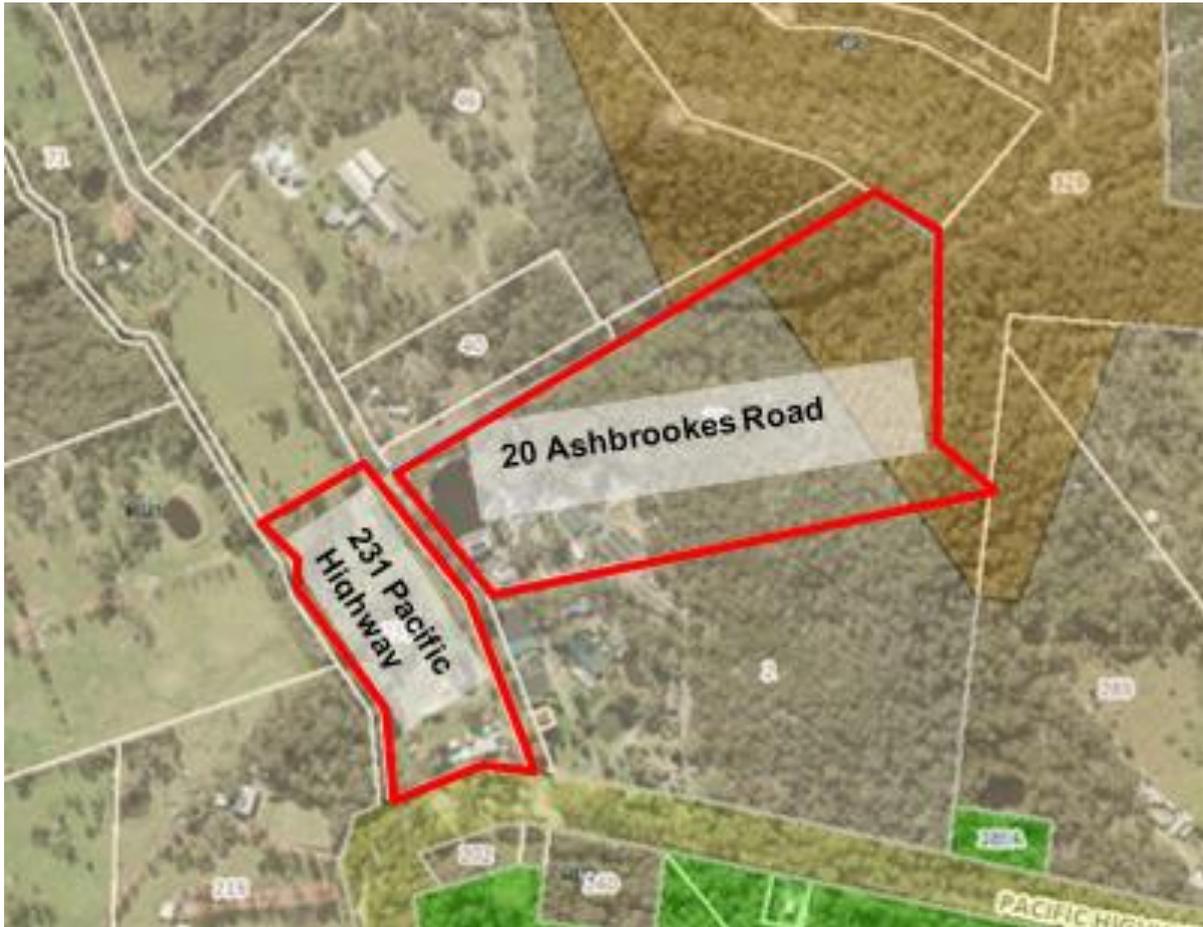


Figure 1: Site Map

Planning Proposal

The Planning Proposal will seek to amend the CCLEP 2022 as follows:

- 1 Amend Schedule 1 – additional permitted use to include:
 - Lot 1 DP 207158 (231 Pacific Highway, Mount White) to allow hotel or motel accommodation, restaurant or café, small bar, and business premises (to permit a day-spa) with Gross Floor Area limits; and
 - Lot 1 DP547622 (20 Ashbrookes Road, Mount White) restaurant or café, which effectively recognises the existing restaurant/ café/ balcony areas on the site.
- 2 Amend the Additional Permitted Uses Map – to include Lot 1 DP 207158 (231 Pacific Highway, Mount White) and Lot 1 DP547622 (20 Ashbrookes Road, Mount White).

2.7 Outcome of exhibition of Planning Proposal related to 231 Pacific Highway and 20 Ashbrookes Road Mount White (contd)

LEP land use definitions to be applied:

The following land use definitions have been reviewed and are considered appropriate to define the range of businesses proposed:

hotel or motel accommodation means a building or place (whether or not licensed premises under the Liquor Act 2007) that provides temporary or short-term accommodation on a commercial basis and that—

- (a) comprises rooms or self-contained suites, and
 - (b) may provide meals to guests or the general public and facilities for the parking of guests' vehicles,
- but does not include backpackers' accommodation, a boarding house, bed and breakfast accommodation or farm stay accommodation.

restaurant or cafe means a building or place the principal purpose of which is the preparation and serving, on a retail basis, of food and drink to people for consumption on the premises, whether or not liquor, take away meals and drinks or entertainment are also provided.

small bar means a small bar within the meaning of the [Liquor Act 2007](#).

business premises means a building or place at or on which—

- (a) an occupation, profession or trade (other than an industry) is carried on for the provision of services directly to members of the public on a regular basis, or
- (b) a service is provided directly to members of the public on a regular basis, and includes funeral homes, goods repair and reuse premises and, without limitation, premises such as banks, post offices, hairdressers, dry cleaners, travel agencies, betting agencies and the like, but does not include an entertainment facility, home business, home occupation, home occupation (sex services), medical centre, restricted premises, sex services premises or veterinary hospital.

On 23 August 2022 Council resolved the following in respect to the proposal:

- 1 That Council prepare a Planning Proposal in relation to Lot 1 DP 207158, 231 Pacific Highway and Lot 1 DP 547622, 20 Ashbrookes Road, Mount White to amend the Central Coast Local Environmental Plan 2022 to enable the following additional permitted uses to occur:
 - a) hotel or motel accommodation, restaurant, or café, small bar and business premises on 231 Pacific Highway, Mount White; and
 - b) restaurant or café on 20 Ashbrookes Road, Mount White.
- 2 That Council submit the Planning Proposal to the Minister for Planning in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act

2.7 Outcome of exhibition of Planning Proposal related to 231 Pacific Highway and 20 Ashbrookes Road Mount White (contd)

1979, requesting a Gateway Determination, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.

- 3 That Council request delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.
- 4 That Council undertake community and public authority consultation in accordance with the Gateway Determination requirements.

A Gateway Determination was issued by the Department of Planning and Environment on 7 December 2022. Updates to studies, internal staff review and agency/stakeholder consultation was undertaken post Gateway to refine the Planning Proposal.

This report responds to the 23 August 2022 Council resolution and provides details of the outcomes of the Planning Proposal following public exhibition. The Planning Proposal is currently nearing the end of the Local Environmental Plan Amendment Process (Figure 2).

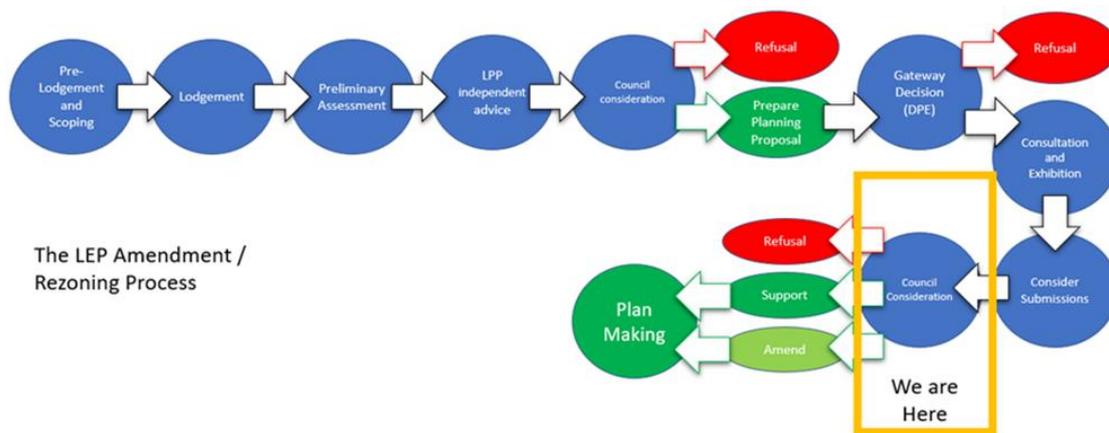


Figure 2: LEP Amendment Process

The Planning Proposal has strategic merit for the following reasons:

- The Planning Proposal will allow the existing restaurant to continue operation as a permissible land use, rather than ancillary use. The restaurant is a successful tourist attraction which promotes the Central Coast's agritourism, rural areas and bush, while being supported by existing infrastructure and maintaining the scenic environmental values of the site (aligning with Objective 6 and 9 of the *Central Coast Regional Plan 2041*(CCPR 2041)).
- Council's *Local Strategic Planning Statement 2020* identifies opportunities to broaden the region's scope of attractions including agricultural destinations that leverage the region's natural assets and scenic qualities, linking agriculture and appropriate forms of rural tourism.

2.7 Outcome of exhibition of Planning Proposal related to 231 Pacific Highway and 20 Ashbrookes Road Mount White (contd)

- The CCRP 2041 supports the development of rural areas that can adapt to changing agricultural trends and practices. The proposal will provide additional local employment opportunities by increasing rural economic productivity through securing existing jobs and creating new jobs within the Watagan District (aligning with Planning Priority 2 and 3 within this District, as stated in the CCRP 2041).
- The Planning Proposal diversifies the rural economy, while minimising land use conflicts to adjoining rural properties, primary production uses and extractive industries, by maintaining adequate buffers (aligning with Objective 9 of the CCRP 2041).
- The Planning Proposal addresses the demand for hotels and motels on the Central Coast, as it is a tourism destination (aligning with Objective 5 of the CCRP 2041, particularly *Strategy 5.9- Local strategic planning should consider the demand for hotels, motels and short-term rental accommodation*).
- The Planning Proposal is consistent with the Agritourism initiatives being introduced by the NSW Government, which aim to support rural economies across NSW.
- All site management issues with traffic, wastewater disposal, vegetation removal and land use conflicts can be adequately managed at development application (DA) stage based on the information provided in supporting studies.

The Planning Proposal seeks to apply the following provisions:

231 Pacific Highway, Mt White (refer Figure 3)

Proposed Use	Proposed Combined Maximum GFA
• Café or Restaurant and small bar	380m ²
• Accommodation lobby, housekeeping, back of house and bathrooms	310m ²
• Covered outdoor seating areas associated with the restaurant and small bar	150m ²
• Any ancillary buildings	430m ²

20 Ashbrookes Road, Mt White (refer Figure 4)

Proposed Use	Proposed Combined Maximum GFA
• Café or Restaurant and small bar	370m ²
• Covered outdoor seating areas associated with the restaurant and small bar	220m ²

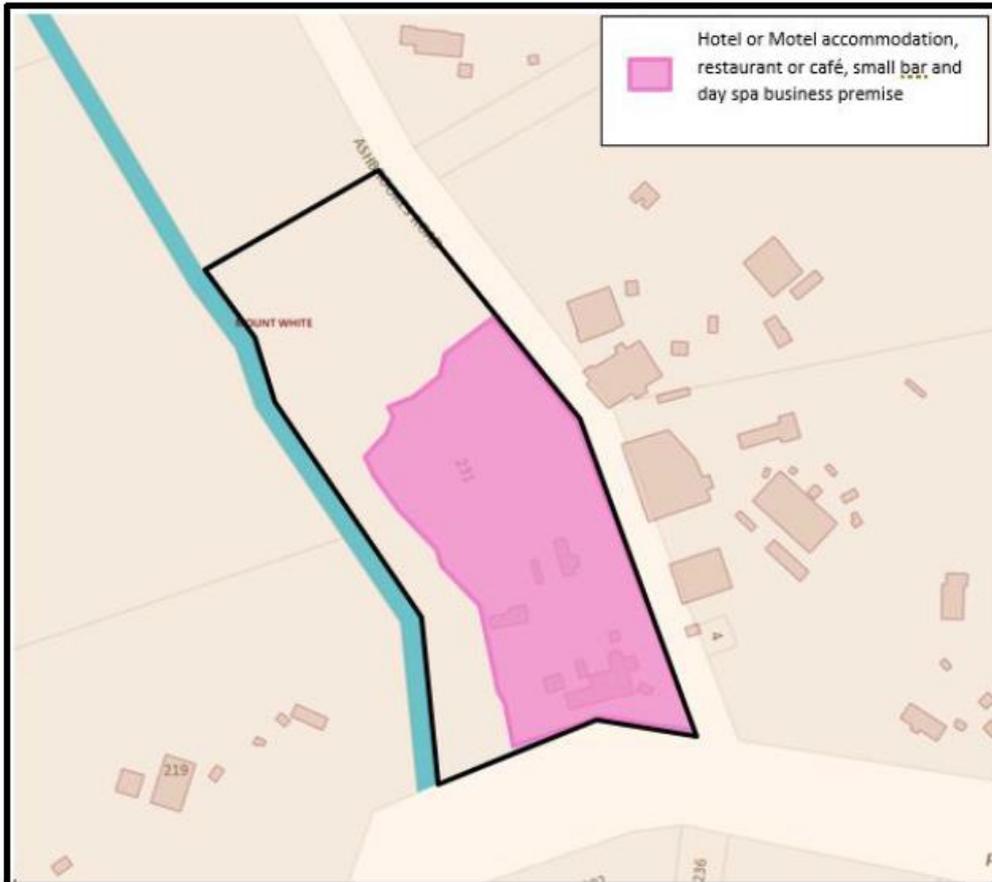


Figure 3: Proposed APU Mapping 231 Pacific Highway

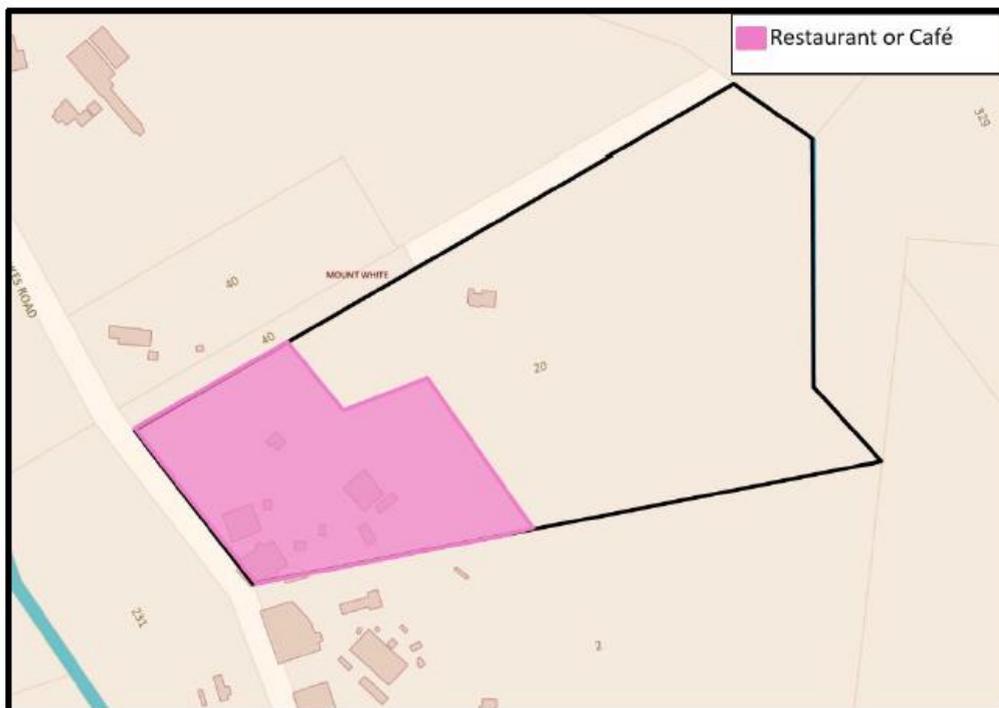


Figure 4: Proposed APU Mapping 20 Ashbrookes Road



Figure 5: Concept Plan

Consultation

The Planning Proposal was publicly exhibited from 10 February 2023 to 9 March 2023 in accordance with the Department of Planning and Environment's *Guide to preparing Local Environmental Plans* and the Gateway Determination. Adjoining landowners were also notified of the exhibition.

The Planning Proposal was placed on exhibition concurrently with a DA for the site, all submissions relevant to the DA exhibition will be addressed by Council when the application is reported to the Local Planning Panel for determination.

2.7 Outcome of exhibition of Planning Proposal related to 231 Pacific Highway and 20 Ashbrookes Road Mount White (contd)

Six submissions objecting to the Planning Proposal were received from the community; Attachment 2 provides a detailed review of the matters raised and Council's response. A summary is provided below:

1 Noise

The following concerns were raised regarding noise:

- Noise generated from outdoor entertainment, live music and weekend and night noise;
- Noise impacts to adjoining properties/ rural amenity; and
- How much noise will come from the new hotel.

Staff comment:

Potential noise impacts can be mitigated by limiting the size and scale of the development by applying maximum gross floor area caps and restricting the location of the proposed future uses on the site.

The Acoustic Assessment Report prepared by Spectrum Acoustics and the Land Use Conflict Risk Assessment (LUCRA) identifies the potential for acoustic impacts to the sensitive receptors on adjoining properties. Impacts could be related to music played on premise, noise impacts associated with vehicle movements, patron behaviour around the small bar operations and special events.

Council's Environment and Public Health Section has reviewed the proposal and advised that it did not object to the rezoning proceeding on the basis of acoustic amenity. However, it was acknowledged that this issue would need to be more closely examined through the DA process, where there is more scope to look at building placement, design, screening and construction requirements to ameliorate noise impacts through various consent conditions.

2 Traffic

Traffic concerns raised, include:

- Concerns that the proposal will exacerbate existing traffic and access issues within Ashbrooke Road, such as cars being parked along the road inhibiting access of heavy vehicles;
- Inadequate parking arrangements, including for buses in the case of events; and
- Pedestrians in a non-pedestrianised area particularly at night and headlights directed up private driveways causing disturbance.

2.7 Outcome of exhibition of Planning Proposal related to 231 Pacific Highway and 20 Ashbrookes Road Mount White (contd)

Staff comment:

Council's Traffic Engineering Team has reviewed the Traffic Assessment and has no objection to the Planning Proposal proceeding. No direct access to the Pacific Highway is permitted as advised in comments from Transport for NSW (TfNSW), although it is not proposed under the updated concept scheme.

Further consultation with TfNSW was undertaken during the exhibition period and comments were provided requiring additional works at the intersection with Pacific Highway and Ashbrookes Road to facilitate turning in this location. These works will require further approval as part of the DA stage of the proposal.

Detailed parking arrangements will be further explored at the DA stage to ensure appropriate parking rates and access to the site is achieved.

3 Water usage

Water concerns raised included:

- Concern regarding potential extraction of groundwater and pollution of local waterways through on site effluent disposal and sediment run off.

Staff comment:

The development relies upon on site rainwater tanks for water storage and will not be extracting groundwater. Council's Environment and Public Health Section has reviewed the proposed on-site effluent treatment and nutrient control measures and is satisfied with the proposed treatment system. Appropriate development consent conditions could be applied at the DA stage to manage nutrient control and the ongoing management of the wastewater treatment system.

4 Land use conflicts, privacy and anti-social behaviour

In terms of land use, concerns were raised regarding:

- Out of context commercial premise in rural zoned area;
- Overdevelopment of the site;
- Commercial nature and size of development on rural zoned land.
- Tourists driving up private driveways or flashing lights down driveways when turning around; and
- Intrusion of privacy concerns.

2.7 Outcome of exhibition of Planning Proposal related to 231 Pacific Highway and 20 Ashbrookes Road Mount White (contd)

Staff comment:

The concept design as shown in Figure 5 has mapped the additional permitted uses strategically on site to control where these uses are permitted and to ensure that such uses are easily accessible from Ashbrookes Road to minimise land use conflicts with adjoining land uses/properties. This is reinforced by the proposed additional permitted uses mapping only covering part of the site, which is furthest from adjoining land uses (refer to Figures 3 and 4).

Further, appropriate consent conditions could also be applied to manage lighting, privacy concerns and consider CPTED principles in the management of the site at the DA stage. A Plan of Management (POM) would be required with the Liquor Licence that would be associated with the small bar and restaurant, as such relevant mitigation measures would accompany this POM at the DA stage.

Agency Consultation

All Government agencies and stakeholders outlined within the Gateway Determination were advised of the exhibition of the Planning Proposal. These are summarised in Attachment 1.

Responses were received from:

- Department of Primary Industries – Agriculture.
- NSW Rural Fire Service

The agencies listed above supported the proposal. No responses were received from the Darkinjung Local Aboriginal Land Council and Heritage NSW.

The Gateway Determination required the Planning Proposal to be updated to address pre-exhibition comments received from the Department of Planning and Environment's Biodiversity Conservation Division (BCD). This included an updated Biodiversity Assessment, which concluded that any clearing would be minimal and would be below any threshold to require offsetting. To address points raised by BCD, additional permitted uses were mapped and included in the exhibited draft Planning Proposal to properly define the areas where the proposed uses can occur, avoiding protected vegetated areas (refer to Figures 3 and 4).

Consultation with TfNSW was not required as part of the Gateway Determination as consultation was undertaken during the earlier stages of the Planning Proposal assessment. Pre-exhibition comments from TfNSW were addressed and as no access is proposed from the Pacific Highway, no further consultation with TfNSW was required.

Internal Consultation

Internal consultation has been undertaken as summarised below:

2.7 Outcome of exhibition of Planning Proposal related to 231 Pacific Highway and 20 Ashbrookes Road Mount White (contd)

Floodplain Management

The proposed land uses are located outside of the probable maximum flood (PMF). Council's Flood Engineer is satisfied with the flood management requirements for the site.

Strategic Planning Projects

Council's Ecologist estimated that the development will involve the removal of 0.26 Ha of native vegetation, which is below the threshold for requiring a Biodiversity Development Assessment Report (BDAR).

Traffic and Transport Engineer Development Engineering

Council's Traffic Engineer considers the Traffic Impact Assessment (TIA) to be adequate, including the parking arrangements.

Environment and Public Health

The site is not serviced by Council's water and sewer system and all wastewater must be treated with an on-site sewage management system. An Onsite Sewage Management Report has been submitted and is generally supported by Council's Environment and Public Health Section. No additional wastewater-generating development on the site would be able to be accommodated beyond what is proposed, which is a self-limiting aspect of this proposal ensuring no future additional development is to occur on-site beyond that anticipated by the concept plan (as confirmed by Council's Environment and Public Health Section).

Site contamination issues for the proposed tourist and hotel development are outlined in the Site Contamination Report, which recommends the preparation of a remediation action plan, at the DA stage. This report is supported by Council's Environment and Public Health Section.

Extractive industry buffers have been established around a number of sandstone mining operations in the local area. None of the proposed uses are planned to be located within the transition area buffer to Gosford Sandstone Quarry.

No additional works are proposed to 'Saddles Restaurant' therefore it is not expected to impact the adjoining garden centre along its southern boundary or rural living/ primary production uses along its northern boundary. Likewise, no impacts are expected on adjoining rural living/ primary production use along the northern boundary or adjoining Vicki Roycroft Horse Stables (located at 80 Embrook Road) along the western boundary of 231 Pacific Highway. Remnant vegetation along property boundaries will be retained to screen future development and assist in maintaining a buffer to the horse stables.

2.7 Outcome of exhibition of Planning Proposal related to 231 Pacific Highway and 20 Ashbrookes Road Mount White (contd)

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.

Adoption of the staff recommendation has no direct bottom line budget implications for Council. The direct cost to Council is the preparation of the Planning Proposal, which has been charged as per Council's fees and charges on a cost recovery basis.

Link to Community Strategic Plan

Theme 2: Smart

Goal C: A growing and competitive region

S-C4: Promote and grow tourism that celebrates the natural and cultural assets of the Central Coast in a way that is accessible, sustainable and eco-friendly.

Theme 3: Green

Goal F: Cherished and protected natural beauty

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

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

Theme 4: Responsible

Goal I: Balanced and sustainable development

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

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.

2.7 Outcome of exhibition of Planning Proposal related to 231 Pacific Highway and 20 Ashbrookes Road Mount White (contd)

Theme 5: Liveable

Goal L: Healthy lifestyle for a growing community

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

Risk Management

Any risks identified to the natural and rural environment associated with this proposed amendment to CCLEP 2022 have been assessed as part of the Planning Proposal process. Appropriate environmental safeguards and design responses can be applied to the development to address these risks at the DA stage.

Options

- 1 Endorse the Planning Proposal. The Planning Proposal is considered to have strategic merit, it has received a Gateway Determination and concerns raised in community submissions can be adequately addressed. **This is the recommended option.**
- 2 Refuse the finalisation of the Planning Proposal. The Planning Proposal has been assessed on its merit and is deemed to be a suitable proposal. In Council staff opinion there is no reason why it should be refused. Not recommended.

Critical Dates or Timeframes

The Gateway Determination issued 7 December 2022 requires the Planning Proposal to be completed before 7 November 2023. This timeframe can easily be met and it is expected that the Planning Proposal will be notified within six weeks of Council's decision.

Attachments

1	Summary of Agency Responses	Provided Under Separate Cover	D15622389
			
2	Community Submission Summary and Council Response	Provided Under Separate Cover	D15623390
			



Item No: 2.8
Title: Outcome of exhibition and public hearing for 73-75 Mann Street Gosford Planning Proposal for reclassification of Council owned land
Department: Environment and Planning

23 May 2023 Ordinary Council Meeting

Reference: RZ/114/2021 - D15626104
Author: Chelle Leith, Strategic Planner Local Planning and Policy
Lynda Hirst, Principal Strategic Planner Local Planning and Policy
Manager: Shannon Turkington, Unit Manager Strategic Planning
Executive: Alice Howe, Director Environment and Planning

Recommendation

- 1 That Council finalise the Planning Proposal (RZ/114/2021) as exhibited to amend State Environmental Policy (Precincts-Regional) 2021 to enable the reclassification of Lot B DP 321076 and Lot 2 DP 543135 (73-75 Mann Street, Gosford) from community land to operational land.**
- 2 That Council request the Minister for Planning and Public Spaces to proceed with steps for drafting and making the amendment to Central Coast Local Environmental Plan 2022.**
- 3 That all those who made submissions or attended the public hearing during public exhibition be notified of Council's decision.**

Report purpose

The purpose of this report is to recommend the finalisation of the reclassification of Lot B DP 321076 and Lot 2 DP 543135 (73-75 Mann Street Gosford) from community land to operational land under Section 30 of the *Local Government Act 1993*.

Executive Summary

The subject land was originally acquired in 2019 for the purpose of the [then] proposed Gosford Cultural Precinct (consisting of a Regional Library and Regional Performing Arts Centre). Upon acquisition, the parcels of land were classified as community land.

On 25 September 2019, Council resolved to withdraw from any further work on the Gosford Cultural Precinct and proceed with a stand-alone Regional Library.

In 2020 as part of a review of assets, Council determined the properties were surplus to its needs and determined the site would need to be reclassified from community to operational land to facilitate non-Council uses. The reclassification process will facilitate

2.8 Outcome of exhibition and public hearing for 73-75 Mann Street Gosford Planning Proposal for reclassification of Council owned land (contd)

the sale of the land to another party as it is not possible to sell the site while it is classified as community land. By disposing of land that is surplus to its needs, Council will make it available to be repurposed or redeveloped by others.

On 22 March 2022 Council resolved to prepare a Planning Proposal to amend *State Environmental Planning Policy (Gosford City Centre) 2018* (now *State Environmental Planning Policy (Precincts – Regional) 2021*) to reclassify the site from community land to operational land. Gateway Determination was received from the Department of Planning and Environment (DPE) on 13 September 2022 to enable the reclassification to progress in line with relevant conditions.

The Planning Proposal was publicly exhibited from 2 February to 2 March 2023. In accordance with Section 29 of the *Local Government Act 1993*, a public hearing was held in Gosford on 30 March 2023.

During the public exhibition period five submissions were received objecting to the proposed reclassification, and one group submission was received supporting the proposal. Additional concerns were raised at the public hearing. All submissions and concerns have been considered with staff comments outlined within this report and in Attachments 1, 2 and 3. No amendments are proposed to the Planning Proposal.

The intention is to sell the property to the Minister administering the *Technical and Further Education Commission Act 1990* for the purpose of including the land in the development of a major new TAFE campus on the subject land and adjoining land. The proposed redevelopment of the site will contribute to the revitalisation of the Gosford CBD and the activation of the Gosford waterfront.

If the sale to the Minister does not for any reason proceed, an alternative purchaser will be sought such as a government agency, a public institution or a developer committed to creating a landmark development that contributes to the revitalisation of the Gosford CBD and the activation of the Gosford waterfront

Background

Lot B DP 321076 and Lot 2 DP 543135 (73-75 Mann Street Gosford) are owned by Central Coast Council; the site is located within the commercial core of Gosford City Centre (see Figure 1). Situated at the front of the site are vacant single storey commercial buildings with ground floor access to Mann Street, with car parking located to the rear. Henry Parry Drive, to the rear, is elevated and separated from the site by a steep embankment.

**2.8 Outcome of exhibition and public hearing for 73-75 Mann Street
Gosford Planning Proposal for reclassification of Council owned land
(contd)**



Figure 1: Aerial photograph of the subject site

The land was originally acquired in 2019 by private treaty for the purpose of building a Gosford Cultural Precinct. The parcel was acquired by agreement under the framework of the *Land Acquisition (Just Terms Compensation) Act 1991*. The land is not currently used for a community purpose and has been previously used for commercial purposes.

On 25 September 2019, Council resolved to withdraw from any further work on the Gosford Cultural Precinct and proceed with a stand-alone Regional Library. The Regional Library will now be developed on the site of the Parkside Building in Gosford at 123A Donnison Street (Lot 100 DP 711850). A major public facility (potentially incorporating a performing arts centre) was identified as part of Council's concept plan for the Gosford waterfront, exhibited from 18 October 2022 to 1 December 2022.

At its ordinary meeting on 22 March 2022 Council resolved:

46/22

- 1. That Council prepare a Planning Proposal to amend SEPP Gosford City Centre to enable the reclassification of Lot B DP 321076 and Lot 2 DP 543135 (73-75 Mann Street, Gosford) from community land to operational land.*
- 2. That Council submit the Planning Proposal to the Minister for Planning in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.*

2.8 Outcome of exhibition and public hearing for 73-75 Mann Street Gosford Planning Proposal for reclassification of Council owned land (contd)

3. That Council undertake public authority and community consultation in accordance with the Gateway Determination requirements.
4. That Council conduct a public hearing consistent with the requirements of Section 29 of the Local Government Act 1993.

Under Part 2, Division 1 of the *Local Government Act 1993* (LG Act), all public land must be classified as either 'community' or 'operational'. The LG Act imposes restrictions on the use, management, reclassification and disposal of community land.

Following its acquisition by Council, the subject land was classified as community land. As per Clause 45(1) of the LG Act, community land cannot be sold, exchanged or dispensed of in any way. If Council proposes to lease the land, Clause 45 of the LG Act significantly restricts the range of uses for which a lease over community land might be granted, and the time period of such a lease. If the site remains as community land, most of the uses for which the existing buildings might be leased are not permissible under the provisions of Clause 45.

As Council has resolved to progress negotiations with TAFE for the development of a vocational education campus on the site, it is recommended that Council reclassify the land to operational land to facilitate that process.

Current Status

The Planning Proposal is currently at the stage in the Local Environmental Plan Amendment Process shown in Figure 2.

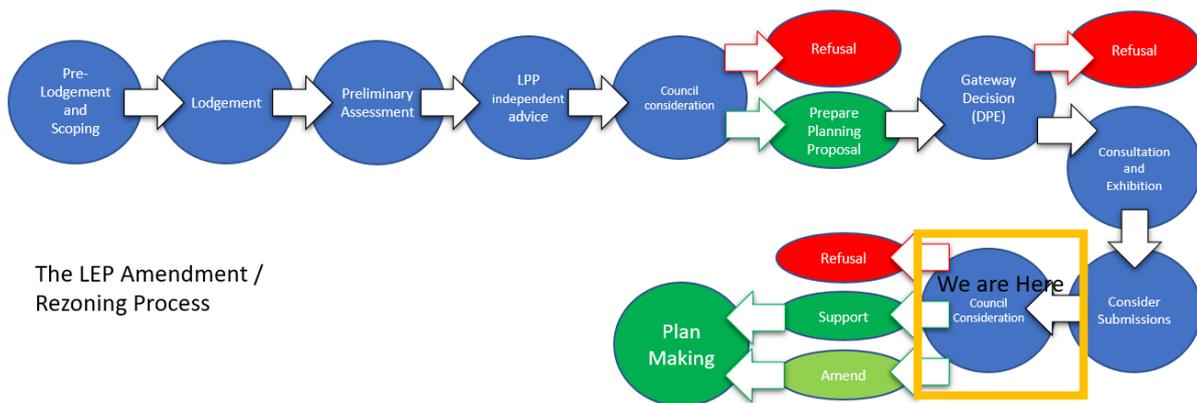


Figure 2 - LEP Amendment/ Rezoning Process

2.8 Outcome of exhibition and public hearing for 73-75 Mann Street Gosford Planning Proposal for reclassification of Council owned land (contd)

The reclassification process has been undertaken in accordance with Part 6 Section 2 of the LG Act, and DPE's *LEP Practice Note 16-001 - Classification and reclassification of public land through a local environmental plan*.

The proposed reclassification will amend the *SEPP (Precincts- Regional) 2021*. The wording and effect of the relevant part of the of the SEPP (Clause 5.30 and Schedule 8) is the same as Clause 5.2 and Schedule 4 of the *Central Coast Local Environmental Plan (CCLEP) 2022*. DPE has advised that the proposed reclassification will follow the same process as any other land reclassification under the CCLEP 2022.

Consultation

The Planning Proposal was publicly exhibited from 2 February to 2 March 2023 in accordance with DPE's *Guide to Preparing Local Environmental Plans* and the Gateway Determination.

During the public exhibition period one group submission was received in support of the proposal, on the basis it would resolve the current nuisance of unoccupied 'derelict' buildings on the site.

Five submissions were received in objection to the proposal. The main concerns are summarised below (with a more detailed summary provided in Attachment 1):

Land should be retained for community benefit

The site was acquired on behalf of the community, and it should continue to be utilised for community benefit.

Staff Response:

The site has been identified as being surplus to Council needs and is currently not utilised for a community purpose. Council is reclassifying the land to enable its sale and redevelopment to assist in the revitalisation of the Gosford CBD. The site has been identified as an essential component of the relocation and expansion of the Gosford City TAFE campus. The relocated campus will make an important contribution to the activation of the CBD as well as providing an updated learning facility to support further technical and educational studies. The proposed use is supported by the NSW Government and is considered the best and highest use of the site.

No financial reason for reclassification

The proposed reclassification is in response to Council's recent financial crisis and given Council's improved financial position there is no longer a financial reason to sell Council owned land. The redevelopment of the site will impact the neighbouring lots.

2.8 Outcome of exhibition and public hearing for 73-75 Mann Street Gosford Planning Proposal for reclassification of Council owned land (contd)

Staff Response:

The primary reason for reclassification and proposed sale of the site is to facilitate its future redevelopment as an educational facility to contribute to the revitalisation of the Gosford CBD. Council also continues to require additional revenue to repay emergency loans that were secured to address Council's financial position in 2020. Revenue from this sale will support repayment of loans and free up loan repayment funds for reinvestment in Council services.

Any impact from the proposed redevelopment of the site will be considered when the concept plan for the site is designed and assessed.

Loss of Regional Performing Arts Centre

The reclassification will result in the loss of the Regional Performing Arts Centre originally proposed to be located on the subject site. The site should be developed for the purpose it was acquired, or the reclassification be delayed until an alternative site has been confirmed for the Regional Performing Arts Centre.

Staff Response:

A major public facility (potentially incorporating a performing arts centre) was identified as part of Council's concept plan for the Gosford waterfront, which was exhibited from 18 October 2022 to 1 December 2022. The concept plan will be used to inform the development of a draft Gosford Waterfront Masterplan. It is envisioned the masterplan will be implemented in partnership with the NSW Government.

Public Hearing

In accordance with Section 29 of the LG Act, a public hearing was held in Gosford on 30 March 2023. Twenty-three people attended the public hearing. An informal show of hands indicated one person in favour of the proposal, one person who abstained from voting, and 21 attendees who opposed the reclassification.

The main concerns raised at the public hearing, in addition to those outlined above, are summarised below (with a more detailed summary provided in Attachments 2 and 3):

Importance of community owned land

Council should retain community assets and develop them for community benefit. The subject site has high redevelopment potential and is relatively constraint free.

2.8 Outcome of exhibition and public hearing for 73-75 Mann Street Gosford Planning Proposal for reclassification of Council owned land (contd)

Staff Response:

The intention is to sell the property to the Minister administering the *Technical and Further Education Commission Act 1990* for the purpose of including the land in the development of a major new TAFE campus on the subject land and adjoining land. This facility will provide significant community benefit. If the sale to the Minister does not for any reason proceed, an alternative purchaser will be sought such as a government agency, a public institution or a developer committed to creating a landmark development that contributes to the revitalisation of the Gosford CBD and the activation of the Gosford waterfront.

Consultation process:

Council's community consultation process needs to be improved. Community assets are required to host community consultation sessions.

Staff Response:

The reclassification of the subject site, including the public consultation period and public hearing, were conducted in accordance with the procedure outlined in the DPE *LEP Practice Note 16-001: Classification and reclassification of public land through a local environmental plan* and the requirements under Section 30 of the LG Act.

Council's intention to reclassify and sell these parcels was publicly broadcast via the Council meetings of 30 November 2020, 22 March 2022 and 13 December 2022 and associated reports to Council, which are published on Council's website.

Delay reclassification until the return of an elected Council

The proposed reclassification should be postponed until there are elected Councillors in place to represent the best interests of the community.

Staff Response:

The Planning Proposal has followed the same process with Council under administration as it would have with an elected Council in place. The proposal was publicly exhibited with a public hearing also conducted to consider community views on the proposal.

Reclassification should be completed before offering land for sale.

Concerns were raised that the site will be sold before being reclassified.

2.8 Outcome of exhibition and public hearing for 73-75 Mann Street Gosford Planning Proposal for reclassification of Council owned land (contd)

Staff Response:

The site is unable to be sold until the reclassification to operational land has been finalised in accordance with the LG Act.

Financial Considerations

Adoption of the staff recommendation has no budget implications for Council.

The costs to complete the reclassification and the proposed future sale transaction will be undertaken through existing allocations within the adopted budget. Funds from the eventual sale of the land will enable Council to continue to deliver a range of services and infrastructure to benefit the community.

Link to Community Strategic Plan

Theme 5: Liveable

Goal C: A growing and competitive region

S-C2: Revitalise Gosford City Centre, Gosford Waterfront and town centres as key destinations and attractors for business, local residents, visitors and tourists.

Risk Management

Council has undertaken a comprehensive review of the potential uses of this land and identified development of a vocational education facility as a high value use, compared to potential uses constrained by community classification.

Council is complying with the provisions of the LG Act and with the DPE *LEP Practice Note 16-001 - Classification and reclassification of public land through a local environmental plan*.

Options

- 1 Proceed with the reclassification.

This approach enables greater flexibility in the use of the land including its potential sale, consistent with Council's previous resolutions.

This is the recommended option.

- 2 Do not proceed with the proposed reclassification of the site.

2.8 Outcome of exhibition and public hearing for 73-75 Mann Street Gosford Planning Proposal for reclassification of Council owned land (contd)

There is a Council resolution to reclassify and sell the site. If the reclassification does not proceed, Council's resolution of March 2022 cannot be implemented, and the land will remain as community land, with inherent limitations in its future use, leasing, and an inability to dispose of the property. This option is not recommended.

Critical Dates or Timeframes

The Gateway Determination issued 13 September 2022 requires the proposal to be completed before 8 December 2023. This timeframe can be met, and it is expected that the Planning Proposal will be notified within six weeks of Council's decision.

Attachments

1	Community Submission Summary	Provided Under Separate	D15628638
		Cover	
2	Public Hearing Summary	Provided Under Separate	D15654746
		Cover	
3	Public Hearing Report Mann St	Provided Under Separate	D15654620
	Reclassification	Cover	



Item No: 2.9
Title: Fire Safety Inspection Report for Residential Flat Building - 6 Pine Tree Lane, Terrigal
Department: Environment and Planning

23 May 2023 Ordinary Council Meeting

Reference: CESS/2098/2018 - D15671421
Author: Wayne Herd, Section Manager Building Assessment and Certification
Manager: Andrew Roach, Unit Manager Development Assessment
Executive: Alice Howe, Director Environment and Planning

Recommendation

That Council:

- 1 *Note the result of the site inspection of 6 Pine Tree Lane, Terrigal conducted by Council staff on 20 April 2023.***
- 2 *Resolve to issue an Order (Order 1 under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act 1979) with respect to the matters as raised within the fire safety inspection report undertaken by Fire and Rescue NSW which were confirmed during the inspection undertaken by Council staff.***
- 3 *Once the Order is issued, give notice to the Commissioner of Fire and Rescue NSW, that an Order has been made in accordance with Schedule 5, Part 8, of the Environmental Planning and Assessment Act 1979.***

Report purpose

To seek a Council resolution to issue an Order under the provisions of Part 2 of Schedule 5 of the *Environmental Planning and Assessment Act 1979*, in relation to a fire safety inspection report received from Fire and Rescue NSW for 6 Pine Tree Lane, Terrigal.

This report is required to be tabled at an Ordinary Meeting of the Council in accordance with Section 17(2)(b) of Part 8 of Schedule 5 of the *Environmental Planning and Assessment Act 1979*.

Background

As part of the NSW Government's program to remove high-risk combustible cladding from residential flat buildings, officers from Fire and Rescue NSW have undertaken an inspection of a property at 6 Pine Tree Lane, Terrigal (Strata Plan SP 95145).

2.9 Fire Safety Inspection Report for Residential Flat Building - 6 Pine Tree Lane, Terrigal (contd)

The inspection report received from Fire and Rescue NSW was tabled at the Council meeting of 26 April 2023, as required under Section 17(2) of Part 8 of Schedule 5 of the *Environmental Planning & Assessment Act 1979*. At that meeting it was resolved to:

Minute 40/23:

- 1 *Note the content of the Fire Safety Report from Fire and Rescue NSW (Attachment 1), in accordance with Section 17(2)(a) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979.*
- 2 *Receive a further report in accordance with Section 17(2)(b) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979, following staff review of Attachment 1.*

Council is required to determine whether or not to exercise its power to issue an Order (Order 1, under Part 2 of Schedule 5 of the *Environmental Planning and Assessment Act 1979*). To inform that decision, Council officers conducted an inspection of the building.

This further report on the matter is provided in accordance with Section 17(2)(b) of Part 8 of Schedule 5 of the *Environmental Planning and Assessment Act 1979* and resolution 1/23/2.

Council Inspection

The subject site was inspected by Council's Principal Building Surveyor on 20 April 2023. The purpose of the inspections was to specifically review the issues raised by Fire and Rescue NSW within their inspection report.

The issues of concern relate to matters that potentially compromise the safety of occupants of the building and include:

Essential Fire Safety Measures

- 1 Alarm Signalling Equipment (ASE):
 - (a) The "Primary Link Failed" LED was flashing, which typically indicates that the secondary (backup) communications link was not operational, leaving only the primary link to notify emergency services.
- 2 Fire Hydrant System:
 - (a) The hydrant booster assembly:
 - i. The doors to the booster enclosure were not fitted with a device capable of securing the door in not less than a 90° open position, contrary to the requirements of Clause 7.9.2 of AS 2419.1-2005.

2.9 Fire Safety Inspection Report for Residential Flat Building - 6 Pine Tree Lane, Terrigal (contd)

- ii. A permanent and fade resistant or engraved sign indicating the boost pressure and test pressure was not provided at the booster assembly, contrary to the requirements of Clause 7.10.1 of AS 2419.1-2005.
 - iii. The external attack fire hydrant located adjacent to the booster assembly (within the booster enclosure) is not adequately labelled, which may cause confusion to the attending fire fighters.
- (b) The roller shutter to the cupboard/enclosure in the 'commercial suites' corridor on the ground floor level, which contains both the fire hydrant valve, and the fire hose reel was not mark with the words "FIRE HYDRANT", contrary to the requirements of Clause 3.6.2 of AS 2419.1-2005.
- 3 Automatic Fire Suppression System:
- a) The sprinkler booster assembly:
 - i. A sign marked with the maximum allowable inlet pressure at the connection was not provided at the booster assembly, contrary to the requirements of Clause 4.4.3 of AS 2118.1-1999.
- 4 Annual Fire Safety Statement (AFSS):
- a) A copy of the current AFSS was not prominently displayed within the building in accordance with Clause 89 of the EPAR 2021. In this regard, the AFSS on display was dated 2020 and is no longer valid.

Accordingly, it is appropriate for Council officers to exercise their statutory powers under the *Environmental Planning and Assessment Act 1979*.

Consultation

Consultation has been undertaken with Fire and Rescue NSW with respect to its assessment of the fire risk present at the property, and with the Strata Manager of the affected property, with respect to access for inspection of the property by Council staff.

The Commissioner of Fire and Rescue NSW will be advised of Council's decision, and Council staff will continue to liaise with the Strata Manager with respect to compliance with the Order.

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 provision of this report and the pursuit of regulatory action are within the adopted resources of Council and do not create additional financial implications for Council.

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

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

Flammable cladding can present a material risk to certain building occupants, and its effective management is an important public safety matter. Council's CEO is vested with appropriate authority to issue Orders as set out in this report, and has issued sub-delegations to relevant staff to undertake this compliance action.

Options

Council has the option to either issue an Order, take alternative regulatory action or take no further action. not make an order. **It is recommended that an Order is issued** to enable Council to ensure that the required action is undertaken.

Conclusion

Council is in receipt of an Inspection from Fire and Rescue NSW identifying potential fire safety issues at 6 Pine Tree Lane, Terrigal (Strata Plan SP 95145). The inspection report

2.9 Fire Safety Inspection Report for Residential Flat Building - 6 Pine Tree Lane, Terrigal (contd)

received from Fire and Rescue NSW was tabled before the Council at its meeting of 26 April 2023. The subject site was inspected by Council's Principal Building Surveyor on 20 April 2023. The inspection confirmed the initial findings raised by Fire and Rescue NSW.

Council should exercise its power to issue Order 1 under Part 2 of Schedule 5 of the *Environmental Planning and Assessment Act 1979* as per the recommendation within this report.

Attachments

1	Inspection Report - 6 Pine Tree Lane Terrigal -  Central Coast Council - NSW Fire & Rescue	Provided Under Separate Cover	D15616452
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Item No: 2.10
Title: Central Coast Academy of Sport Sponsorship - 2023
Department: Community and Recreation Services

23 May 2023 Ordinary Council Meeting

Reference: F2017/00816 - D15582414
Author: Belinda McRobie, Unit Manager Community and Culture (Acting)
Executive: Melanie Smith, Director Community and Recreation Services

Recommendation

That Council approve the provision of \$45,000 (exclusive of GST) per year in financial support to Central Coast Academy of Sport (CCAS) for a three (3) year period from the 2022/2023 financial year to the 2024/2025 financial year (inclusive).

Report purpose

To provide financial support to Central Coast Academy of Sport over a three (3) year period.

Executive Summary

The Central Coast Academy of Sport (CCAS) is a non-profit sporting organisation that exists to provide locally based sports development opportunities for athletes, coaches, officials, and administrators within the NSW Central Coast Local Government Area (LGA).

CCAS was established in 2004 and is dependent on financial support from the NSW State Government, Council, and corporate partners to ensure they have the necessary financial strength to operate on a day-to-day basis.

CCAS has previously been supported annually by both the former Gosford City and Wyong Shire Councils and has received annual financial support from Central Coast Council (CCC) since the 2017/18 financial year.

It is recommended that Council provide \$45,000 to CCAS in direct financial support each year for three (3) years from the 2022/2023 financial year to the 2024/2025 financial year (inclusive)

Background

CCAS was founded in 2004 to provide locally based sports development opportunities for athletes, coaches, officials, and administrators within the NSW Central Coast LGA and has historically received financial support from the former Gosford City and Wyong Shire Councils. Central Coast Council has provided support since amalgamation in 2017.

Details on the historic funding arrangements are included in Table 1 below:

Table 1: Historic funding arrangements

Financial Year	Investment
2013/2014	\$15,000 x both Councils = \$30,000
2014/2015	\$15,000 x both Councils= \$30,000
2015/2016	\$15,000 x both Councils = \$30,000
2016/2017	\$15,000 x both Councils = \$30,000
2017/2018	\$20,000 x Central Coast Council
2018/2019	\$40,000 x Central Coast Council
2019/2020	\$44,150 x Central Coast Council
2020/2021	\$45,000 x Central Coast Council
2021/2022	\$45,000 x Central Coast Council

The recommended allocation of \$45,000 per year is commensurate with the figure provided to CCAS over the last few years and reflects the expanded nature of their role, function, and importance within the local sporting community.

Within the 2022 calendar year, the CCAS has:

- Directly supported 231 athletes – 51% female and 49% male – with 83% of athletes aged between 13-18.
- Directly supported 33 coaches.
- Delivered 14 talent programs across 13 different sports.
- Contributed over \$2.34M to the local economy.
- Had 67 active volunteers that contributed over 5,561 volunteer hours.
- Partnered with 119 community and/or sporting organisations.

Since inception in 2004 the CCAS has:

- Supported the development of 4,388 local athletes.
- Supported seven local athletes who have represented Australia at various Olympic Games.
- Produced 41 Australian Representative athletes.

Current Status

In 2020, Central Coast Council suspended the Awarding Sponsorship Program due to financial difficulties. The Sponsorship Program remains suspended.

Despite the halt in Council's official program, CCAS remain reliant on receiving financial support from Council to ensure their operations can continue. Therefore, provision of financial support for the 2022/2023, 2023/2024 and 2024/2025 financial years will give security while Council reviews its ongoing approach to Sponsorship.

Consultation

Council's Unit Manager Community and Culture has worked closely with the Managing Director of CCAS to ensure the ongoing support provides the most benefit for the region's athletes and coaches and is aligned to relevant CCC strategies and programs.

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 financial support of \$45,000 per year can be funded through existing operational budgets within the Community and Culture Unit. No additional budget is required.

CCAS is required to provide an acquittal report to Council via the SmartyGrants management platform within 3 months of the end of each financial year.

Link to Community Strategic Plan

Theme 1: Belonging

Goal L: Healthy lifestyle for a growing community

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

Risk Management

There is a reputational risk to Council and a significant risk of reductions in the number of sporting development programs provided by CCAS if the financial support is not provided for the 2022-2023 financial year.

There have been major sporting infrastructure upgrades recently and we now have some premier sporting facilities within the region that will only realise their full potential if organisations such as CCAS are stable, sustainable, and able to deliver quality sports development programs. CCAS is the only overarching program for elite sports development across all sports on the Central Coast.

Options

- 1 To provide the recommended financial support of \$45,000 each year for three (3) years to Central Coast Academy of Sport **This is the recommended option.**
- 2 Council could decide to provide less or no financial support to Central Coast Academy of Sport however this presents a significant risk of reduced sporting development programs across the region. This is not recommended.

Attachments

Nil.



Item No: 2.11
Title: Community Support Grant Program - March 2023
Department: Community and Recreation Services

23 May 2023 Ordinary Council Meeting

Reference: F2017/02117-002 - D15565022
Author: Ellen Bridge, Section Manager. Community Development (Acting)
Manager: Belinda McRobie, Unit Manager Community and Culture (Acting)
Executive: Melanie Smith, Director Community and Recreation Services

Recommendation

1 That Council allocate \$23,496.00 (inclusive of GST where applicable) from the 2022/23 grants budget to the Community Support Grant program, as outlined below and in Attachment 1.

- a Volunteer Marine Rescue NSW (Mooney Mooney) - \$1,568.00**
- b Country Women's Association of NSW - \$2,800.00**
- c Youth in Performing Arts YIPA – Central Coast Incorporated - \$3,888.00**
- d Mannering Park Precinct Committee Incorporated - \$1,100.00**
- e Surf Life Saving Central Coast Incorporated - \$5,000.00**
- f MINGALETTA Aboriginal and Torres Strait Islander Corporation - \$4,140.00**
- g Terrigal Trotters Club - \$5,000.00**

2 That Council decline applications as outlined below, for the reasons indicated in Attachment 1, and the applicants be advised and where relevant, directed to alternate funding sources.

- a Robert James Bartholomew Manning – application is ineligible**
- b The Entrance District Baptist Church – lack of broader community benefit**
- c Curtain Bounce – application is ineligible**
- d Hockey New South Wales Limited – application is ineligible**

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.

2.11 Community Support Grant Program - March 2023 (contd)

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, that align with the One-Central Coast Community Strategic Plan and build capacity across the entire Central Coast community.

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

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

Table 1: Community Support Grant Program

Program	Original Budget	Opening Period	2022/2023 allocation to date (inclusive of GST where applicable)	Recommendation allocation within this report (inclusive of GST where applicable)	Allocation to date + Recommendation within report (inclusive of GST where applicable)
Community Support Grant Program	\$300,000	Ongoing	\$213,650.02	\$23,496.00	\$237,146.02
TOTAL			\$213,650.02	\$23,496.00	\$237,146.02

Current Status

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

2.11 Community Support Grant Program - March 2023 (contd)

Applications submitted from 1 – 31 March 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 organisation, or auspiced by one.

Assessment

Eleven applications were received and assessed by 12 April 2023, with seven applications recommended for funding in this Council report.

Three of the four applications not recommended for funding were assessed as ineligible with one being not recommended because it did not demonstrate a broader community benefit. All applicants will be advised to discuss their proposal further with Council's Grants Officers prior to resubmission in a future round.

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

Consultation

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

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

Council staff conducted two grant writing workshops with 33 attendees and four grant information sessions with 76 attendees.

Additionally, Council staff also undertook three drop -in support sessions with 8 attendees to assist applicants with their submissions where required.

Financial Considerations

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

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

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

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

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

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

Link to Community Strategic Plan

Theme 1: Belonging

Goal A: Our community spirit is our strength

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

Risk Management

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

Applications recommended for funding are conditional on all relevant event/activity approvals 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

1	Community Support Program - March 2023	Provided Under	D15637403
	Recommended and Not Recommended Report	Separate Cover	



Item No: 2.12
Title: Recommendation from the 30 March 2023
Protection of the Environment Trust Committee
(POET)

Department: Environment and Planning

23 May 2023 Ordinary Council Meeting

Reference: F2018/00732 - D15648657
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 Release \$12,200 from the Protection of Environment Trust Fund to the Crommelin Native Arboretum Inc Pty Ltd to undertake both Parts A and B of Project POET001 202223 titled Land Survey Ecological Report on the Pearl Beach Arboretum.***
- 2 Release \$1,320 from the Protection of Environment Trust Fund to the Peninsula Environment Group (PEG) to undertake community education components of the Project POET002 202122 titled Woy Woy Peninsula Community Garden - Promoting Protection of Flora & Fauna.***
- 3 Release \$3,230 from the Protection of Environment Trust Fund to the Peninsula Environment Group (PEG) to undertake Project POET003 202223 titled Umina Coastal Sandplain Woodland Species Corridor subject to the works being undertaken in accordance with the written approval from Council's Section Manager, Parks and Reserves dated 9 December 2022 and ongoing consultation with the Section Manager, Parks and Reserves during the detailed planning and implementation of the project.***
- 4 Release of \$4,500 to the Matcham Hall Incorporated to undertake Project POET005 202223 titled the Matcham Holgate Feral Fox Control Program subject to the project works complying with all relevant legislation and in consultation with the NSW Government's Local Land Services agency.***

Report purpose

To seek a resolution to release funds from the Protection of the Environment Trust for four community-based environmental projects that were recommended for funding at the Trust Committee's meeting on 30 March 2023.

2.12 Recommendation from the 30 March 2023 Protection of the Environment Trust Committee (POET) (contd)

Executive Summary

At its meeting on 30 March 2023 the Protection of the Environment Trust Committee considered grant applications for four community-based projects with an environmental focus that aligned with the dual purpose of the Trust.

The Protection of the Environment Trust minutes from 30 March 2023 were noted by Council at its meeting on 26 April 2023. A specific Council resolution is required to release funds from the Protection of the Environment Trust for the four grant projects supported by the Trust Committee.

Background

At its meeting on 30 March 2023, the Protection of the Environment Trust Committee made the following four recommendations to Council in relation to grant applications it had considered:

- 1 That the Protection of the Environment Trust Committee recommend release of \$12,200 to the Crommelin Native Arboretum Inc Pty Ltd to undertake both Parts A and B of the project titled Land Survey Ecological Report on the Pearl Beach Arboretum.
- 2 That the Protection of the Environment Trust Committee recommend release of \$1,320 to the Peninsula Environment Group (PEG) to undertake community education components of the project titled Woy Woy Peninsula Community Garden - Promoting Protection of Flora & Fauna.
- 3 That the Protection of the Environment Trust Committee recommend release of \$3,230 to the Peninsula Environment Group (PEG) to undertake Project POET003 202223 titled Umina Coastal Sandplain Woodland Species Corridor subject to the works being undertaken in accordance with the written approval from Council's Section Manager, Parks and Reserves dated 9 December 2022 and ongoing consultation with the Section Manager, Parks and Reserves during the detailed planning and implementation of the project.
- 4 That the Protection of the Environment Trust Committee recommend release of \$4,500 to the Matcham Hall Incorporated to undertake Project POET005 202223 titled the Matcham Holgate Feral Fox Control Program subject to the project works complying with all relevant legislation and in consultation with the NSW Government's Local Land Services agency.

2.12 Recommendation from the 30 March 2023 Protection of the Environment Trust Committee (POET) (contd)

Current Status

In response to report 2.12 Minutes of Advisory Groups and Committee meetings held in January, February and March 2023 on 26 April 2023, Council resolved (46/23) to note the minutes of Council's Advisory Group and Committee meetings held in January, February and March 2023.

A specific Council resolution is required to release funds from the Protection of the Environment Trust for the four grant projects supported by the Trust Committee.

Report

At its meeting on 30 March 2023 the Protection of the Environment Trust Committee considered grant applications from community groups for four 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; 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 Local Government area

This report recommends that Council resolve to adopt the four recommendations of the Protection of the Environment Trust Committee relating to the allocation of Trust funds to community-based environmental projects.

Consultation

The Protection of the Environment Trust Committee has considered the four grant applications in detail and has recommended that Trust funds be allocated to the four community-based environmentally focussed 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 of Council.

2.12 Recommendation from the 30 March 2023 Protection of the Environment Trust Committee (POET) (contd)

There is no impact on Council's General Fund associated with allocating funds from the Protection of the Environment Trust to the four projects supported by the Trust 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 Protection of the Environment Trust for small scale environmental projects delivered by incorporated community organisations.

Options

Options available to Council are:

- 1 To resolve to allocate Protection of the Environment Trust funds to the four community-based environmental projects as per the recommendations of the Protection of the Environment Trust Committee of 30 March 2023. **This is the recommended option.**
- 2 To resolve not to allocate Protection of the Environment Trust funds to the four community-based environmental projects which were recommended for funding by the Protection of the Environment Trust Committee on 30 March 2023. Not recommended.
- 3 To resolve to allocate a portion of the Protection of the Environment Trust funds requested for the four community-based environmental projects which were recommended for funding by the Protection of the Environment Trust Committee on 30 March 2023. Not recommended.

Critical Dates or Timeframes

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

2.12 Recommendation from the 30 March 2023 Protection of the Environment Trust Committee (POET) (contd)

Attachments

Nil.



Item No: 2.13
Title: People and Culture Unit Manager - Transition to Senior Staff Contract
Department: Corporate Services

23 May 2023 Ordinary Council Meeting

Reference: F2006/01686 - D15643652
Author: Marissa Racomelara, Director Corporate Services
Executive: David Farmer, Chief Executive Officer

Recommendation

That Council determine the described Unit Manager position as set out in this report as a Senior Staff position for the purpose of section 332 of the Local Government Act 1993.

Report purpose

To determine that current vacant Unit Manager role is designated as 'Senior Staff' positions in accordance with s. 332 of the Local Government Act 1993.

Executive Summary

The Unit Manager People and Culture role is currently vacant and scheduled to be filled. In reviewing this role and giving consideration to size and scope of the role, it is appropriate that this position is designated as a 'Senior Staff' position for the purposes of s.332 of the *Local Government Act 1993*.

Background

Unit Manager roles within the structure of Central Coast Council are currently not identified as senior staff positions.

It should be noted that there is currently industry conversation regarding the use of senior staff contracts. It is unclear as to where this conversation may lead however should legislative change occur, these contracts will transition to the appropriate arrangements in line with that change.

Current Status

There is one position currently vacant within Corporate Services and scheduled to be filled.

2.13 People and Culture Unit Manager - Transition to Senior Staff Contract (contd)

Report

In reviewing the current vacant Unit Manager role and giving consideration to size and scope of the role, it is more appropriate that this position is designated as a "Senior Staff" position for the purposes of s. 332 of the *Local Government Act 1993*. In reviewing the descriptors outlined in the *Local Government (State) Award 2020* which act as a guide in determining Senior Staff positions, it is considered that this position appropriately aligns to these descriptors which are outlined below. The position also meets the required remuneration threshold.

Authority and accountability:

Accountable for the direction and control of the employer or a department or the like. Influence and commit the employer or a department or the like to long-term strategic directions. Lead policy development and implementation.

Judgement and problem solving:

Positions solve problems through analytic reasoning and integration of wide-ranging and complex information and have a high level of independence in determining direction and approach to issues.

Specialist knowledge and skills:

The position requires the application of a range of specialist knowledge and skills, including relevant legislation and policies and other areas of precedent. Ability to provide authoritative advice to the employer.

Management skills:

Application of corporate management skills in a diverse organisation to establish goals and objectives. Manage and control staff, budgets and work programs or major projects of the employer or a department or the like utilising leadership, evaluation, and monitoring skills to facilitate achievement of objectives. Ability to generate innovative approaches to more effectively deploy resources, meet changing circumstances, and improve service to the employer's clients.

Interpersonal skills:

Positions use persuasive skills with external parties on major items of critical importance to the employer. They motivate managers and staff at all levels by leading and influencing others to achieve complex objectives. They influence the development of the employer.

Qualifications and experience:

Positions will have a relevant degree or equivalent and management experience, combined with accredited management qualifications. The roles also meet the remuneration threshold.

2.13 People and Culture Unit Manager - Transition to Senior Staff Contract (contd)

Consultation

As the position is currently vacant, no consultation is required with any current incumbent.

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.

This change does not financially impact Council, as the role is within budget, and does not impact overall staff numbers.

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

The establishment of senior staff contracts aids in providing greater alignment between the most appropriate legislation to support the employment conditions associated with these types of roles. It also allows a mechanism to refresh the organisational leadership in line with naturally occurring end dates to ensure that the best outcome for the organisation is always prioritised.

As identified above, there is a risk that legislative change regarding senior staff contracts may occur. This risk is easily mitigated by transitioning incumbents to the appropriate legislation should that change occur, as part of an industry approach.

2.13 People and Culture Unit Manager - Transition to Senior Staff Contract (contd)

Options

- 1 Council could resolve that the vacant Unit Manager People and Culture be added to Council's Senior Staff Structure as set out in this report.
This is the recommended option.
- 2 Council could decline to include the vacant Unit Manager People and Culture in the Senior Staff Structure. Not recommended

Attachments

- | | | | |
|---|--|-------------------------------|-----------|
| 1 | Unit Manager People and Culture Organisation Chart | Provided Under Separate Cover | D15655970 |
|---|--|-------------------------------|-----------|