

First Councillor Information Session 18 October 2023

Questions received from Councillor Information Session One attendees via Menti.com

No.	Questions
1.	\$34k a year is not enough for younger, highly skilled, working-aged people (that you want) to sustain themselves. Are any jobs classed as a conflict? Can a Councillor be a consultant as well?
	Councillors can be employed (including as consultants) while concurrently holding public office. However, it is the responsibility of the Councillor to declare conflicts of interest in accordance with the Code of Conduct . The Office of Local Government (OLG) has a comprehensive Candidate Guide which provides more information on who can be a Councillor: https://www.olg.nsw.gov.au/wp-content/uploads/2021/10/Stand-for-your-community-Candidate-Guide-Oct-21.pdf
2.	People considering applying today would not have the vision of the next CEO/ plan for the Coast to judge if they would support that as Councillors. How will they know what they're expected to support?
	New Councillors will be fully briefed during their induction of the current Community Strategic Plan and Delivery Programs, which are the comprehensive documents outlining Central Coast Council's vision and commitment to its community.
3.	Do you need to be affiliated with a political party to become a Councillor?
	No, independents not affiliated with established political parties are permitted to run for Council.
4.	Can it be put on the agenda that we have a Mayor elected for 4 years and voted by the people rather than one selected by the councillors and only 2 years?
	This would be achievable via a referendum.
5.	How do Councillors communicate with staff in relation to development applications?
	Development applications (DAs) are an operational matter only. Councillors are involved in the creation of land use policies and strategies, as well as planning proposals and agreements, but have no role in determining DAs.
6.	Will it be possible to stop previous Councillors from attempting to stand again?
	No, previous Councillors are entitled to run for Council.
7.	It has been previously said that Councillors were responsible for the poor finances. How can an incoming Councillor keep on top of the financial factors and respond to Council staff if problems arise?
	Councillors are expected to attend all briefings and ask questions about financial matters. To stay abreast of Council's finances, Councillors are expected to read Council's monthly finance reports (which are presented at Council meetings), consider quarterly budget reviews, and adopt the annual budget. Councillors are able to request further information from Council including on financial matters through the Councillor Request System and in line with the relevant policies.

8.	Will the current ward system be kept and number of Councillors?
	Yes, for the coming Council term (2024-2028). At the 14 September 2024 local government elections, the community will be asked a referendum question which reads as follows: <i>'Do you favour a reduction in the number of Central Coast Councillors from fifteen to nine? This will result in three Wards with each Ward electing three Councillors.'</i> The results of this referendum question will determine the number of wards and Councillors from 2028 onwards.
9.	Which bank lent the \$100m emergency loans?
	This information is commercial in confidence and cannot be provided.
10.	Why didn't the state government lend the Council the cash?
	This is a question is more appropriately directed to the state government.
11.	What is the state of the \$150m loans?
	Council has been making principal and interest repayments per its agreed payment schedule, while also putting aside additional cash (and reporting this at Council meetings) to retire the \$100m loan ahead of schedule. Council is in a position to pay down a majority of the emergency loans by December 2023.
12.	With all the new housing going in why are we not seeing huge profits from rates?
	Total rate income is capped by the rate peg (3.8% for 2023-2024 financial year). Rates growth income is expended on additional assets and services in these new release areas.
13.	The Local Government Act states, "A Councillor is accountable to the local community for the performance of the council." How can a Councillor do this when the paid staff control the figures?
	Finances are allocated according to the annual budget, Delivery Program and Operation Plan which are reviewed and adopted by the elected Council. Therefore, allocation of resources is a Councillor responsibility.
14.	Is it a requirement to provide office services for Councillors at Council chambers or is it just a mutual agreement?
	The Councillor Expenses and Facilities Policy outlines the provision of these services. This policy is adopted by the elected Council and reviewed by the elected Council on a cyclical basis.
15.	How many wards will there be in 2024?
	Five (5).
16.	Do you need to have financial knowledge to the level of an accountant to be a councillor?
	No. Elected Councillors will receive training during their onboarding period.
17.	How does a Councillor receive information and provide input into the Council budget?

	Councillors are expected to participate in budget workshops, review and adopt the draft budget, and monitor adherence to the budget via monthly and quarterly council reports.
18.	Why did a new Council not get elected in 2022 as per point 2 from public enquiry?
	On 1 June 2022, the (then) Minister for Local Government, Ms Wendy Tuckerman announced the local government elections for Central Coast Council would be held in line with the standard local government election cycle in NSW, on 14 September 2024. Council is not privy to further specific reasons why this occurred; this question can be directed to the State Government.
19.	How many hours do Councillors need to put in? Is it essential to attend all Council meetings and other planning and executive meetings?
	Councillors must attend all Council meetings (which currently occur on the fourth Tuesday of each month) or seek leave. Apart from mandatory training, other meetings and briefings are optional, however are designed to provide advice and support to Councillors to assist well informed decision-making. It is strongly encouraged that Councillors attend all briefings and meetings.
20.	Why do we have wards?
	Legislation enables (but does not mandate) the formation of wards. The existence of wards and their number are determined and amended via a referendum.
21.	How can Councillors control the budget if it's so big?
	By adopting the Delivery Plan , Budget and Operational Plan that achieves the Community Strategic Plan .
22.	What did the Administrator mean by saying that there were problems with the parliamentary style?
	Administrator Rik Hart's perspective is that a parliamentary style of governance is not in line with the governance requirements outlined in the Local Government Act 1993, which states that Councillors must represent and make decisions about their local government area, which is the whole Central Coast region. While Councillors are elected within their wards, once they are officially elected, they are required to make decisions for the whole area and not represent the needs or wishes of their ward only (or any singular issue/area). When Members of Parliament (MPs) are elected, they are elected to represent their area whereas Councillors are elected to represent the entire Local Government Area.
23.	How does the governing body of Council get information to make the best decisions? What happens if the information from staff is inaccurate or not forthcoming?
	Councillors can request a report on any relevant topic via a Notice of Motion (NOM) at a Council meeting. For minor or general matters, there is a Councillor request process.
24.	How will you make sure people don't have conflicts, such as being aligned to developers?

	It is the responsibility of the Councillor to declare conflicts of interest in accordance with the Code of Conduct .
25.	Will you make sure the previous Councillors will not be up for re-election?
	No, previous Councillors are allowed to run for Council.
26.	How does a Councillor improve governance of the organisation if they think something is wrong?
	Raise it with the Mayor and CEO.
27.	Is the Council like a corporation board or is it different?
	All councils in NSW are independent, locally elected corporate bodies. Councils are responsible for making significant decisions that have a far-reaching impact on their community. Local communities are encouraged to have a say in what their Council does and how it does it. Councils have significant responsibility and autonomy in providing services for their communities. It is important that these services meet the needs of the local community and are provided effectively, efficiently and equitably.
28.	Does the Council select the CEO and their strategic plan?
	Councillors are responsible for appointing the CEO and for the adoption of the Community Strategic Plan, which is drafted in consultation with the community.
29.	Is the referendum question to be worded as per Rik's slide?
	Yes, this has been approved by the Office of Local Government and the NSW Electoral Commission and is a resolution of Council.
30.	Does the CEO directly report to the Council and must they follow the council direction. If the CEO does not, what can the Council do?
	Yes, the performance of the CEO is managed by the Councillors.
31.	Do Councillors need to attend site inspections for development applications on the agenda items of the upcoming meeting to understand the nuances of the site and application?
	Councillors no longer determine development applications; this is done by Council staff for small developments or the Local or State Planning Panels for larger developments. Councillors (along with the rest of the community) can observe planning panel meetings if they wish to do so. Councillors may be invited to attend site inspections for other matters such as zoning decisions.
32.	How do Councillors address issue of conflict with paid staff?
	With the CEO.
33.	What processes exist to compensate for problems with staff and with Councillors?
	Council's Code of Conduct .
34.	Does Council still vote on building developments or zone mapping. Or is this left to Council employees?
	<u>For Development Applications</u>

	<p>With the establishment of the Local Planning Panel in 2020, Councillors no longer have a role in the assessment or determination of development applications.</p> <p>Section 4.8 of the Environmental Planning & Assessment Act 1979 (the Act) sets out the role of Councillors in areas where a Local Planning Panels are in place.</p> <p>Instead, the functions are to be exercisable on behalf of the council by either:</p> <ul style="list-style-type: none"> • The Local Planning Panel • The Regional Planning Panel • Delegated Officers of the Council for those applications that do not require referral to either the Local or Regional Planning Panel <p>(Noting also that the Department of Planning & Environment, as delegate of the Minister for Planning, remain the relevant authority to deal with State Significant Development Applications and the like).</p> <p>Under these circumstances, once the Local Planning Panel is constituted Councillors are only permitted to make a formal representation to the panel, in the same manner as an objector/consultee. They have no particular powers to refer matters to the Panel, direct the Panel in anyway or have oversight of Panel decisions.</p> <p><u>For Rezoning/Planning Proposals</u></p> <p>Councillors still play a key role in decision making related to rezonings and other planning proposals.</p> <p>Under these circumstances, the Local Planning Panel provides advice only before the matter is referred to the Council.</p> <p>The advice of the LPP is provided to Councillors but the decision-making powers for rezonings/planning proposals remains with the elected Council.</p>
35.	Outside of Council meetings, how do individual Councillors raise questions about budgets, spending and compliance?
	With the CEO or via the Councillor Request Process
36.	Before deciding to be a candidate I would like to know who else is going to be a candidate so I can determine if this is a group I could work with. When will we know who is running?
	Candidates running for Council will be announced when the NSW Electoral Commission close the nominations and candidates are declared. Candidate nominations open 5 August 2024 and close at noon on 14 August 2024.
37.	Are there any suggested courses a prospective Councillor should undertake?
	Board of Company Directors is a good one to do, however Councillors will be offered a comprehensive learning program when they are inducted.
38.	Can a councillor resign?
	Yes.
39.	With such a “poor brand” how can we attract a high-quality CEO?
	With a well-executed and well marketed recruitment campaign.

40.	Can a Councillor be a member of a local community group or is this a conflict of interest?
	Yes, they can be a member of a community group. However, if a decision needs to be made that could affect the local community group, the Councillor will need to declare a conflict of interest and manage that conflict which may include being excluded from voting on that decision.