

# Central Coast Council

## Water and Sewer Works-In-Kind Policy

Date Adopted: 26/08/2025  
Revision: 2

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## 1. Policy Objectives

- 1.1. The Policy exists to establish a transparent and consistent framework for assessing and approving Works-In-Kind (WIK) proposals.
  - 1.2. The policy applies to all elected members of Council, all personnel employed by Council, any person or organisation contracted to or acting on behalf of Council, any person or organisation employed to work on Council premises or facilities, and all activities of the Council.
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## 2. Policy Scope

- 2.1. This Policy enables developers to offset all or part of their Water Supply and Sewerage Developer Charges under the *Water Management Act 2000* through the provision of agreed infrastructure works, and to outline the circumstances under which refunds may be issued where the value of works exceeds the payable charges.
  - 2.2. Council's 'Water and Sewer Works-In-Kind Guideline' provides a framework and consistent methodology to allow a lead developer to deliver the required trunk infrastructures at the right time with the support of Council. The current version of the document can be sourced from Council's website ([centralcoast.nsw.gov.au](http://centralcoast.nsw.gov.au)).
  - 2.3. This Policy does not apply to:
    - a) The provision of temporary assets or reticulation assets which are required to be vested in Council, at no charge to Council, as described in the Water Supply and Sewerage Development Servicing Plans (DSP)
    - b) Development Contributions payable levied under any s7.11 or 7.12 Development Contribution Plan levied under the *Environmental Planning and Assessment Act 1979*
    - c) Any proposal or request to provide WIK that are not consistent with the intent of the DSP (provide trunk water supply and sewerage capacity to service growth)
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## 3. Policy Statement

- 3.1. Central Coast Council consider Water Supply and Sewerage Developer Charges required under the *Water Management Act 2000*.
- 3.2. Council is committed to ensuring:
  - a) The delivery of water supply and sewerage infrastructure occurs as required to serve the needs of its growing population
  - b) The provision of such is well-planned, appropriately timed and delivered, meets relevant construction and quality standards, and represents value for money for Council and the community
  - c) That any WIK proposals are assessed in an equitable and transparent manner
- 3.3. The consideration of WIK, in lieu of full or partial payment of Section 7.11 Development Contributions required under the *Environmental Planning and Assessment Act 1979* is covered by a separate Council Policy.

- 3.4.** Central Coast Council is a local water utility constituted under Division 2 Part 3 Chapter 6 of the *Local Government Act 1993*.
- 3.5.** Development activities that may impact on Council Water Supply Assets are regulated under Section 64 of the *Local Government Act 1993*.
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## 4. General

- 4.1.** Council is under no obligation to accept offers to enter into WIK Agreements (WIKAs).
- 4.2.** Council will only consider proposals to enter a WIK where the relevant DSP provides that a WIKA can be entered into for the carrying out of works in full or partial satisfaction of developer charges payable shown on a Section 306 Requirements letter.
- 4.3.** All WIK proposals will be lodged and progressed in accordance with Council's 'Water and Sewer Works-In-Kind Guideline'
- 4.4.** All Works-In-Kind proposals will be evaluated against criteria established by Council's 'Water and Sewer Works-In-Kind Guideline'.
- 4.5.** All executed WIKAs will be recorded on a WIK Register maintained by Council.
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## 5. Responsibilities

### **Compliance, monitoring and review**

- 5.1.** Suspected breaches or misuse of this policy are to be reported to the Chief Executive Officer. Alleged breaches of this policy shall be dealt with by the processes outlined for breaches of the Code of Conduct, as detailed in the Code of Conduct and in the Procedures for the Administration of the Code of Conduct.
- 5.2.** This Policy will be reviewed every four years or as required by legislative change or for other purposes.
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## 7. Policy Definitions

<b>Act</b>	means the Water Management Act 2000.
<b>Proponent</b>	means the person who has the written authority to act on behalf of the landowner of the land who has the benefit of a development consent that relates to that land.
<b>Council</b>	means the Central Coast Council which includes any reference to the former Wyong Shire Council or Gosford City Council.
<b>Developer Charges</b>	means the provision made by a developer under a DSP, monetary contribution, or the provision of infrastructure to be used for or applied towards the provision of water supply and/or sewerage capacity to service existing or future growth.

<b>Developer Charges Payable</b>	means a condition imposed by Council as a Water Authority relating to the payment of monies in accordance with applicable DSPs.
<b>Developer Contributions Committee (DCC)</b>	means the internal Council Developer Contributions Committee, comprising relevant employees of the Council that review and provide advice in relation to offers from developers for proposed WIK in lieu of payment of contributions.
<b>Development Servicing Plan (DSP)</b>	means a plan prepared by Council in accordance with the provisions of the prevailing Independent Pricing and Regulatory Tribunal (IPART) determination on Water and Sewerage Developer Charges.
<b>Development Servicing Plan Works Schedule</b>	means the schedule within a contribution plan which itemises the works, costs, staging and timing thereof to be delivered by the plan.
<b>Development Servicing Plan Works Value</b>	means the value assigned to the provision of an item of work or facility under a DSP.
<b>Guidelines</b>	means the operational procedures and assessment Guidelines, as amended from time to time, and endorsed by the DCC or CEO.
<b>Material Public Benefit</b>	means a Work-In-Kind which is listed in the works schedule of a Water Supply and Sewerage Development Servicing Plan (DSP) for which a monetary contribution would be normally sought or the provision of certain water and/or sewerage infrastructure that may or may not exist in the area that is not included in a Water Supply and Sewerage Development Servicing Plan (DSP). A Material Public Benefit is not the dedication of land or the payment of a monetary contribution under the <i>Environmental Planning and Assessment Act, 1979</i> .
<b>Security/Securities</b>	means a financial amount of money paid to Council to pay costs associated with completion of any outstanding works to be undertaken by the proponent.
<b>Water Management Act proposal</b>	Has the same meaning as within Section 305 of the Act. Page 6 of 7.
<b>Water Management Act Requirements</b>	has the same meaning as within Section 306 of the Act.
<b>Work</b>	has the same meaning as within the Act.
<b>Works-In-Kind</b>	means the undertaking of work, or the provision of amenities, services or facilities, as nominated in a Contribution Plan's Work

	Schedule and includes reference to Contribution Offsets. It does not include the dedication of land.
<b>Works-In-Kind Agreement</b>	means the agreement between a proponent and Council which details the works, plans, costing, timing and other matters deemed necessary for the provision of Works-In-Kind.
<b>Works-In-Kind Policy</b>	means this policy.

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## 8. Policy Administration

<b>Business Group</b>	Water and Sewer
<b>Responsible Officer</b>	Section Manager, Assets and Planning
<b>Associated Procedure (if any, reference document(s) number(s))</b>	Central Coast Council Water and Sewer Works-In-Kind Guideline (D16382919)
<b>Policy Review Date</b>	Four years from the date of adoption unless legislated otherwise.
<b>File Number / Document Number</b>	D16807758
<b>Relevant Legislation (reference specific sections)</b>	<p>This Policy supports Council's compliance with the following legislation:</p> <ul style="list-style-type: none"> <li>▪ <i>Local Government Act 1993</i></li> <li>▪ <i>Water Management Act 2000</i></li> <li>▪ Council's Code of Conduct</li> <li>▪ Central Coast Council's Water and Sewer Works-In-Kind Guideline</li> <li>▪ Central Coast Council Water Supply and Sewerage Development Servicing Plans (multiple)</li> </ul>
<b>Link to Community Strategic Plan</b>	<p>Theme 4: Responsible</p> <p><b>Goal H: Delivering essential infrastructure</b></p> <p>R-H4: Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water.</p>
<b>Related Policies / Protocols / Procedures / Documents (reference document numbers)</b>	<p>Central Coast Council's Water and Sewer Works-In-Kind Guideline: D16382919</p> <p><a href="#">Information and Records Management Policy</a></p> <p><a href="#">Code of Conduct</a></p> <p><a href="#">Delegations Register</a></p>



## 9. Policy Authorisations

No.	Authorised Function	Authorised Business Unit / Role(s)
N/A	N/A	N/A

## 10. Policy History

Revision	Date Approved / Authority	Description Of Changes
1	Ordinary Meeting of Council 29/06/2021  Minute Number of Resolution – 194/21	
2	Governance and Finance Committee Meeting 12/08/2025 Minute Number GFC14/25  Ordinary Meeting of Council 26/08/2025 Minute Number 754/25 (Adopted)	Periodic Review  Revised and amended, updated into new template

## 11. Appendices: Nil