



Central Coast Council  
Ordinary Council Meeting

Held  
2 Hely Street, Wyong

22 March 2022

## MINUTES

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### **Present**

Rik Hart

### **In Attendance**

|                |  |
|----------------|--|
| David Farmer   | Chief Executive Officer                                |
| Brian Bell     | Director Community and Recreation Services (Acting)    |
| Boris Bolgoff  | Director Infrastructure Services                       |
| Natalia Cowley | Director Corporate Affairs and Chief Financial Officer |
| Jamie Loader   | Director Water and Sewer                               |
| David Milliken | Director Environment and Planning (Acting) - Remotely  |

### **Notes**

The Administrator, Rik Hart, declared the meeting open at 6:30pm and advised in accordance with the Code of Meeting Practice that the meeting was being recorded.

The Administrator acknowledged the traditional custodians of the land on which the meeting was being held, and paid respect to Elders past, present and emerging.

The Administrator updated the meeting on recent activities of Council.

The Administrator acknowledged Mr Brian Bell and Mr David Milliken as this was their last Council Meeting at Central Coast Council in their current roles and thanked them for their achievements here.

**1.1 Disclosure of Interest**

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Time commenced: 6:41pm

**Item 7.2 - Adoption of the Ourimbah Area Strategy and Centre Masterplan**

The Director Infrastructure Services, Mr Boris Bolgoff, declared a less than significant non pecuniary interest in the matter as he owns property within the area, but outside the area of the masterplan.

**Moved: Rik Hart**

**37/22 Resolved**

***That Council note the report on Disclosures of Interest and advice of disclosures.***

**1.2 Confirmation of Minutes of Previous Meeting**

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Time commenced: 6:42pm

**Moved: Rik Hart**

**38/22 Resolved**

***That Council confirm the minutes of the Ordinary Meeting of Council held on 22 February 2022.***

**1.3 Notice of Intention to Deal with Matters in Confidential Session**

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Time commenced: 6:43pm

**Moved: Rik Hart**

**39/22 Resolved**

***That Council resolve that the following matter be dealt with in open session:***

***Item 3.1 – Refinancing of Borrowings***

**Procedural Motion**

Time commenced: 6:43pm

**Moved: Rik Hart**

**40/22 Resolved**

***That Council consider item 2.7 - Adoption of the Ourimbah Area Strategy and Centre Masterplan – first with the remaining items in order, however for the sake of clarity the items are recorded in their correct agenda sequence.***

**2.1 Presentation of 2020-2021 Financial Reports and related Auditor's Reports for Central Coast Council and Central Coast Council Water Supply Authority**

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Time commenced: 6:54pm

**Moved: Rik Hart**

**41/22 Resolved**

- 1 That Council note that the 2020-2021 Central Coast Council audited financial reports including the auditor's reports have been presented to this meeting of the Council, in accordance with s. 419(1) of the Local Government Act 1993 ("LG Act").**
- 2 That Council adopt the audited 2020-2021 financial reports for Central Coast Council as presented in accordance with ss. 413(2)(c) and 377(1)(k) of the LG Act, and cl. 215(1)(a) of the Local Government (General) Regulation 2005.**
- 3 That Council include the audited 2020-2021 Central Coast Council Consolidated Financial Reports in Council's 2020-2021 Annual Report in accordance with s.428(4)(a) of the LG Act.**
- 4 That Council publish on Council's website the 2020-2021 Central Coast Council Consolidated Financial Reports as an addendum to the 2020-2021 Annual Report and a copy be provided to the Minister of Local Government in accordance with s. 428 (5) of the LG Act.**
- 5 That Council adopt the audited 2020-2021 financial reports for Central Coast Council Water Supply Authority as presented in accordance with s.45 of the Water Management Act, Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board.**
- 6 That Council staff correct any references to the Audit, Risk & Improvement Committee recommending the audited financial statements to read that the ARIC noted those statements.**

## **2.2 Investment Report for February 2022**

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Time commenced: 7:01pm

Moved: Rik Hart

**42/22 Resolved**

- 1 That Council note the Investment Report for February 2022.**
- 2 That Council note that internally restricted funds are unrestricted funds that have been internally allocated to a certain purpose.**
- 3 That Council allocate the required unrestricted funds available in the General Fund to meet its February 2022 unrestricted funds deficit of \$45.49M in Water and Drainage funds as set out in this report.**

## **2.3 Monthly Finance Report - February 2022**

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Time commenced: 7:05pm

Moved: Rik Hart

**43/22 Resolved**

- 1 That Council note the report Monthly Financial Reports – February 2022.**
- 2 That Council adopt the amendments to the 2021-2022, 2022-23, 2023-24 and 2024-25 Capital Works Program detailed in Attachment 9.**

## **2.4 Council's Asset Sales Program - Update Report**

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Time commenced: 7:10pm

Moved: Rik Hart

**44/22 Resolved**

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

- a) Warnervale Town Centre:  
2 Woongarra Rd, Woongarra (1/DP1275060)  
formally known as  
236 - 260 Hakone Road Woongarra (Lot 1 DP 376264)  
236 - 260 Hakone Road Woongarra (Lot 54 DP 7527)***

**236 - 260 Hakone Road Woongarra (Lot 55 DP 7527)**  
**236 - 260 Hakone Road Woongarra (Lot 1 DP 371647)**  
**236 - 260 Hakone Road Woongarra (Lot 1 DP 375712)**  
**99 Sparks Road Woongarra (Lot 52 DP 561032)**  
**103 Sparks Road Woongarra (Lot 51 DP 561032)**  
**107 Sparks Road Woongarra (Lot 41 DP 1200210)**

- b) 15-23 Hely St Wyong (PT 1 Sec1 DP 3136)**  
**15-23 Hely St Wyong (PT 2 Sec1 DP 3136)**  
**15-23 Hely St Wyong (PT 3 Sec1 DP 3136)**  
**15-23 Hely St Wyong (PT 4 Sec1 DP 3136)**  
**15-23 Hely St Wyong (PT 5 Sec1 DP 3136)**

## **2.5 Senior Staff Roles**

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Time commenced: 7:12pm

Moved: Rik Hart

**45/22 Resolved**

- 1 That Council note the report on Senior Staff Roles.**
- 2 That Council determine the described four Unit Manager positions as set out in this report as Senior Staff positions for the purpose of section 332 of the Local Government Act 1993.**

## **2.6 Request to amend SEPP Gosford City Centre to reclassify 73-75 Mann St Gosford**

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Time commenced: 7:15pm

Moved: Rik Hart

**46/22 Resolved**

- 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.**

- 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.**

## **2.7 Adoption of the Ourimbah Area Strategy and Centre Masterplan**

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Time commenced: 6:43pm

The Director Infrastructure Services, Mr Boris Bolgoff, declared a less than significant non pecuniary interest in the matter as he owns property within the area.

**Moved: Rik Hart**

### **47/22 Resolved**

- 1 That Council note the extensive community consultation that has been undertaken over the course of the development of the Draft Ourimbah Area Strategy and Centre Masterplan and the numerous iterations, and subsequent final version presented in this report, that have been as a result of the community's input.**
- 2 That Council note the amendments to Draft Ourimbah Area Strategy and Centre Masterplan, as outlined in this report.**
- 3 That Council adopt the Ourimbah Area Strategy and Centre Masterplan, as per Attachment 1.**
- 4 That Council authorise, subject to Resolution 3, the Chief Executive Officer to make final editorial amendments to the Ourimbah Area Strategy and Centre Masterplan.**
- 5 That Figure 5.2.1 of the Ourimbah Area Strategy and Centre Masterplan be amended to reflect current development footprints.**

## **2.8 Request to Prepare a Section 3.22 EP&A Act Submission for Precinct 2A and 2B North Wyong Shire Structure Plan**

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Time commenced: 7:20pm

**Moved: Rik Hart**

### **48/22 Resolved**

***That Council proceed with the making of an amendment to the Wyong Local Environmental Plan 2013 (or the Central Coast Local Environmental Plan, whichever is***

*in effect) for Precinct 2A and 2B in the North Wyong Shire Structure Plan in accordance with Section 3.22 and 3.36(2) of the Environmental Planning and Assessment Act 1979.*

**2.9 Planning Proposal RZ/108/2020 for 121 - 129 Newling Street, Lisarow**

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Time commenced: 7:23pm

Moved: Rik Hart

**49/22 Resolved**

- 1 That Council endorse the Planning Proposal for Lot 122 DP 1218619 and Lot 4 DP 660988 (121 and 129 Newling Street), Lisarow, as exhibited.**
- 2 That Council request the Chief Executive Officer to exercise delegation issued by the Department of Planning and Environment for RZ/108/2020 and proceed with the steps for drafting and making of the amendment to Gosford Local Environmental Plan 2014 or Central Coast Local Environmental Plan, whichever is in effect at the time.**

**2.10 Planning Proposal RZ/38/2013 for land at Glenworth Valley and Calga**

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Time commenced: 7:26pm

Moved: Rik Hart

**50/22 Resolved**

- 1 That Council endorse the Planning Proposal for land at Glenworth Valley and Calga, subject to the amendments outlined in this report except that the Additional Permitted Uses Map (Area A) be amended to include the 41 Ha area in the south-east part of the site comprising part of Lot 108 DP 755221 and Lot 23 DP 755221.**
- 2 That Council request the Chief Executive Officer to exercise delegation issued by the Department of Planning and Environment for RZ/38/2013 and proceed with the steps for drafting and making of the amendment to Gosford Local Environmental Plan 2014 or Central Coast Local Environmental Plan, whichever is in effect at the time.**
- 3 That all those who made submissions during public exhibition be notified of Council's decision.**

**2.11 Outcomes following Community Consultation for the Central Coast Stadium - Rezoning and Reclassification (Pre-Assessment by ED&P)**

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Time commenced: 7:30pm

Moved: Rik Hart

**51/22 Resolved**

- 1 That Council consider the submissions and feedback received during the consultation period.**
- 2 That Council commence the rezoning and reclassification process for Lot 2, DP1011876 which will allow greater Masterplan outcomes.**
- 3 That Council modifies the Plan of Management for Lot 1 DP 1011876 to reflect the uses triggered by any Masterplan proposal.**

**2.12 Surf Life Saving Central Coast and Surf Club Financial Partnership Support 2021/2022**

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Time commenced: 7:34pm

Moved: Rik Hart

**52/22 Resolved**

- 1 That Council adopt the recommendations as outlined in this report to provide 2021/2022 financial partnership support to Surf Life Saving Central Coast (SLSCC) and the Central Coast's 15 Surf Clubs.**
- 2 That Council approve the distribution of \$213,500 through the following:**
  - a \$38,000 to SLSCC to coordinate beach safety activities and educational messaging across the Central Coast.**
  - b \$78,000 to SLSCC to administer the purchase of the following equipment on behalf of the Central Coast's 15 Surf Clubs. This includes:**
    - i Inflatable Rescue Boat (IRB) motor over a multi-year replacement scheduled cycle;**
    - ii IRB hull over a multi-year replacement scheduled cycle;**
    - iii service radios annually for all Surf Clubs;**
    - iv service oxygen equipment annually for all Surf Clubs; and**
    - v purchase of one rescue board for each Surf Club.**
  - c \$6,500 direct to each of Central Coast's 15 Surf Clubs to support beach safety operations.**



**2.13 Outcomes of Public Exhibition - Draft Responsible Dog Ownership Policy**

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Time commenced: 7:36pm

Moved: Rik Hart

**53/22 Resolved**

- 1 That Council note the draft Responsible Dog Ownership policy was on public exhibition from Wednesday, 11 August to Wednesday, 8 September 2021.**
- 2 That Council note the updates to the draft Policy as a result of public exhibition as outlined in this report.**
- 3 That Council adopt the Responsible Dog Ownership Policy as amended per Attachment 2.**

**2.14 Remove historic Care, Control and Management responsibilities of Transport for NSW land at Lot 9 DP 863305, Pacific Highway, Mooney Mooney**

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Time commenced: 7:39pm

Moved: Rik Hart

**54/22 Resolved**

- 1 That Council endorse the removal of its Care Control and Management responsibilities for land owned by Transport for NSW at Lot 9 DP 863305, Pacific Hwy, Mooney Mooney.**
- 2 That Council authorise the Chief Executive Officer to write to the Governor of NSW requesting that the proclamation of 31 July 1953 as it applies to granting care control and management responsibilities for Lot 9 DP 863305 at Mooney Mooney to the former Gosford Shire Council be revoked.**

**2.15 Australian Local Government Association (ALGA) National General Assembly 2022 - Attendance and Voting**

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Time commenced: 7:41pm

Moved: Rik Hart

**55/22 Resolved**

***That Council note the Administrator will attend the Australian Local Government***

**Association (ALGA) National General Assembly 2022 as Council's voting delegate and will not be submitting any motions.**

## **2.16 Tree Vandalism Statistics Report - January to December 2021**

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Time commenced: 7:41pm

Moved: Rik Hart

**56/22 Resolved**

- 1 That Council note the report on Tree Vandalism Statistics.**
- 2 That tree vandalism statistics be reported through Council's Annual Report rather than twice-annual information reports to Council.**
- 3 That this annual tree vandalism report will continue to report on incidents where a Penalty Infringement Notice or prosecution relating to tree vandalism occurred.**

## **3.1 Refinancing of Borrowings**

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Time commenced: 7:46pm

Moved: Rik Hart

**57/22 Resolved**

- 1 That Council approve the refinancing of Water Fund's external borrowings of \$5,728,430.88 from a financial institution, due on 29 March 2022, on a principal and interest basis, as per the attached repayment schedule, fixed over 7 years at the indicative interest rate of as per the terms and conditions as supplied in the report, amortised over 20 years.**
- 2 That Council approve the repayment of Sewer Fund's external borrowings of \$7,050,376.48, due on 29 March 2022, from the Sewer Fund's unrestricted funds, amounting to \$118.4M.**
- 3 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that this report remain confidential in accordance with section 10A(2)(d)(i) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter in open Council would on balance be contrary to the public interest. Consideration of the matter in open Council would, on balance, be contrary to the public interest as publication of all tendered amounts would discourage potential tenderers from submitting**

*commercial information in future and would affect Council's ability to obtain value for money services for the Central Coast community.*

**The Meeting** closed at 7:50 pm.