



Central Coast Council

Ordinary Council Meeting

Held in the Council Chamber
2 Hely Street, Wyong

24 May 2022

MINUTES

Present

Rik Hart

In Attendance

David Farmer	Chief Executive Officer
Boris Bolgoff	Director Infrastructure Services
Natalia Cowley	Director Corporate Affairs and Chief Financial Officer
Dr Alice Howe	Director Environment and Planning
Jamie Loader	Director Water and Sewer
Melanie Smith	Director Community and Recreation Services

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.

1.1 Disclosure of Interest

Time commenced: 6:44pm

Moved: Rik Hart

76/22 Resolved

That Council notes the report on Disclosures of Interest and the fact that no disclosures were made.

1.2 Confirmation of Minutes of Previous Meeting

Time commenced: 6:44pm

Moved: Rik Hart

77/22 Resolved

That Council confirm the minutes of the Ordinary Meeting of Council held on 26 April 2022.

1.3 Notice of Intention to Deal with Matters in Confidential Session

Time commenced: 6:45pm

Moved: Rik Hart

78/22 Resolved

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

Item 3.1 – Road Upgrade - Del Monte Place, Copacabana (Stage 2B) CPA/3692

2.1 Monthly Finance Report April 2022

Time commenced: 6:45pm

Moved Rik Hart

79/22 Resolved

1 That Council receive the report Monthly Financial Reports – April 2022.

2 That Council adopt a \$2.1M increase to Water and Sewer Developer Contribution

income in 2021-2022.

- 3** *That Council adopt the amendments to the 2021-2022 Capital Works Program detailed in Attachment 9.*

2.2 Investment Report for April 2022

Time commenced: 6:52pm

Moved: Rik Hart

80/22 Resolved

- 1** *That Council note the Investment Report for April 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 April 2022 unrestricted funds deficit of \$39.81M in Water and Drainage funds as set out in this report.*

2.3 2021-2022 Quarter 3 Review

Time commenced: 6:54pm

Moved: Rik Hart

81/22 Resolved

That Council adopt Central Coast Council's Q3 Business Report for 2021-2022 including the proposed budget amendments.

2.4 Exhibition of the Draft Revised Community Strategic Plan, Draft Delivery Program 2022-2025 and Draft Resourcing Strategy

Time commenced: 7:00pm

Moved: Rik Hart

82/22 Resolved

- 1 That Council endorse the following documents for the purposes of public exhibition from Wednesday 25 May 2022 to Tuesday 21 June 2022 and invite public submissions in accordance with the Local Government Act 1993:**
 - **Draft Revised Community Strategic Plan (Attachments 1 and 2)**
 - **Draft Delivery Program 2022-2025 (including Operational Plan 2022-23) (Attachment 3)**
 - **Draft Resourcing Strategy, which includes the Long-Term Financial Plan, Workforce Management Strategy and Revised Asset Management Strategy (Attachment 4)**
 - **Draft Fees and Charges 2022-23 – Attachment 5.**

- 2 That Council authorise the Chief Executive Officer to make appropriate amendments to the draft documents to correct numerical, grammatical or typographical errors.**

- 3 That Council authorise the Chief Executive Officer to make appropriate amendments to the draft documents to reflect IPART's final determination for the Maximum prices for water, wastewater and other services supplied by Central Coast Council, which was published by IPART on 24 May 2022.**

- 4 That Council authorise the Chief Executive Officer to make appropriate amendments to the Statement of Revenue and Fees and Charges for public exhibition.**

2.5 ARIC Annual Report 2021

Time commenced: 7:15pm

Moved: Rik Hart

83/22 Resolved

That Council note the Audit, Risk and Improvement Committee Annual Report for 2021.

2.6 Governance Lighthouse Report as at 31 December 2021

Time commenced: 7:17pm

Moved: Rik Hart

84/22 Resolved

That Council note the Governance Lighthouse report as at 31 December 2021 as provided as Attachment 1 to this report.

2.7 Outcomes of Public Exhibition and Finalisation of Planning Proposal and Planning Agreement, Doyalson-Wyee RSL Club, Pacific Highway, Doyalson

Time commenced: 7:17pm

Moved: Rik Hart

85/22 Resolved

- 1 That Council amend Planning Proposal (RZ/4/2018) as exhibited in response to issues raised by submissions as follows:**
 - a Rezone Biodiversity Corridor A to C3 Environmental Management and Corridors B and F to C2 Environmental Conservation.**
 - b Amend the size and width of Corridor B, C and F as shown in Figure 6.**
 - c Reconfigure the R2 – Low Density Residential and RE2 – Private Recreation zone boundaries along the western boundary of the site as shown in Figure 7.**
 - d Amend the Planning Agreement to respond to submissions from Biodiversity Conservation Division and Transport for NSW, as discussed in further detail in this report.**
- 2 That Council support the Planning Proposal (RZ/4/2018) subject to the changes outlined above.**
- 3 That Council request the Chief Executive Officer to undertake all necessary actions to finalise the Planning Agreement associated with this Planning Proposal.**
- 4 That Council request the Department of Planning and Environment to finalise and make the amendment to Wyong Local Environmental Plan 2013 or Central Coast Local Environmental Plan 2022, whichever is in effect at the time.**
- 5 That all those who made submissions during the public exhibition be advised of Council's decision.**

2.8 Adoption of Clause 5.22 Special Flood Considerations under Central Coast Local Environmental Plan 2022

Time commenced: 7:22pm

Moved: Rik Hart

86/22 Resolved

- 1 That Council request the Department of Planning and Environment to include Standard Instrument Clause 5.22 into the Central Coast Local Environmental Plan 2022.**

- 2 ***That Council request that all land uses identified for potential consideration by the Department of Planning and Environment under Standard Instrument Clause 5.22 be included under Clause 5.22 of Central Coast Local Environmental Plan 2022.***

- 3 ***That Council note that the Department of Planning and Environment has indicated the Central Coast Local Environmental Plan will be made by the end of June 2022 with a one-month deferred commencement period and will include Clause 7.23 Transitional Provisions for Floodplain Risk Management, retaining the current controls under Clause 7.3 of Gosford Local Environmental Plan 2014 and Clause 7.3 of Wyong Local Environmental Plan 2013 until such time as Standard Instrument Clause 5.22 comes into effect.***

2.9 Variations to Development Standards - January to March 2022

Time commenced: 7:25pm

Moved: Rik Hart

87/22 Resolved

That Council notes the report on Variations to Development Standards – January – March 2022.

2.10 Central Coast Local Planning Panel - Membership

Time commenced: 7:27pm

Moved: Rik Hart

88/22 Resolved

- 1 ***That Council resolve, in accordance with Schedule 2 Clause 11 (3) of the Environmental Planning & Assessment Act 1979, to continue the existing Central Coast Local Planning Panel Chair, Expert and Community Panel membership (as noted in Attachment 1) for a period expiring on 29 February 2024; and***

- 2 ***That Council, noting the resignation of one existing Local Planning Panel member, resolve in accordance with Schedule 2 Clause 11 (1) of the Environmental Planning & Assessment Act 1979 to appoint two additional members to the 'expert' panel list (as noted in Attachment 1) for a period expiring on 29 February 2024.***

2.11 Council nominated Members Central Coast Regional Planning Panel

Time commenced: 7:28pm

Moved: Rik Hart

89/22 Resolved

1 That Council re-affirm the appointment of the following representatives as Central Coast Council nominees to the Hunter Central Coast Regional Planning Panel:

- **Greg Flynn (Panel Expert Nominee)**
- **Anthony Tuxworth (Panel Community Nominee)**
- **Stephen Leathley (Alternate Expert Nominee)**
- **Lynette Hunt (Alternate Community Nominee)**

2 That this representation on the Hunter Central Coast Regional Planning Panel be continued for the period until conclusion of elections for the civic offices of Central Coast Council.

2.12 Community Support Grants Program - March 2022

Time commenced: 7:29pm

Moved: Rik Hart

90/22 Resolved

1 That Council allocate \$4,000 (inclusive of GST where applicable) from the 2021/22 grants budget to the Community Support Grant program, as outlined in the following report and Attachment 1.

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

2.13 Enterprise Licence Agreement - Geographic Information System Software – Environmental Systems Research Institute (ESRI) Inc and ESRI Australia Pty Ltd

Time commenced: 7:30pm

Moved: Rik Hart

91/22 Resolved

- 1 That Council resolve, for the purposes of Section 55(3)(i) of the Local Government Act 1993, that a satisfactory result will not be achieved by inviting tenders for the provision of the software and services for the Central Coast Council's Geographic Information System for the following reasons:**
- i. The ESRI Enterprise software platform is a proven and reliable platform that is essential for the day-to-day operation of the Council;**
 - ii. The ESRI enterprise software platform has been utilised by Central Coast Council since amalgamation and was also inherited from the former Gosford and Wyong Councils, for which each of the former Councils and this Council have invested significant resources and accumulated significant experience in the use by staff of the Council;**
 - iii. ESRI Australia Pty Ltd are the sole provider of the ESRI Enterprise Software Platform; and**
 - iv. The anticipated expenditure is competitive.**
- 2 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachments 1 and 2 remain confidential in accordance with section 10A(2)(c) and 10A(2)(d)(iii) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Council's ability to obtain value for money services for the Central Coast community.**

2.14 Determination of water supply, sewerage and stormwater drainage fees and charges 2022-2023

Time commenced: 7:33pm

Moved: Rik Hart

92/22 Resolved

- 1 That Council approve the Water, 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 by way of service charges including the usage of the service is \$189,997,681. 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 sewerage 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. sewage 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. sewage discharge factor)**
- 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.**

3.1 Road Upgrade - Del Monte Place, Copacabana (Stage 2B) CPA/3692

Time commenced: 7:34pm

Moved: Rik Hart

93/22 Resolved

- 1 That Council reject all tenders received in relation to CPA/3692 Road Drainage Upgrade Stage 2B Del Monte Pl.**
- 2 That Council resolves to enter into negotiations with the preferred contractor, or others that lodged a tender, in accordance with Section 178(3)(e) of the Local**

Government (General) Regulation 2021, with a view to entering into a contract in relation to the subject matter of the tender CPA/3692 Road Drainage Upgrade Stage 2B Del Monte Pl.

The Meeting closed at 7:36pm.