



Central Coast Council

## Ordinary Council Meeting

Held in the Council Chamber  
2 Hely Street, Wyong

26 July 2022

# MINUTES

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### **Present**

Rik Hart

### **In Attendance**

|                |  |
|----------------|--|
| David Farmer   | Chief Executive Officer                    |
| Boris Bolgoff  | Director Infrastructure Services           |
| Krystie Bryant | Director Corporate Services (Acting)       |
| Jamie Loader   | Director Water and Sewer                   |
| David Milliken | Director Environment and Planning (Acting) |
| Melanie Smith  | Director Community and Recreation Services |

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**

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Time commenced: 6:41pm

**Moved:** Rik Hart

**118/22 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**

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Time commenced: 6:42pm

**Moved:** Rik Hart

**119/22 Resolved**

***That Council confirm the minutes of the Ordinary Meeting of Council held on 28 June 2022.***

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

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Time commenced: 6:42pm

**Moved:** Rik Hart

**120/22 Resolved**

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

**2.1 Monthly Finance Report June 2022**

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Time commenced: 6:42pm

**Moved:** Rik Hart

**121/22 Resolved**

***That Council receive the report Monthly Financial reports – June 2022***

## **2.2 Investment Report for June 2022**

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Time commenced: 6:50pm

**Moved:** Rik Hart

**122/22 Resolved**

- 1 That Council note the Investment Report for June 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 June 2022 unrestricted funds deficit of \$38.54M in Water and Drainage funds as set out in this report.**
- 4 That Council note these are draft June financials and are subject to further amendment as part of finalisation of year end processes.**

## **2.3 Draft Street Banner Policy and Draft Flying of Flags Policy**

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Time commenced: 6:53pm

**Moved:** Rik Hart

**123/22 Resolved**

- 1 That Council endorse the draft Street Banner Policy (Attachment 1) for the purpose of community consultation.**
- 2 That Council endorse the draft Flying of Flags Policy (Attachment 2) for the purpose of community consultation.**
- 3 That Council endorse the draft Street Banner Guidelines (Attachment 3) for the purpose of community consultation.**
- 4 That Council place the draft Street Banner Policy, Street Banner Guide and Flying of Flags Policy on public exhibition for a period of 28 days.**
- 5 That Council request the Chief Executive Officer provide a further report back to Council on the outcomes of the public exhibition.**

**2.4 Activities of the Development Assessment and Environmental Compliance Services Units - October 2021 to March 2022**

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Time commenced: 6:58pm

**Moved:** Rik Hart

**124/22 Resolved**

***That Council note the report on Activities of the Development Assessment and Environmental Compliance Services Units – October 2021 to March 2022.***

**2.5 Report on Outcomes of Public Exhibition of Council's LEP Amendment Request Policy**

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Time commenced: 7:07pm

**Moved:** Rik Hart

**125/22 Resolved**

- 1 That Council amend the LEP Amendment Request Policy as exhibited in response to matters raised by submissions as follows:**
  - Additional references to the guidelines contained within the Department of Planning and Environment's 'Local Environmental Plan Making Guidelines.'**
  - Links to supporting procedures and guidelines available on Council's Local Environmental webpage.**
  - Further clarity regarding the requirement for pre-lodgement meetings and pre-lodgement reviews.**
- 2 That Council endorse the final LEP Amendment Request Policy provided at Attachment 2.**
- 3 That all those who made submissions during the public exhibition be advised of Council's decision.**

**2.6 Modification to Planning Agreement - 137 Johns Road, Wadalba**

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Time commenced: 7:09pm

**Moved:** Rik Hart

**126/22 Resolved**

***That Council request the Chief Executive Officer to undertake all necessary actions to finalise the Planning Agreement for 137 Johns Road, Wadalba, generally in accordance with the amendments contained within this report.***

## **2.7 Planning Proposal RZ/113/2020 for 39 Dell Road, West Gosford**

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Time commenced: 7:11pm

**Moved:** Rik Hart

**127/22 Resolved**

- 1 That Council endorse the minor mapping amendment for inclusion into Planning Proposal for Lot 6 DP 3944, No 39 Dell Road, West Gosford which was endorsed by Council on 26 April 2022.**
- 2 That Council include a revised map in Schedule 4 of the Planning Agreement that reflects the minor mapping amendment in the Planning Proposal.**

## **2.8 Privacy Management Plan**

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Time commenced: 7:12pm

**Moved:** Rik Hart

**128/22 Resolved**

- 1 That Council revoke the previous Privacy Management Plan dated May 2018.**
- 2 That Council adopts the revised Privacy Management Plan at Attachment 1 and ensures it is available on Council's website as soon as practicable.**
- 3 That Council authorises Council staff to provide a copy of Council's Privacy Management Plan to the NSW Information and Privacy Commissioner as soon as practicable.**
- 4 That Council authorise the Chief Executive Officer, subject to resolution 2, to make final editorial amendments to the Privacy Management Plan to ensure correctness and clarity.**

**2.9 Acquisition of part of 93 Warnervale Road (Lot 101 DP 829060), 112-116 Warnervale Road (Lot 14 DP 371162) and 118-136 Warnervale Road (Lot 14A DP 371162) in Hamlyn Terrace, for road widening**

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Time commenced: 7:14pm

**Moved:** Rik Hart

**129/22 Resolved**

- 1 That Council resolve to acquire the following land for the purpose of road widening:  
That part of Lot 101 DP 829060, Lot 14 DP 371162 and Lot 14A DP 371162 highlighted purple in the plan in Attachment 1 at 93, 112-116 and 118-136 Warnervale Road, HAMLYN TERRACE ('Land').**
- 2 That Council authorise the Chief Executive Officer to execute all necessary documentation relevant to the acquisition of the land.**
- 3 That Council resolve to acquire all or some of the portions comprising the land by compulsory process for the purposes of a road widening, pursuant to Section 177 of the Roads Act 1993 and in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991, in the event that negotiations for the acquisition of all or some of the portions comprising the Land with the relevant property owner or owners cannot be satisfactorily resolved.**
- 4 That Council resolve to make an application to the Minister for Local Government and the Governor for approval to acquire all or some of the portions comprising the Land by compulsory process pursuant to the Land Acquisition (Just Terms Compensation) Act 1991, in the event that negotiations for the acquisition of the land with the relevant property owner or owners cannot be satisfactorily resolved.**

**2.10 Audit, Risk and Improvement Committee membership**

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Time commenced: 7:15pm

**Moved:** Rik Hart

**130/22 Resolved**

- 1 That Council appoint Peter McLean as an Independent External Member of the Central Coast Council Audit, Risk and Improvement Committee for an initial period of three years.**
- 2 That Council write to each of the unsuccessful applicants to the Audit, Risk and Improvement Committee Independent External Member role and advise them of the outcome, thanking them for their interest in the role.**

- 3 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 1 to this report remain confidential in accordance with section 10A(2)(a) of the Local Government Act as they contain personnel matters concerning particular individuals (other than Councillors).**

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

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Time commenced: 7:18pm

**Moved:** Rik Hart

**131/22 Resolved**

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

- a) 200 Thompson Vale Road, Doyalson (Lot 762 DP 746526)  
740 Thompson Vale Road, Doyalson (Lot 78 DP 755245)  
740 Thompson Vale Road, Doyalson (Lot 32 DP 586913)  
1550 Thompson Vale Road, Doyalson (Lot 31 DP 586913)**
- b) 10A Cynthia Street, Bateau Bay (Lot 17 DP 262327)**

## **2.12 Community Support Grants Program - May 2022**

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Time commenced: 7:27pm

**Moved:** Rik Hart

**132/22 Resolved**

- 1 That Council allocate \$8,870.00 (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. Terrigal Trotters Incorporated - \$5,000.00**
- b. Gosford Pre-School Incorporated - \$3,870.00**

- 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. The Millinery Association of Australia Incorporated**
- b. Norah Head Ratepayers Residents and Coastcare Association Incorporated**
- c. Toukley and District Art Society Incorporated**

**The Meeting** closed at 7:27pm.