



Central Coast Council

## Ordinary Council Meeting

Held in the Council Chamber

2 Hely Street, Wyong

23 November 2021

# MINUTES

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### **Present**

Rik Hart

### **In Attendance**

David Farmer	Chief Executive Officer
Boris Bolgoff	Director Infrastructure Services
Natalia Cowley	Director Corporate Affairs and Chief Financial Officer
Scott Cox	Director Environment and Planning
Jamie Loader	Director Water and Sewer
Julie Vaughan	Director Community and Recreation Services

### **Notes**

The Administrator, Rik Hart, declared the meeting open at 6:33pm 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 adjourned the meeting at 6:42pm and advised the meeting would resume following the conduct of the Open Forum.

The Open Forum commenced at 6:42pm with the speakers addressing the Council on each of the subjects below;

- Joy Cooper – Request that Council apply for grants and arrange education regarding COSS lands

The Open Forum closed with the Ordinary Meeting resuming at 6:50pm.

**1.1 Disclosure of Interest**

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Time commenced: 6:51pm

**Moved: Rik Hart**

**277/21 Resolved**

***That Council and staff now disclose any conflicts of interest in matters under consideration by Council at this meeting.***

**1.2 Confirmation of Minutes of Previous Meeting**

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Time commenced: 6:51pm

**Moved: Rik Hart**

**278/21 Resolved**

***That Council confirm the minutes of the Ordinary Meeting of Council held on 9 November 2021.***

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

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Time commenced: 6:51pm

**Moved: Rik Hart**

**279/21 Resolved**

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

**2.1 2021-2022 Quarter 1 Review**

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Time commenced: 6:51pm

**Moved: Rik Hart**

**280/21 Resolved**

***That Council adopt Central Coast Council's Q1 Business Report for 2021-2022 including the proposed budget amendments.***

## **2.2 Investment Report for October 2021**

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Time commenced: 6:54pm

**Moved: Rik Hart**

**281/21 Resolved**

- 1 That Council note the Investment Report for October 2021.**
- 2 That Council note that internally restricted funds are unrestricted funds that have been internally allocated to a certain purpose.**
- 3 That Council firstly allocates any unrestricted funds available in the General Fund, followed by sufficient internally restricted funds to meet its October 2021 unrestricted funds deficit of \$44.4M as set out in this report.**

## **2.3 Monthly Finance Report - October 2021**

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Time commenced: 6:58pm

**Moved: Rik Hart**

**282/21 Resolved**

***That Council note the Monthly Financial Reports – October 2021.***

## **2.4 Maintenance of the Central Coast Airport**

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Time commenced: 7:02pm

Mr Gary Chestnut addressed the meeting at 7:02pm

Mr Andrew Smith addressed the meeting at 7:06pm

**Moved: Rik Hart**

**283/21 Resolved**

***That Council rescind resolutions 660/19 and 660/20 to allow maintenance of the Central Coast Airport.***

## **2.5 Council's Land Sales Program - Update**

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Time commenced: 7:22pm

Ms Joy Cooper addressed the meeting at 7:22pm

**Moved: Rik Hart**

**284/21 Resolved**

***That Council resolve that the following properties have been sold and will be removed from Council's land register:***

- a) 18 Dunvegan Street, Mannering Park (Lot 154 DP 218427)***
- b) 44 Springall Ave, Wyongah (Lot 210 DP 26178)***
- c) 6 Wyndora Ave, San Remo (Lot 10 DP 1207459)***
- d) 165 Main Road, Toukley (Lot 3 DP 22986)***
- e) 9 Thompson Street, Long Jetty (Lot 21 Sec 1 DP 13225)***
- f) 3 Bounty Close, Tuggerah (Lot 2073 DP 1052715)***
- g) 1a Lucca Road, Wyong (Lot 24 DP 1220033)***
- h) 11-23 Wyong Road, Tuggerah (Lots 15-21 DP 25373)***

## **2.6 Outcomes of Complaints and Feedback Management Policy Consultation**

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Time commenced: 7:30pm

**Moved: Rik Hart**

**285/21 Resolved**

- 1 That Council note this report concluding the 28-day exhibition period, considering any submissions prior to adopting the Complaints and Feedback Management Policy.***
- 2 That Council endorse the recommended changes to the Complaints and Feedback Management Policy as outlined in the 28 October 2021 report.***

## **2.7 Draft Central Coast Destination Management Plan 2022-2025**

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Time commenced: 7:31pm

**Moved: Rik Hart**

**286/21 Resolved**

- 1 That Council approve the draft Central Coast Destination Management Plan 2022-2025 to go on Public Exhibition for a period of 28 days (Attachment 1).***

- 2     *That Council note the final report on actions for the Central Coast Destination Management Plan 2018-2021 (Attachment 2).***

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**2.8           Rental Concessions for Commercial Leases and Licences (COVID-19)**

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Time commenced: 7:43pm

**Moved:     Rik Hart**

**287/21     *Resolved***

- 1     *That Council provide rent relief in accordance with the Retail and Other Commercial Leases (COVID-19) Regulation 2021 and National Cabinet's Mandatory Code of Conduct.***
- 2     *That Council resolve to reduce its forecasted revenue within its adopted budget for FY 21-22 in line with the proposed rent relief outlined in Confidential Attachment 1.***
- 3     *That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 1 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 as it would affect Council's ability to obtain value for money services for the Central Coast Community.***

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**2.9           Variations to Development Standards - July to September 2021 Period**

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Time commenced: 7:45pm

**Moved:     Rik Hart**

**288/21     *Resolved***

***That Council note the report on Variations to Development Standards – July to September 2021.***

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**2.10          Repeal of Local Infrastructure Contribution Plans**

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Time commenced: 7:49 pm

**Moved:     Rik Hart**

**289/21     *Resolved***

- 1 That Council repeal the following contribution plans in accordance with the provisions of the Environmental Planning & Assessment Act 1979, and the Environmental Planning and Assessment Regulation 2000:**
- ***Development Contributions Plan No 5A – Narara – Drainage***
  - ***Development Contributions Plan No 5B – Narara – Roadworks and Traffic Management***
  - ***Development Contributions Plan No 5C – Narara - Community and Recreation Facilities***
  - ***Development Contributions Plan 7A – Niagara Park – Drainage***
  - ***Development Contributions Plan 7B – Niagara Park – Roads and Traffic Management***
  - ***Development Contributions Plan 7C – Niagara Park – Community and recreation Facilities***
  - ***Development Contributions Plan 8A – Lisarow – Drainage***
  - ***Development Contributions Plan 8B – Lisarow – Roadworks and Traffic Management***
  - ***Development Contributions Plan 8C – Lisarow – Community and Recreation Facilities***
  - ***Development Contributions Plan 16A – Kincumber – Drainage***
  - ***Development Contributions Plan 16B – Kincumber– Roadworks and Traffic Management***
  - ***Development Contributions Plan 16C – Kincumber – Open Space***
  - ***Development Contributions Plan 21A – Kariong - Roadworks and Traffic Management***
  - ***Development Contributions Plan 21B – Kariong – Drainage***
  - ***Development Contributions Plan 21C – Kariong – Community and Recreation Facilities***
  - ***Development Contributions Plan 23A – Springfield – Drainage***
  - ***Development Contributions Plan 23B – Springfield – Roadworks and Traffic Management***
  - ***Development Contributions Plan 23C – Springfield – Open Space***
  - ***Development Contributions Plan 36A – Erina Valley***
  - ***Development Contributions Plan No 42A – Erina, Green Point, Terrigal – Community and Recreational Facilities***
  - ***Development Contributions Plan No 42B – Erina, Green Point, Terrigal – Drainage***
  - ***Development Contributions Plan No 42C – Erina, Green Point, Terrigal – Roadworks and Traffic Management***
  - ***Development Contributions Plan No 43A – East Gosford – Local Open Space***
  - ***Development Contributions Plan No 43B – East Gosford – Local Roadworks***
  - ***Development Contributions Plan No 48A – Avoca Beach – Medium Density Area***
  - ***Development Contributions Plan No 49A – North Gosford – Medium Density Area***
  - ***Development Contributions Plan No 52A – Springfield, Erina Creek, Precinct Two – Roadworks***
  - ***Development Contributions Plan No 58A – Erina Fair – Local Roadworks***

- ***Development Contributions Plan No 67 – Woy Woy – Car Parking***
  - ***Development Contributions Plan No 68 – Umina – Car Parking***
  - ***Development Contributions Plan No 70 – East Gosford – Car Parking***
  - ***Development Contributions Plan No 71 – Avoca Beach – Car Parking***
  - ***Development Contributions Plan No 72 – Ettalong Beach – Car Parking***
  - ***Development Contributions Plan No 98 – Bensville***
  - ***Development Contributions Plan No 164 – Gosford Regional Centre***
- 2** ***That Council provide public notice of Council's decision, in accordance with the Environmental Planning and Assessment Regulation, 2000.***
- 3** ***That Council redirect any outstanding funds from the proposed repealed of Local Infrastructure Contribution (LIC) Plans as nominated in Attachment 1.***
- 4** ***That Council undertake a comprehensive review of the Central Coast Regional Section 7.12 Plan.***

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**2.11 Aquatic Weed Control on Private and Public Land at Springfield Pond**

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Time commenced: 7:55pm

Ms Glenys Ray addressed the meeting at 7:55pm

**Moved: Rik Hart**

**290/21 Resolved**

- 1** ***That Council authorise staff to undertake appropriate aquatic weed management activities under section 67 of the Local Government Act 1993, on and adjacent to the part of Springfield Pond located on the private property at Lot 7 Section 1 DP 977284 (35 Clarence Road, Springfield).***
- 2** ***That Council utilise the approved NSW Government grant funds to undertake aquatic weed control works on both the private and public parts of Springfield Pond.***
- 3** ***That no charge be applied to the landowner of Lot 7 Section 1 DP 977284 for works organised by Council on the private part of the pond when the grant funds provided by the NSW Government are used.***
- 4** ***That following completion of the endorsed works, in accordance with section 67(4) of the Local Government Act 1993, a further report including the nature of works, and the appropriateness of levying a fee for such works and expenditure be brought to Council.***

**2.12 Annual Report 2020-21**

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Time commenced: 8:03pm

**Moved: Rik Hart**

**291/21 Resolved**

***That Council adopt the Annual Report 2020-21.***

**2.13 Road Reclassification and Transfer Review**

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Time commenced: 8:06pm

**Moved: Rik Hart**

**292/21 Resolved**

- 1 That Council endorse the list of roads contained in this report, proposed to be submitted for assessment of either reclassification from Local to Regional or transferred from Regional to State.**
- 2 That Council endorse a submission to be made to the NSW Road Reclassification and Transfer Review for consideration by the Independent Panel.**

**2.14 Central Coast Roads Package Compulsory Land Acquisition for Ocean Beach Road and Rawson Road Intersection Upgrade, Woy Woy**

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Time commenced: 8:09pm

**Moved: Rik Hart**

**293/21 Resolved**

- 1 Subject to the approval of the grant funding, Council resolve to allow for the process to acquire the following land, pursuant to Section 177 of the Roads Act 1993:**

***As public road:***

<b><i>Part Lot 1 DP 805124</i></b>	<b><i>79-83 Rawson Rd, WOY WOY</i></b>
<b><i>Part Lot 1 DP 510495</i></b>	<b><i>60 Ocean Beach Rd, WOY WOY</i></b>
<b><i>Part Lot 6 DP 21816</i></b>	<b><i>58 Ocean Beach Rd, WOY WOY</i></b>
<b><i>Part Lot 5 DP 21816</i></b>	<b><i>56 Ocean Beach Rd, WOY WOY</i></b>
<b><i>Part Lot 4 DP 21816</i></b>	<b><i>54 Ocean Beach Rd, WOY WOY</i></b>
<b><i>Part Lot 123 DP 1031776</i></b>	<b><i>50-52 Ocean Beach Rd, WOY WOY</i></b>
<b><i>Part Lot 2 Section 4 DP 5099</i></b>	<b><i>8 Mutu St, WOY WOY</i></b>
<b><i>Part Lot 1 DP 778597</i></b>	<b><i>6 Mutu St, WOY WOY</i></b>



<b>Part Lot 3 Section 1 DP 7923</b>	<b>42 Ocean Beach Rd, WOY WOY</b>
<b>Part Lot 4 Section 1 DP 7923</b>	<b>40 Ocean Beach Rd, WOY WOY</b>
<b>Part Lot 5 Section 1 DP 7923</b>	<b>38 Ocean Beach Rd, WOY WOY</b>
<b>Part Lot 5 Section 1 DP 7923</b>	<b>36 Ocean Beach Rd, WOY WOY</b>
<b>Part Lot 7 Section 1 DP 7923</b>	<b>34 Ocean Beach Rd, WOY WOY</b>
<b>Part Lot 8 Section 1 DP 7923</b>	<b>32 Ocean Beach Rd, WOY WOY</b>

***Partially as public road, and consolidate the residual land for re-sell:***

<b>Lot 2 DP 1040919</b>	<b>48 Ocean Beach Rd, WOY WOY</b>
<b>Lot A DP 372116</b>	<b>46 Ocean Beach Rd, WOY WOY</b>
<b>Lot C DP 372116</b>	<b>76 Rawson Rd, WOY WOY</b>
<b>Lot D DP 372116</b>	<b>76 Rawson Rd, WOY WOY</b>

- 2** ***Subject to the approval of the grant funding, Council authorise the Chief Executive Officer to execute all necessary documentation relevant to the acquisition of the land.***
- 3** ***Subject to the approval of the grant funding, Council resolve to acquire all or some of the portions comprising the land by compulsory process 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 at the end of the minimum statutory requirement of 6-month negotiation period to meet grant funding time commitments.***
- 4** ***Subject to the approval of the grant funding, Council apply to the Minister for Local Government for the approval of the Minister and the consent of the Governor in order to proceed with the compulsory acquisition pursuant to the provisions of the Land Acquisition (Just Terms Compensation) Act 1991 if required.***
- 5** ***Comprehensive engagement be undertaken with affected property owners and to the broader community to investigate concerns, noting this may result in some alteration to the proposed concept design.***

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## **2.15 Grants Program 2021-2022 - Community Development Grants**

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Time commenced: 8:14pm

**Moved: Rik Hart**

**294/21 Resolved**

- 1** ***That Council allocate \$266,439.69 (inclusive of GST where applicable) from the 2021-22 grants budget to the Community Development Grant Program as outlined in the following report and Attachment 1.***
- 2** ***That Council decline the applications for the reasons indicated in Attachment 1,***

*and the applicants be advised and where relevant, directed to alternate funding sources.*

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**2.16 Community Support Grants Program - August and September 2021**

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Time commenced: 8:15pm

**Moved: Rik Hart**

**295/21 Resolved**

- 1 That Council allocate \$27,759.86 (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.**

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**2.17 Minutes of the Social Inclusion Advisory Committee meeting held 16 September 2021**

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Time commenced: 8:16pm

**Moved: Rik Hart**

**296/21 Resolved**

- 1 That Council note the Meeting Record of the Social Inclusion Advisory Committee meeting held 16 September 2021.**
- 2 That Council note the Social Inclusion Advisory Committee endorses the move by SOWAG to seek in-principle support from Council to initiate and lead the creation and implementation of a Central Coast Council Gender Equity Strategy.**

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**2.18 Minutes of Advisory Group and Committee meetings held in September and October 2021**

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Time commenced: 8:17pm

**Moved: Rik Hart**

**297/21 Resolved**

***That Council note the minutes of Advisory Group and Committee meetings held in September and October 2021.***

**The Meeting** closed at 8:18pm.