



Central Coast Council

Ordinary Council Meeting

Held in the Council Chamber
2 Hely Street, Wyong

14 December 2021

MINUTES

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)

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 adjourned the meeting at 6:45pm and advised the meeting would resume following the conduct of the Open Forum.

The Open Forum commenced at 6:45pm with the speakers addressing the Council on each of the subjects below;

- Judy Lilley – Maintenance of roads

The Open Forum closed with the Ordinary Meeting resuming at 6:54pm.

1.1 Disclosure of Interest

Time commenced: 6:54pm

2.14 Adoption of the Ourimbah Area Strategy and Centre Masterplan

Mr Boris Bolgoff, Director Infrastructure Services, declared a less than significant non pecuniary interest in the matter as he has a property within one of the precincts that isn't identified as an investigation area. Mr Bolgoff remained in the chamber and did not participate in discussion or voting on this matter.

Moved: Rik Hart

298/21 Resolved

That Council receive the report on Disclosure of Interest and note advice of disclosures.

1.2 Confirmation of Minutes of Previous Meeting

Time commenced: 6:55pm

Moved: Rik Hart

299/21 Resolved

That Council confirm the minutes of the Ordinary Meeting of Council held on 23 November 2021.

1.3 Notice of Intention to Deal with Matters in Confidential Session

Time commenced: 6:55pm

Moved: Rik Hart

300/21 Resolved

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

Item 3.1 – Kariong Oval Recreation Area Skate Park, Pump Track and Playspace Upgrade.

2.1 Mountain Bike Feasibility Study Consultation Report

Time commenced: 6:56pm

Ms Jane Smith addressed the meeting at 6:56pm

Mr Leif Arnebark addressed the meeting at 7:00pm
Ms Joy Cooper addressed the meeting at 7:04pm
Mr Jonathan Curtis addressed the meeting at 7:07pm

Moved: Rik Hart

301/21 Resolved

- 1 That Council endorse the report on community consultation undertaken for the Mountain Bike Feasibility Study Discussion Paper.**
- 2 That Council endorse the development of a Central Coast Mountain Biking Plan, led by Council staff in collaboration with an active stakeholder working group, to establish a strategic framework and select suitable sites, and that the project be considered for funding through Council's budgetary processes, which may include applying for external funding from grants, developer contributions or cost or service reductions.**
- 3 That Council recognises the risk of harm to the environment, heritage, and public safety from unauthorised trail construction on Council land and that education, enforcement and trail closures will be an ongoing responsibility of Council in order to manage risks. However improved outcomes for reserve management will be reliant on a proactive approach to increase supply at suitable sites due to limited enforcement resources and the size of the region.**
- 4 That Council staff investigate the feasibility of, and issues with, constructing dirt jumps on suitable Council land and provide a report back to Council.**
- 5 That Council staff notify those people who lodged submissions and relevant stakeholders of Council's resolution.**

2.2 Adoption of the Ourimbah Area Strategy and Centre Masterplan

Time commenced: 7:23pm

Mr Brian Davies addressed the meeting at 7:23pm
Mr Greg McGill addressed the meeting at 7:26pm

Moved: Rik Hart

302/21 Resolved

That Council defer the Ourimbah Area Strategy and Centre Masterplan and provide a further report in early 2022 that considers the draft Central Coast Regional Plan and responds to comments made during tonight's public forum.

2.3 Central Coast Water Security Plan (CCWSP)

Time commenced: 7:32pm

Moved: Rik Hart

303/21 Resolved

That Council endorse the revised Draft Central Coast Water Security Plan to be submitted to the Department of Planning, Industry and Environment for their review and approval.

2.4 Central Coast Stadium- Stadium Implementation Plan, Masterplan

Time commenced: 7:40pm

Ms Heather McColl addressed the meeting at 7:43pm

Moved: Rik Hart

304/21 Resolved

That Council extends the completion of the Stadium Masterplan, with a new deadline of June 2022.

2.5 Gosford City Car Park Detailed Structural Assessment - Budget

Time commenced: 7:48pm

Moved: Rik Hart

305/21 Resolved

That Council transfer \$234,000 from account 123215 – External Restrictions (Gosford Parking Station Special Rate Levy) to 10.52151.821005.000.00000 - Gosford City Car Park, for the development of a Detailed Structural Assessment for the Gosford City Car Park to be used in the 2021/22 Financial Year.

2.6 Direct sale of Council's Gosford holdings

Time commenced: 7:50pm

Moved: Rik Hart

306/21 Resolved

- 1 That Council enter into a Memorandum of Understanding (MOU) with Landcom and The Technical and Further Education Commission (TAFE) to jointly assess the suitability of the Council's Gosford landholdings for the prime purpose of redevelopment into a new TAFE NSW campus.**
- 2 That Council resolve to grant Landcom, TAFE NSW and the Minister administering the Technical and Further Education Commission Act 1990 exclusive rights to negotiate the purchase of the Gosford landholdings and will not enter or continue any negotiations with any other parties or conduct any market activities in relation to the sale or leasing of the Council Site, unless otherwise agreed by the parties.**
- 3 That subject to the terms and the parties reaching an agreement bound by the MOU, that Council enter into a direct sale of the following land for not less than an independent valuation to Landcom and/or TAFE:**
 - a) 49-51 Mann Street Gosford 2250 (Lot 1 DP 251476);**
 - b) 49-51 Mann Street Gosford 2250 (Lot 1 DP 564021);**
 - c) 53 Mann Street Gosford 2250 (Lot 3 DP 129268);**
 - d) 55-57 Mann Street Gosford (Lot 2 DP 129268);**
 - e) 59-71 Mann Street Gosford (Lot 1 DP 129268).**
- 4 That Council enter into a Deed of Option with Landcom and TAFE that subject to the reclassification of the following lots, Council enter into a direct sale to sell the following land for not less than an independent valuation to Landcom and/or TAFE:**
 - a) 73 Mann Street Gosford (Lot B in DP 321076);**
 - b) 75 Mann Street Gosford (Lot 2 in DP 543135);**
 - c) 126 Georgiana Terrace, Gosford (Lot 454 in DP 727721)**

2.7 Proposed Realignment of Glenning Valley, Berkeley Vale and Fountaindale Suburb Boundaries

Time commenced: 7:54pm

Ms Kylie Walker addressed the meeting at 7:55pm

Ms Jessica Matthews addressed the meeting at 7:58pm

Moved: Rik Hart

307/21 Resolved

- 1 That Council resolve to realign the Glenning Valley, Berkeley Vale and Fountaindale suburb boundaries including the renumbering of properties in Torrellia Way according to Australian/New Zealand Standards AS/NZS 4819:2011**

Rural and urban addressing.

- 2 That Council commence 28-day consultation period and seek comment from affected property owners and other government departments.***
- 3 That following the consultation period, a further report be provided to Council for the purpose of considering submissions received.***

2.8 Budget Amendment for Development Assessment Unit

Time commenced: 8:01pm

Moved: Rik Hart

308/21 Resolved

- 1 That Council agree to an adjustment to the budget by increasing Employee Costs of the Development Assessment Unit by \$900,000 to be offset by a \$900,000 reduction in the Materials & Services Budget Line Item.***
- 2 That Council note that the Development Assessment Unit Employee Costs budget will be kept under review and a further report be brought to Council in approximately twelve months' time.***

2.9 Proposed Council Meeting Dates 2022

Time commenced: 8:03pm

Moved: Rik Hart

309/21 Resolved

- 1 That Council adopt the proposed Ordinary Council Meeting dates for 2022.***
- 2 That Council, in accordance with clause 232 of the NSW Local Government (General) Regulation 2005, publish the 2022 Ordinary Council Meeting dates in the local newspaper.***
- 3 That Council note the schedule will require amendments following the announcement of the date for the 2022 Local Government Election for the Central Coast. This information is to be provided by way of a further report to Council.***

2.10 Amendment to Code of Meeting Practice

Time commenced: 8:03pm

Moved: Rik Hart

310/21 Resolved

- 1 That in accordance with section 361 of the Local Government Act the amended Code of Meeting practice as set out in this Report be placed on public exhibition for a period of not less than 28 days, with submissions accepted for a period of not less than 42 days.**
- 2 That in accordance with section 362 of the Local Government Act a further report be provided to Council following the conduct of the public exhibition period.**

2.11 Governance Lighthouse report as at 30 September 2021

Time commenced: 8:09pm

Moved: Rik Hart

311/21 Resolved

That Council note the Governance Lighthouse report as at 30 June 2021 as provided as Attachment 1 to this report.

2.12 Administrator Expenses and Facilities Report to 31 October 2021

Time commenced: 8:09pm

Moved: Rik Hart

312/21 Resolved

That Council note the report Administrator Expenses and Facilities Report to 31 October 2021.

2.13 LG Remuneration Tribunal annual determination review 2022

Time commenced: 8:10pm

Moved: Rik Hart

313/21 Resolved

That Central Coast Council do not make a submission to The Tribunal regarding categorisation, fees and any general matters as part of this review.

2.14 Use of Domestic Waste Restricted Funds for Fleet Capital Purchases

Time commenced: 8:10pm

Moved: Rik Hart

314/21 Resolved

That Council transfer \$1.19M from the Domestic Waste Fund to General Fund as a contribution for the programmed purchase of six fleet assets due for renewal within the current financial year.

2.15 2020-2021 Financial Reports - Audit Extension

Time commenced: 8:12pm

Moved: Rik Hart

315/21 Resolved

- 1 That Council note that the Audit Office of New South Wales has requested Council seek an extension to lodge its audited 2020-2021 Financial Reports with NSW Office of Local Government.***
- 2 That Council note that an extension until 28 February 2022 has been submitted to NSW Office of Local Government to lodge Central Coast Council's audited 2020-2021 Financial Reports.***

2.16 Acquisition of part of 20 Brush Creek Rd, Cedar Brush Creek and part of 56 Brush Creek Rd, Cedar Brush Creek for road purposes

Time commenced: 8:16pm

Moved: Rik Hart

316/21 Resolved

- 1 That Council resolve to acquire the following land for the purpose of a road (Land): That part of Lot 41 DP1003436 at 20 Brush Creek Rd, Cedar Brush Creek and that part of Lot 151 DP1027625 at 56 Brush Creek Rd, Cedar Brush Creek (the Land), to an equal or lesser value than the maximum market value as determined by an independent valuation report.***
- 2 That Council enters into negotiations with the property owners of 20 Brush Creek Rd, Cedar Brush Creek to exchange part of the closed Road Reserve to be reclassified as RU1 Primary Production zoning shown in orange in the attached plan as part compensation.***

- 3 That Council authorise the Chief Executive Officer to execute all necessary documentation relevant to the acquisition of the land.**
- 4 That Council resolve to acquire all or some of the portions comprising the land by compulsory process for the purposes of a road, 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.**
- 5 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.**

2.17 Council's Asset Sales Program - End of year update

Time commenced: 8:17pm

Moved: Rik Hart

317/21 Resolved

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

- a) 225 Sparks Road, Jilliby (Lot 15 DP 259530)***
- b) 671 Hue Hue Road, Jilliby (Lot 16 DP 259530)***
- c) 689 Hue Hue Road Jilliby, (Lot 17 DP 259530)***
- d) 701 Hue Hue Road Jilliby, (Lot 18 DP 259530)***
- e) 725 Hue Hue Road Jilliby, (Lot 4 DP 239704)***
- f) 725 Hue Hue Road Jilliby, (Lot 25 DP 259530)***
- g) 725 Hue Hue Road Jilliby, (Lot 26 DP 259530)***
- h) 749 Hue Hue Road, Jilliby (Lot 19 DP 259530)***
- i) 781 Hue Hue Road, Jilliby (Lot 6 DP 239704)***
- j) 791 Hue Hue Road, Jilliby (Lot 7 DP 239704)***
- k) 811 Hue Hue Road, Jilliby (Lot 8 DP 239704)***

3.1 Kariong Oval Recreation Area Skate Park, Pump Track and Playspace Upgrade

Time commenced: 8:18pm

Moved: Rik Hart

318/21 Resolved

- 1 That Council declare that it did not receive any tenders for Contract CPA/3946 – Design and Construction Kariong Oval Recreation Area Skate Park, Pump Track and Playspace Upgrade in accordance with Section 178 of the Local Government (General) Regulation 2005.**
- 2 That Council in accordance with Section 178(3)(b) resolve to invite fresh tenders with a view of entering into a contract for the skatepark and pump track component of the project.**
- 3 That Council note that the playspace component of the contract will be sourced via selective tender via the LGP 308-3 Playgrounds, Open Spaces, Modular Structures, Exterior Lighting, Recreational and Associated Infrastructure contract.**

The Meeting closed at 8:19pm.