



Central Coast Council

Ordinary Council Meeting

Held in the Council Chamber
2 Hely Street, Wyong

27 February 2024

MINUTES

Present

Rik Hart

In Attendance

David Farmer	Chief Executive Officer
Boris Bolgoff	Director Infrastructure Services
Dr Alice Howe	Director Environment and Planning
Jamie Loader	Director Water and Sewer
Marissa Racomelara	Director Corporate Services
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 we live, work and play. We pay our respects to Darkinjung country, and Elders past and present. We recognise the continued connection to these lands and waterways and extend this acknowledgement to the homelands and stories of those who also call this place home. We recognise our future leaders and the shared responsibility to care for and protect our place and people.

The Administrator updated the meeting on recent activities of Council.

PROCEDURAL ITEMS

1.1 Disclosures of Interest

Time Commenced: 6:37pm

10/24 RESOLVED on the motion of RIK HART:

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: 6:37pm

11/24 RESOLVED on the motion of RIK HART:

That Council confirms the minutes of the Ordinary Meeting of Council held on 23 January 2024.

1.3 Notice of Intention to Deal with Matters in Confidential Session

Time Commenced: 6:37pm

12/24 RESOLVED on the motion of RIK HART:

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

REPORTS

2.1 Monthly Finance Report December 2023

Time Commenced: 6:38pm

13/24 RESOLVED on the motion of RIK HART:

That Council receives the Monthly Financial Report – December 2023.

2.2 Monthly Finance Report January 2024

Time Commenced: 6:38pm

14/24 RESOLVED on the motion of RIK HART:

That Council receives the Monthly Financial Report – January 2024.

2.3 Investment Report for January 2024

Time Commenced: 6:38pm

RESOLVED on the motion of RIK HART:

That Council:

15/24 Notes the Investment Report for January 2024.

16/24 Allocates the required unrestricted funds available in the General Fund to meet its January 2024 unrestricted funds deficit of \$32.38M in the Drainage Fund.

2.4 2023-24 Quarter 2 Review

Time Commenced: 6:44pm

RESOLVED on the motion of RIK HART:

That Council:

17/24 Adopts the Q2 Business Report 2023-24 (Attachment 1), including the proposed amendments to the Operational Plan actions as outlined in this report.

18/24 Adopts the amendments to the 2023-24 Full Year Budget as outlined in this report.

19/24 Includes changes to the Capital Works Program as detailed in this report in future updates to the Long-Term Financial Plan.

2.5 Water and Sewer Delivery Plan Progress Report (July - December 2023)

Time Commenced: 6:51pm

20/24 RESOLVED on the motion of RIK HART:

That Council notes the Water and Sewer Delivery Plan 2022-2026 (Delivery Plan) Progress Report for July – December 2023 for publication on Council's website.

2.6 Acquisition - Toowoon Bay Road and Watkins Street - Intersection Upgrade

Time Commenced: 6:55pm

RESOLVED on the motion of RIK HART:

That Council:

21/24 Resolves to acquire the following land for the purpose of road widening due to the Intersection Upgrade. That part of Lots 17/2/DP10984, SP21025 and 1/DP1078040 as highlighted in green in the plan Attachment 1 ('Land').

22/24 Authorises the Chief Executive Officer to execute all necessary documentation relevant to the acquisition of the lands.

23/24 Resolves to acquire the lands 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 the Lands with the relevant property owner or owners cannot be satisfactorily resolved.

24/24 Resolves to make an application to the Minister for Local Government and the Governor for approval to acquire the Lands 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.

25/24 Resolves, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 2 remains confidential in accordance with section 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 attachments in open Council would on balance be contrary to the public interest as it would affect Council's ability to obtain value for money for the Central Coast community.

2.7 Outcome of Public Exhibition of the Draft Hardship and Debt Recovery Policy

Time Commenced: 6:56pm

RESOLVED on the motion of RIK HART:

That Council:

26/24 Adopts the Draft Hardship and Debt Recovery Policy 2024 (attachment 1).

27/24 Revokes the Debt Recovery and Hardship Policy 2021 (attachment 2).

2.8 Submission to Department Planning, Housing & Infrastructure on proposed Transport Orientated Development Program and Low Mid Rise Housing Reforms

Time Commenced: 6:59pm

RESOLVED on the motion of RIK HART:

That Council:

28/24 Notes and endorses the submission to the Department of Planning, Housing and Infrastructure made by staff in response to proposed low and mid-rise housing reforms (Attachment 1).

29/24 Notes and endorses the submission to the Department of Planning, Housing and Infrastructure made by staff in response to the proposed Transport Orientated Development Program (Attachment 2).

2.9 Submission - Local Infrastructure Contribution Practice Notes

Time Commenced: 7:03pm

30/24 RESOLVED on the motion of RIK HART:

That Council makes a submission (Attachment 1) to the Department of Planning Housing and infrastructure on the draft Local infrastructure Practice Notes.

2.10 Central Coast Local Planning Panel Membership - Extension of Appointment

Time Commenced: 7:04pm

RESOLVED on the motion of RIK HART:

That Council:

- 31/24** Notes the amendment to Ministerial Directions, dated 22 January 2024, for the operation of Local Planning Panels in NSW, resolve in accordance with Section 2.18(1) of the Environmental Planning and Assessment Act 1979 to extend the term of the current membership of the Central Coast Local Planning Panel (as set out in Attachment 1) until 30 June 2024.
- 32/24** Notes that the Department of Planning, Housing and Infrastructure has advised the commencement of recruitment of a revised pool of Local Planning Panel experts and chairs for the next three-year term. The Department has advised that the Minister will appoint this pool by 30 June 2024 so that councils with a Local Planning Panel can appoint their chairs and experts for the new term commencing on 1 July 2024.

2.11 Variations to Development Standards - October to December 2023

Time Commenced: 7:05pm

RESOLVED on the motion of RIK HART:

That Council:

- 33/24** Notes the report on Variations to Development Standards – October to December 2023.
- 34/24** Notes that the Department of Planning, Housing and Infrastructure no longer requires councils to report on variations to development standards quarterly, as this information is now available in real time via the NSW Planning Portal.
- 35/24** Resolves that quarterly reporting to Council of variations to development standards be discontinued.

2.12 Community Support Grant Program - December 2023

Time Commenced: 7:07pm

RESOLVED on the motion of RIK HART:

That Council:

36/24 Allocates \$13,226.20 (inclusive of GST where applicable) from the 2023/24 grants budget to the Community Support Grant program, as outlined below and in Attachment 1.

- a. Brackets and Jam Central Coast - rent and Insurance costs - \$2,364.20.**
- b. Youth In Performing Arts YIPA - Central Coast Incorporated – Theatre Hire fees- \$5,000.00.**
- c. Saratoga Sailing Club Incorporated - Cherub State Championship Regatta - \$302.00**
- d. YFC Care Limited - The Aspire Program - \$1,560.00**
- e. Gosford Showground Land Manager - 2024 Central Coast Regional Show - \$4,000.00.**

37/24 Declines 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. Soroptimist International Brisbane Water Incorporated - application is ineligible**
- b. Ocean Beach Surf Life Saving Club - identified for a more suitable grant program**
- c. Matcham Public Hall Incorporated– insufficient information provided to make an accurate assessment**

2.13 Minutes of Advisory Group and Committee meetings held in December 2023

Time Commenced: 7:08pm

38/24 RESOLVED on the motion of RIK HART:

That Council notes the minutes of the following Advisory Group and Committee meetings that were held in December 2023:

- Coastal Open Spaces – meeting held 5 December 2023**
- Audit Risk and Improvement Committee – meeting held 6 December 2023**
- Heritage Advisory Committee – meeting held 6 December 2023**
- Mangrove Mountain and Spencer Advisory Committee – meeting held 7 December 2024**

- ***Catchments to Coast Committee – meeting held 13 December 2023***
- ***Protection of the Environment Trust – meeting held 14 December 2023***
- ***Pedestrian Access and Mobility Advisory Committee – meeting held 14 December 2023***

2.14 Minutes of the Protection of the Environment Trust Committee from 14 December 2023

Time Commenced: 7:09pm

RESOLVED on the motion of RIK HART:

That Council:

- 39/24 Note that the Protection of the Environment Trust Committee considered Grant Application POET 006 202223 titled "Landcare Green Teams on Private Land" submitted by the Community Environment Network (CEN) and deferred making a recommendation pending further advice being sought from the applicant.***
- 40/24 Note that the Protection of the Environment Trust grant guidelines are to be reviewed in consultation with the Committee to provide greater clarity for grant applicants and to better guide the Committee's assessment of grant applications.***
- 41/24 Release \$22,719 from the Protection of the Environment Trust Fund to the University of Technology Sydney to undertake Project POET 009 202223 titled "Hanging on by their Teeth: The Distribution of Endangered Long-nosed Potoroo and Spotted-tailed Quoll in the Former Gosford Local Government area.***
- 42/24 Release \$30,427 from the Protection of the Environment Trust Fund to the Central Coast Marine Discovery Centre Inc. to undertake Project POET 010 202223 title "Bush Stone-curlew and Estuary Bird – Education and Citizen Science.***
- 43/24 Require that as a condition of awarding POET grant funds that recipients must acknowledge the POET on any signage and/or advertisement relating to the funded project in order to promote the POET.***

2.15 COSS Advisory Committee Minutes 5 December 2023

Time Commenced: 7:10pm

RESOLVED on the motion of RIK HART:

That Council:

- 44/24** *Notes the recommendations of the Coastal Open Space System (COSS) Advisory Committee provided in Section 2.6 of the Committee's minutes of 5 December 2023 in regard to a proposed COSS Reserve trial at Porters Creek Wetland and Warnervale Floodplain.*
- 45/24** *Provide in-principle support to the proposal, subject to further investigation.*
- 46/24** *Request that a report be provided to Council that considers, and amends as necessary, the COSS Advisory Committee's proposal whilst also considering:*
- a. The findings of the exhibited draft Warnervale Airport Masterplan*
 - b. The proposed Warnervale Link Road*
 - c. The proposed Conservation Agreement for Porters Creek Wetland that Council has previously publicly exhibited*
 - d. The feedback received in regard to the proposed Conservation Agreement for Porters Creek Wetland*
 - e. Any other proposed infrastructure on Council owned land in this locality to avoid conflicts in land use and define appropriate boundaries for each intended use.*
- 47/24** *Defer implementation of a proposed COSS Reserve trial at Porters Creek Wetland and Warnervale Floodplain until:*
- a. The report referred to in Part 3 is considered by Council.*
 - b. Council determines the appropriate approach for management of competing land uses on Council-owned land in this locality.*
 - c. Consultation occurs on the Warnervale Floodplain Masterplan (expected to occur in 2025)*
 - d. That as part of the consultation of the Warnervale Floodplain Masterplan, community support for a trial COSS Reserve site at Warnervale Floodplain and Porters Creek Wetland, is also gauged, particularly among residents local to the trial area.*
 - e. Evidence-based performance measures for the COSS Reserve trial are developed in consultation with the COSS Advisory Committee.*
 - f. The resources required to undertake the trial are identified, and can facilitate community consultation, data collection and analysis and any additional works required to support the trial.*

2.16 Status Update on Active Council Resolutions

Time Commenced: 7:12pm

RESOLVED on the motion of RIK HART:

That Council:

48/24 Receives and notes the Status Update on Active Council Resolutions report.

49/24 Rescinds the Council resolution on Creek Naming at Central Mangrove.

The Meeting closed at 7:13pm.