



Central Coast Council
Ordinary Council Meeting
Held in the Council Chambers
2 Hely Street, Wyong

26 March 2024

MINUTES

Present

Rik Hart

In Attendance

David Farmer	Chief Executive Officer
Boris Bolgoff	Director Infrastructure Services
Luke Sulkowski	Director Environment and Planning (Acting)
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 6:31pm 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 Confirmation of Minutes of Previous Meeting

Time Commenced 6:35pm

Summary

Confirmation of minutes of the Ordinary Meeting of Council held on 27 February 2024.

50/24 RESOLVED on the motion of RIK HART:

That Council confirms the minutes of the Ordinary Meeting of Council held on 27 February 2024.

1.2 Disclosures of Interest

Time Commenced 6:35pm

Rik Hart declares his significant non-pecuniary interest. Administrator's comments being:

I declare a significant non-pecuniary interest against item 3.7 - Staff Submission on DPHI Discussion Paper on Short- and Long-Term Rental Accommodation. My relative owns a property on the Central Coast which they operate as a hosted short-term rental accommodation offering. For this reason, I will move a procedural motion when this item is due to be considered.

51/24 RESOLVED on the motion of RIK HART:

That Council notes the report on Disclosures of Interest and advice of disclosures.

1.3 Notice of Intention to Deal with Matters in Confidential Session

Time Commenced 6:36pm

52/24 RESOLVED on the motion of RIK HART:

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

ADMINISTRATOR MINUTE

2.1 Administrator's Minute – NSW Central Coast wins international tourism award

Time Commenced 6:36pm

53/24 RESOLVED on the motion of RIK HART:

That the Administrator Minute be received and noted.

REPORTS

3.1 Monthly Finance Report February 2024

Time Commenced 6:42pm

54/24 RESOLVED on the motion of RIK HART:

That Council receives the Monthly Financial Report – February 2024.

3.2 Investment Report for February 2024

Time Commenced 6:42pm

RESOLVED on the motion of RIK HART:

That Council:

55/24 Notes the Investment Report for February 2024.

56/24 Allocates the required unrestricted funds available in the General Fund to meet its February 2024 unrestricted funds deficit of \$33.11M in the Drainage Fund.

3.3 Adoption of Central Coast Regulatory Policy

Time Commenced 6:48pm

RESOLVED on the motion of RIK HART:

That Council:

- 57/24** Notes that the public exhibition period for the Draft Central Coast Regulatory Policy was run for a period of not less than 28 days being 7 December 2023 to 7 February 2024.
- 58/24** Notes that no submissions were received during the exhibition period.
- 59/24** Notes that a final review of the Draft Central Coast Regulatory Policy has been undertaken to ensure that the document is editorially correct and complies with current document control conventions. Limited changes have been made to the content/intent (text alignment changes and removal of references to state government departments due to recent name changes).
- 60/24** Endorses the finalisation and adoption of the Central Coast Regulatory Policy.
- 61/24** Endorses the following actions in relation to the 6 below mentioned Policy's:
- a.** Council's Policy for Compliance and Enforcement – Revoke.
 - b.** Wyong Shire Council's Policy for Parking Enforcement – Revoke.
 - c.** Council's Smoke-Free Outdoor Public Spaces Policy – Revoke.
 - d.** Council's Tree and Vegetation Vandalism Management Policy – Revoke.
 - e.** Gosford City Council's Open Space Encroachment Policy – Revoke.
 - f.** Council's Water-Craft Storage on Public Land Policy – Retain and update.

3.4 Outcomes of Public Exhibition and Finalisation of Planning Proposal and Planning Agreement, Narara Eco Village

Time Commenced 6:51pm

RESOLVED on the motion of RIK HART:

That Council:

- 62/24** Endorses finalisation of the Planning Proposal for Narara Eco Village (RZ/115/2021).
- 63/24** Requests the Chief Executive Officer to exercise delegation issued by the

Department of Planning and Environment for RZ/115/2021 or if required request the Minister for Planning and Public Spaces to proceed with the steps for drafting and making of the amendment to Central Coast Local Environmental Plan.

64/24 Endorses the amendments recommended by Council staff being:

- a Include 'attached dwellings' as an additional permitted use in the R2 zone.***
- b Remove reference to 'commercial premises' as an additional permitted use in the R2 zone and replace with 'restaurants or cafes, take-away food and drink premises, shop, markets and business premises.'***
- c Update Schedule 5 of CCLEP 2022 to reflect updated descriptions and Lot and DP references of heritage items.***
- d Amend the exhibited site-specific DCP (Attachment C) to:***
 - ensure the definition of flood liable land is consistent with the Flood Risk Management Manual.***
 - clarify the flood controls apply to all flood liable land.***
 - insert additional heritage provisions to reflect the updated Conservation Management Plan.***

65/24 Endorses the amendments to the exhibited Planning Agreement and associated documents as follows:

- a Remove Lots 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, and 93 in DP 270882.***
- b Register the Planning Agreement on Lots 1, 38, 39 and 95 DP 270882.***

66/24 Endorses the site-specific Development Control Plan subject to the amendments outlined above.

67/24 Requests the Chief Executive Officer exercise his Delegation to execute the draft Planning Agreement, Deed of Amendment and associated documents, prior to the finalisation of the rezoning.

68/24 Advises all those who made submissions during the public exhibition of Council's decision.

3.5 Request to prepare Planning Proposal relating to 310 Terrigal Drive, Terrigal

Time Commenced 6:53pm

RESOLVED on the motion of RIK HART:

That Council:

69/24 Endorses the Draft Planning Proposal provided in Attachment 1, in relation to Lot 27 DP 1223375, 310 Terrigal Drive, Terrigal which seeks to amend the Central Coast Local Environmental Plan 2022 to:

- a. Amend the maximum height of buildings from 8.5m to 25m.**
- b. Amend the maximum floor space ratio from 0.5:1 to 1.3:1.**
- c. Amend Schedule 1 Additional Permitted Use to enable retail premises limited to 150m².**
- d. Amend Location Specific Development Controls of the Central Coast Development Control Plan, Chapter 5.11 Terrigal: Corner Charles Kay Drive and Terrigal Drive, to include site specific controls.**

70/24 Submits the Planning Proposal to the Minister for Planning and Public Spaces in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting a Gateway Determination, pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.

71/24 Requests delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 3.36 of the Environmental Planning and Assessment Act 1979.

72/24 Prepares a site-specific Development Control Plan to support the Planning Proposal to ensure appropriate built form guidelines are applied in the development design for the site.

73/24 Undertakes community and public authority consultation in accordance with the Gateway Determination requirements.

3.6 Adoption of Privacy Management Plan Policy and Data Breach Policy

Time Commenced 6:57pm

RESOLVED on the motion of RIK HART:

That Council:

74/24 Adopts the draft Privacy Management Plan Policy and Data Breach Policy.

3.7 Staff submission on DPHI Discussion paper on short and long term rental accommodation

Time Commenced 6:59pm

75/24 A procedural motion was moved and RESOLVED by RIK HART:

That this matter will not be considered.

3.8 Request to Proceed with Domestic Water Booster Pump System Trial

Time Commenced 6:59pm

RESOLVED on the motion of RIK HART:

76/24 That Council notes the contents of the report and approves the implementation of a domestic booster pump trial including works on private property.

3.9 Fire Safety Inspection Report - Bateau Bay Square - 12 Bay Village Road, Bateau Bay

Time Commenced 7:00pm

RESOLVED on the motion of RIK HART:

That Council:

77/24 Note the content of the Fire Safety Report from Fire and Rescue NSW (Attachment 1), in accordance with Section 17(2)(a) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979.

78/24 Receive a further report in accordance with Section 17(2)(b) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979, following staff review of Attachment 1.

3.10 Fire Safety Inspection Report - Strathavon Resort - 31 Boyce Avenue, Wyong

Time Commenced 7:00pm

RESOLVED on the motion of RIK HART:

That Council:

79/24 Notes the content of the Fire Safety Report from Fire and Rescue NSW (Attachment 1), in accordance with Section 17(2)(a) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979.

80/24 Receives a further report in accordance with Section 17(2)(b) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979, following staff review of Attachment 1.

3.11 Gosford Regional Library Project Status Update

Time Commenced 7:01pm

RESOLVED on the motion of RIK HART:

81/24 That Council notes the progress on the Gosford Regional Library outlined in this report.

3.12 Destination Management Plan 2022-2025 Progress Report

Time Commenced 7:03pm

RESOLVED on the motion of RIK HART:

That Council:

82/24 Receives the 2023 Report and Attachment 1 on the Progress of Actions of the Central Coast Destination Management Plan 2022-2025.

83/24 Receives a further Report on the progress of the Destination Management Plan in twelve months.

3.13 Community Support Grant Program - January 2024

Time Commenced 7:07pm

RESOLVED on the motion of RIK HART:

That Council:

84/24 Allocates \$20,082.00 (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. Rotary Club of Erina Incorporated - CC Heat of Australian National Busking Championship - \$4,791.00.**
- b. Rotary Club of Erina Incorporated - Youth Arts Exhibition 2024 - \$400.00.**
- c. Tuggerah Rural Fire Brigade - Firefighting & Support Equipment - \$4,891.00.**
- d. Curtain Bounce Incorporated - The Phantom of the Opera - \$5,000.00.**
- e. Terrigal Surf Life Saving Club Incorporated - Terrigal Annual Ocean Swim 2024-\$5,000.00.**

85/24 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. Green Point-Terrigal Community Services Incorporated - application is ineligible**
- b. Kariong Progress Association – broader community benefit is not demonstrated.**
- c. Toukley Neighbourhood Centre Incorporated – application is ineligible.**

The Meeting closed at 7:09pm.