



Central Coast Council

Ordinary Council Meeting

Held in the Council Chamber
2 Hely Street, Wyong

27 June 2023

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, paying respects to Elders, past, present and emerging and recognising their continued connection to these lands and waterways, acknowledging our 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: 6:46pm

Moved: Rik Hart

96/23 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

Time Commenced: 6:47pm

Moved: Rik Hart

97/23 Resolved

That Council confirm the minutes of the Ordinary Meeting of Council held on 23 May 2023.

1.3 Notice of Intention to Deal with Matters in Confidential Session

Time Commenced: 6:47pm

Moved: Rik Hart

98/23 Resolved

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

ADMINISTRATOR MINUTE

2.1 Administrator's Minute - 12-month forward plan for community engagement

Time Commenced: 6:47pm

Moved: Rik Hart

99/23 I formally move:

- 1 That Council staff prepare a report which provides a 12-month forward plan outlining the key projects, initiatives, policies, strategies and plans that Central Coast Council intends to conduct community engagement on.**
- 2 That Council staff provide this report back to Council no later than the August 2023 Council meeting.**

REPORTS

3.1 Monthly Finance Report May 2023

Time Commenced: 6:49pm

Moved: Rik Hart

100/23 Resolved

- 1 That Council receive the report Monthly Financial Reports – May 2023.**
- 2 That \$11M from the forecasted surplus be transferred from General Fund Unrestricted funds to the Emergency Loan Repayment Internal Restriction.**

3.2 Investment Report for May 2023

Time Commenced: 6:49pm

Moved: Rik Hart

101/23 Resolved

- 1 That Council note the Investment Report for May 2023.**
- 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 May 2023 unrestricted funds deficit of \$38.0M in the Drainage Fund as set out in this report.**

3.3 Consideration of submissions and adoption of the Operational Plan 2023-24 and making and fixing of rates and annual charges

Time Commenced: 6:52pm

Moved: Rik Hart

102/23 Resolved

That Council:

- 1 Note that the Draft Operational Plan 2023-24 and Draft Fees and Charges 2023-24 were publicly exhibited from Monday 3 April 2023 to Monday 1 May 2023.**
- 2 Consider the submissions received during the public exhibition, as per Attachment 3.**
- 3 Note the amendments to the Draft Operational Plan 2023-24, Draft Capital Works Program, and Draft Fees and Charges 2023-24 as outlined in this report and as per Attachments 4, 5 and 6.**
- 4 Adopt the final Operational Plan 2023-24 (Attachment 1) and Fees and Charges 2023-24 (Attachment 2), in accordance with the Local Government Act 1993.**
- 5 Authorise the Chief Executive Officer, subject to resolution 4, to make final editorial amendments to the Operational Plan 2023-24 and Fees and Charges 2023-24, to ensure correctness and clarity.**
- 6 Advise those who made submissions of Council's decision.**
- 7 Apply land valuations, with a base date 1 July 2022, for rating purposes in the 2023-24 rating and financial year.**
- 8 Adopt the overdue rates and charges maximum interest rate of 9.0% in accordance with s566(3) of the Local Government Act 1993.**
- 9 Adopt the overdue rates and charges maximum interest rate of 10.1% in accordance with s356 of the Water Management Act 2000 for the period from 1 July 2023 to 31 December 2023. The maximum rate of interest payable on**

overdue charges for the period from 1 January 2024 to 30 June 2024 will be based on the RBA cash rate for December 2023 plus 6.0%.

- 10 Resolve to levy rates and charges for the 2023-24 rating year, in accordance with the Local Government Act 1993 and Local Government (General) Regulations 2005. The following rates are to be levied for the 2023-24 financial year:**

(a) Residential Rates

- (i) In the case of all rateable land within the Central Coast Council which is categorised as Residential land, and which will be known as Residential, an Ordinary Rate of zero point zero zero two zero five three three eight (0.00205338) in the dollar upon the Land Value.**
- (ii) The minimum amount of the rate which shall be payable for the year for any individual parcel of such rateable land shall be five hundred and ninety dollars and sixty-two cents (\$590.62).**

(b) Business Rates

- (i) In the case of all rateable land within the Central Coast Council which is categorized as Business land, and which will be known as Business, an Ordinary Rate of zero point zero zero four one one five nine six (0.00411596) in the dollar upon the Land Value.**
- (ii) The minimum amount of the rate which shall be payable for the year for any individual parcel of such rateable land shall be five hundred ninety dollars and sixty-two cents (\$590.62).**

(c) Business Major

- (i) In the case of all rateable land within the Central Coast Council which is categorised as Business land and is within the sub-category of "Business Major", an Ordinary Rate of zero point zero one zero five four nine seven seven (0.01054977) in the dollar upon the Land Value.**

(d) Business Local

- (i) In the case of all rateable land within the Central Coast Council which is categorised as Business land and is within the sub-category of "Business Local", an Ordinary Rate of zero point zero zero five zero three six nine zero (0.00503690) in the dollar upon the Land Value.**
- (ii) The minimum amount of the rate which shall be payable for the year for any individual parcel of such rateable land shall be five hundred and ninety dollars and sixty-two cents (\$590.62).**

(e) Farmland

- (i) ***In the case of all rateable land within the Central Coast Council which is categorized as Farmland and which will be known as Farmland, an Ordinary Rate of zero point zero zero one one nine seven eight four (0.00119784) in the dollar upon the Land Value.***
 - (ii) ***The minimum amount of the rate which shall be payable for the year for any individual parcel of such rateable land shall be five hundred and ninety dollars and sixty-two cents (\$590.62).***
- (f) Mining***
 - (i) ***In the case of all rateable land within the Central Coast Council which is categorized as Mining, and which will be known as Mining, an Ordinary Rate of zero point three one zero four nine five five three (0.31049553) in the dollar upon the Land Value.***
- (g) Special Rates Gosford Parking***
 - (i) ***In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate Gosford Parking, provides funding for the operation of the Baker Street Parking Station. This special rate will consist of an ad valorem amount that will be calculated at a rate of zero point zero zero zero eight nine six nine two (0.00089692) in the dollar upon the Land Value.***
- (h) Special Rates CBD Improvement***
 - (i) ***In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate CBD Improvement Rate, provides funding for works to enhance the Central Business District and benefit business properties in that area. This special rate will consist of an ad valorem amount that will be calculated at a rate of zero point zero zero two three six four one three (0.00236413) in the dollar upon the Land Value.***
- (i) Special Rate Business / Tourism Development***
 - (i) ***Special Rate Business / Tourism Development funds Business/tourism works across the former Gosford Local Government Area. This special rate will consist of an ad valorem amount calculated at a rate of zero point zero zero zero three two four five eight (0.00032458) in the dollar upon the Land Value.***
- (j) Special Rate The Entrance***
 - (i) ***In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate The Entrance, funds economic development in The Entrance area. This includes promoting The Entrance area market, organizing and managing promotional events within and around the area, and improving market penetration for traders in The Entrance area.***

This special rate will consist of an ad valorem amount calculated at a rate of zero point zero zero two seven nine seven seven four (0.00279774) in the dollar upon the Land Value.

(k) Special Rate Toukley

- (i) In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate Toukley, provides funding to the Toukley area to market and promote the economic development of the Toukley area within which this special rate applies. This special rate will consist of an ad valorem amount calculated at a rate of zero point zero zero two one zero five three three (0.00210533) in the dollar upon the Land Value.*

(l) Special Rate Wyong

- (i) In the case of all rateable land within the Central Coast Council, a Special Rate, known as Special Rate Wyong, provides funding to the Wyong area to promote the economic development of the Wyong area to which this special rate applies. This special rate will consist of an ad valorem amount calculated at a rate of zero point zero zero zero eight zero one two five (0.00080125) in the dollar upon the Land Value.*

(m) Waste Management Annual Charges for 2023-24

- (i) In the case of all rateable land within the Central Coast Council, for which a Domestic Waste Management (DWM) service is provided or proposed to be provided in accordance with s496 and s535 of the Local Government Act 1993 as follows:*

Name	Charge Amount
Domestic Waste Management - Availability Charge	\$74.00
Domestic Waste Management Service – Eastern Area	\$520.00
Domestic Waste Management Service – Western Area	\$461.00
Domestic Waste Management Service – 140 litre to 240 litre Waste Upgrade	\$148.00
Domestic Waste Management Service – 140 litre to 360 litre Waste Upgrade	\$294.00
Domestic Waste Management Service – Additional 140 litre Waste Bin Service	\$292.00
Domestic Waste Management Service – Additional 240 litre Waste Bin Service	\$441.00
Domestic Waste Management Service – Additional 360 litre Waste Bin Service	\$588.00
Domestic Waste Management Service – 240 litre to 360 litre Recycling Bin Upgrade	\$39.00
Domestic Waste Management Service – Additional 240 litre Recycling Bin Service	\$111.00
Domestic Waste Management Service – Additional 360 litre Recycling Bin Service	\$148.00

Domestic Waste Management Service – Additional 240 litre Vegetation Bin Service	\$119.00
Domestic Waste Management Service – Additional Short Term Extra Service – 140 litre Waste Bin - price per service	\$19.50
Domestic Waste Management Service – Additional Short Term Extra Service – 240 litre Waste Bin - price per service	\$20.50
Domestic Waste Management Service – Additional Short Term Extra Service – 360 litre Waste Bin - price per service	\$22.00
Domestic Waste Management Service – Additional Short Term Extra Service – 660 litre Waste Bin - price per service	\$40.00
Domestic Waste Management Service – Additional Short Term Extra Service – 1.1 cubic meter Waste Bin - price per service	\$66.50
Domestic Waste Management Service – Additional Short Term Extra Service – 1.5 cubic meter Waste Bin - price per service	\$91.00
Domestic Waste Management Service – Additional Short Term Extra Service – 240 litre Recycling Bin - price per service	\$20.50
Domestic Waste Management Service – Additional Short Term Extra Service – 360 litre Recycling Bin - price per service	\$22.00
Domestic Waste Management Service – Additional Short Term Extra Service – 660 litre Recycling Bin - price per service	\$40.00
Domestic Waste Management Service – Additional Short Term Extra Service – 1.1 cubic meter Recycling Bin - price per service	\$66.50
Domestic Waste Management Service – Additional Short Term Extra Service – 1.5 cubic meter Recycling Bin - price per service	\$91.00
Domestic Waste Management Service – Additional Short Term Extra Service – 240 litre Vegetation Bin - price per service	\$20.50

(ii) ***That Council provides domestic waste management services only to parcels of land which have current Council consent or approval for a residential building.***

(iii) ***That Council resolve to make, the changes set out in the adopted Delivery Program and Operational Plan for the 2023-24 financial year including but not limited to the following waste management charges for the 2023-24 rating and financial year, pursuant to s501 and s535 of the Local Government Act 1993:***

Name	Charge Amount
Waste Management Service – 140 litre Waste Bin Service	\$413.00
Waste Management Service – 240 litre Waste Bin Service	\$550.00
Waste Management Service - 360 litre Waste Bin Service	\$685.00
Waste Management Service - 660 litre Waste Bin Service	\$2,350.00
Waste Management Service - 1.1 cubic metre Waste Bin Service	\$3,282.00
Waste Management Service - 1.5 cubic metre Waste Bin Service	\$4,420.00

Waste Management Service – 240 litre Recycling Bin Service	\$111.00
Waste Management Service – 360 litre Recycling Bin Service	\$148.00
Waste Management Service – 660 litre Recycling Bin Service	\$305.00
Waste Management Service – 1.1 cubic meter Recycling Bin Service	\$506.00
Waste Management Service – 1.5 cubic meter Recycling Bin Service	\$691.00
Waste Management Service –240 litre Vegetation Bin Service	\$119.00

- (iv) That Council apply, a proportional charge adjustment, calculated on a daily basis, where domestic waste management services or waste management services commence or cease during the 2023-24 rating year.*

3.4 Liquid Trade Waste Policy

Time Commenced: 7:09pm

Moved: Rik Hart

103/23 Resolved

That Council adopts the Liquid Trade Waste Policy 2023 for implementation.

3.5 Gosford Regional Library

Time Commenced: 7:10pm

Moved: Rik Hart

104/23 Resolved

- 1 That Council authorise the CEO to enter a contract with North Construction & Building Pty Ltd for Contract CPA/3691 – Design Development and Construction of Gosford Regional Library, for an upper limit contract sum of \$29,150,000, noting that final commercial terms and contract sum are still to be determined, and the upper limit contract sum value is inclusive of costs associated with the design construction support services consultancy contract which will be novated through contract CPA/3691.**

- 2 That Council approve an increase of \$5,000,000.00 to the capital budget to accommodate the proposed delivery program of Gosford Regional Library.**
- 3 That Council determines that Attachment 1, supporting letter from registered quantity surveyor remains confidential in accordance with s.11 (3) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.**

3.6 CPA/3179 Niagara Park Stadium Driveway, Carpark, Accessible Ramp, Building Facade and Amenities Upgrades Tender

Time Commenced: 7:18pm

Moved: Rik Hart

105/23 Resolved

- 1 That Council, in accordance with clause 178(1)(b) of the Local Government (General) Regulation 2021, decline to accept the tender submissions received for contract - CPA/3179 Design and Construction, Niagara Park Stadium Driveway, Carpark, Accessible Ramp, Building Façade and Amenities upgrade.**
- 2 That Council, pursuant to clause 178(3)(e) of the Local Government (General) Regulation 2021, resolve to allow Council to negotiate (whether or not the person was a tenderer) with a view to entering into a contract in relation to CPA/3179 Design and Construction, Niagara Park Stadium Driveway, Carpark, Accessible Ramp, Building Façade and Amenities upgrade.**
- 3 That Council, in accordance with clause 178(4)(a) of the Local Government (General) Regulation 2021, note that the reasons for declining to invite fresh tenders or applications are:**
 - a Given the tender was subject to interest from multiple contractors, it is considered reasonable that the tender process has identified contractors with the capacity and capability to undertake the subject works.**
 - b Inviting fresh tenders at this stage, for the same scope of works is not expected to result in any significant benefits considering time delays and additional costs associated with a new tender process.**
- 4 That Council resolve, for the purposes of s.11(3) of the Local Government Act 1993, that Attachment 1 is to be treated and remain as confidential because this document contains information that would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposing to conduct) business 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.**

3.7 Central Coast Food Manufacturing Innovation Hub Site

Time Commenced: 7:21pm

Moved: Rik Hart

106/23 Resolved

- 1 That Council authorise the Chief Executive Officer to negotiate, finalise and execute a business development lease with Central Coast Industry Connect for the establishment, development and operation of the Central Coast Food Manufacturing Innovation Hub over operational land at 2 and 4 Brownlee Street, Ourimbah (all of Lot 3 DP 612071 and part of lot 42 DP 1237817).**
- 2 That the maximum term of the business development lease be 30 years inclusive of options.**
- 3 That the basis for setting site rent take into account innovation and industry development aspects of the Hub and the commitment by Central Coast Industry Connect to employ a food manufacturing innovation and development officer to facilitate research and innovation in food manufacturing on the Central Coast. Accordingly, that the period allowed to transition to full market rent be 20 years.**
- 4 That, during the course of the business development lease, Central Coast Industry Connect be responsible for site outgoings on a pro-rata basis including but not limited to applicable waste, water and sewerage charges, rates and land tax (if applicable).**

3.8 Adoption of Woy Woy Floodplain Risk Management Study and Plan

Time Commenced: 7:27pm

Moved: Rik Hart

107/23 Resolved

- 1 That Council adopt the Woy Woy Peninsula Floodplain Risk Management Study and Plan contained in Attachments 1, 2, 3 and 4.**
- 2 That all those who made submissions during public exhibition be notified of Council's decision.**

3.9 Community Support Grant Program - April 2023

Time Commenced: 7:30pm

Moved: Rik Hart

108/23 Resolved

1 That Council allocate \$12,683.85 (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 Tuggerah Lakes Art Society Incorporated - \$2,655.55**
- b Auspicious Arts Projects Incorporated - \$2,841.30**
- c Crommelin Native Arboretum Incorporated - \$5,000.00**
- d 5 Lands Walk Incorporated - \$2,187.00**

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 Terrigal Outrigger Canoe Club - lack of broader community benefit.**
- b Toukley District Cycle Club – lack of broader community benefit.**
- c Music NSW – lack of broader community benefit.**

3.10 Terms of Reference for Heritage and Culture Advisory Committee

Time Commenced: 7:32pm

Moved: Rik Hart

109/23 Resolved

That Council:

1 Establish a Heritage and Culture Advisory Committee for the remaining term of the current Council.

2 Adopt Terms of Reference for the Heritage and Culture Advisory Committee (Attachment 1).

3 Confirm the following members of the Committee (subject to their approval) in accordance with the Terms of Reference:

- Paul Dignam**
- Kay Williams**

- *Ross Howard*
- *Gary Jackson*
- *Peter Rea*
- *Johanna Reygersberg*
- *Bradley Twynham*
- *Richard Waterhouse*

4 Write to others that applied for the role thanking them for their interest.

3.11 Governance Lighthouse Report as at 31 March 2023

Time Commenced: 7:33pm

Moved: Rik Hart

110/23 Resolved

That Council note the Governance Lighthouse Report as at 31 March 2023 as provided at Attachment 1 to this report.

3.12 Council Circular 23-05 Ward boundary and name changes

Time Commenced: 7:35pm

Moved: Rik Hart

111/23 Resolved

That Council note that the ward boundaries do not require altering as variation to elector numbers within wards does not exceed the 10% threshold.

3.13 Local Government Remuneration decision - Setting of fees for Mayor and Councillors

Time Commenced: 7:36pm

Moved: Rik Hart

112/23 Resolved

1 That Council note the determination made by the Local Government

Remuneration Tribunal on 27 April 2023 in respect of Councillor and Mayoral fees.

- 2** *That Council fix the annual fee to be paid to each Councillor at \$34,330 pursuant to section 248(2) of the Local Government Act 1993.*
- 3** *That Council fix the annual fee to be paid to the Mayor at \$106,960 pursuant to section 249(3) of the Local Government Act 1993.*
- 4** *That Council determine, pursuant to section 249(5) of the Local Government Act 1993, that an annual fee of \$9,980 be paid to the Deputy Mayor, with that fee to be deducted from the annual fee paid to the Mayor in accordance with resolution 3 above.*
- 5** *That Council note annual fees are only payable when the Mayor and Councillors return to civic office following the Local Government Election on 14 September 2024.*

3.14 Pecuniary Interest Disclosure Returns - Recently Appointed Designated Persons

Time Commenced: 7:37pm

Moved: Rik Hart

113/23 Resolved

That Council receive the report on Pecuniary Interest Disclosure Returns – Recently Appointed Designated Persons.

The Meeting closed at 7:37pm.