



Central Coast Council

Ordinary Council Meeting

Held in the Council Chamber

2 Hely Street, Wyong

28 May 2024

MINUTES

Present

Rik Hart

In Attendance

David Farmer	Chief Executive Officer
Michael Ross	Director Infrastructure Services (Acting)
Luke Sulkowski	Director Environment and Planning (Acting)
Jamie Loader	Director Water and Sewer
Marissa Racomelara	Director Corporate Services

Apology

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

6:33 pm

No Disclosures of Interest were declared at the meeting.

119/24 RESOLVED on the motion of RIK HART:

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

1.2 Confirmation of Minutes of Previous Meeting

6.34 pm

120/24 RESOLVED on the motion of RIK HART:

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

Summary

Confirmation of minutes of the Ordinary Meeting of Council held on 23 April 2024.

1.3 Notice of Intention to Deal with Matters in Confidential Session

6.34: pm

121/24 RESOLVED on the motion of RIK HART:

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

1.4 Administrator' Minute – Central Coast Mariners achieve historic victory

6:34 pm

122/24 Moved by Administrator Rik Hart

That Council acknowledges and celebrates the triumphant and historic victory achieved by the men's Central Coast Mariners A-League team.

REPORTS

2.1 Monthly Finance Report April 2024

6:37pm

123/24 RESOLVED on the motion of RIK HART:

That Council receives the Monthly Financial Report – April 2024.

2.2 Investment Report for April 2024

6:37pm

RESOLVED on the motion of RIK HART:

That Council:

124/24 Notes the Investment Report for April 2024.

125/24 Allocates the required unrestricted funds available in the General Fund to meet its April 2024 unrestricted funds deficit of \$31.83M in the Drainage Fund.

2.3 2023-24 Quarter 3 Review

6:43pm

RESOLVED on the motion of RIK HART:

That Council:

126/24 Adopts the Q3 Business Report 2023-24 as provided in Attachment 1.

127/24 Adopts the amendments to the 2023-24 Full Year Budget as outlined in this report.

128/24 Allocates up to \$1.9M from the Future Projects internal restriction to the Gosford Regional Library project in accordance with the project budget as approved at the Council meeting on 27 June 2023.

2.4 Determination of Water, Wastewater and Stormwater Drainage Charges for 2024-25

6:58pm

RESOLVED on the motion of RIK HART:

That Council:

129/24 Determines, for the purposes of s.315(1)(d) of the Water Management Act 2000, that the service charges be levied in accordance with the Independent Pricing and Regulatory Tribunal (IPART's) Final Determination dated 24 May 2022 included as Attachment 1 to this report.

130/24 Determines, for the purposes of s.315(1)(a) the Water Management Act 2000, that the amount of revenue it proposes to raise in 2024-25 by way of service charges including the usage of the service is an estimated amount of \$249,161,565. This is calculated based on the Independent Pricing and Regulatory Tribunal (IPART's) Final Determination dated 24 May 2022.

131/24 Determines, for the purpose of s.315(1)(b) of the Water Management Act 2000, that land is to be classified for the purpose of levying services charges according to the following factors:

- a) the purpose for which the land is actually being used,**
- b) the intensity with which the land is being used for that purpose,**
- c) the purposes for which the land is capable of being used,**
- d) the nature and extent of the water or wastewater services connected to the land.**

132/24 Determines, for the purposes of s.315(1)(c) of the Water Management Act 2000 that services charges be levied on the following bases, as applicable to each charge:

- a) the availability of the service**
 - i) the classification of land**
 - ii) the size of the water meter registering supply**
 - iii) the cost of providing the service (i.e. wastewater discharge factor)**
- b) the usage of the service**
 - i) the volume of water supplied (as measured or estimated by Council)**
 - ii) the degree of use (i.e., wastewater discharge factor)**

133/24 Approves the Water, Wastewater (Sewerage) and Stormwater Drainage Fees and Charges set out in Attachment 2.

134/24 Requests that the Chief Executive Officer seek the Minister's approval under s315(3) of the Water Management Act 2000 for the service charges in accordance with the above determinations.

2.5 Outcomes of Public Exhibition for the Deferred Matters Lands Planning Proposal

7:09pm

RESOLVED on the motion of RIK HART:

That Council:

- 135/24 Endorses the Planning Proposal for Deferred Matters Lands as amended in response to issues raised during the public exhibition in line with the changes shown in Attachment 1.**
- 136/24 Requests the Minister for Planning and Public Spaces to proceed with steps for drafting and making the amendment to Central Coast Local Environmental Plan 2022, as identified under the Deferred Matters Planning Proposal.**
- 137/24 Amends the Central Coast Development Control Plan 2022 in response to issues raised during the public exhibition in line with the changes as shown in Attachment 1.**
- 138/24 Resolves that the Chief Executive Officer (CEO) may make other minor post exhibition alterations to the Deferred Matters Planning Proposal and Central Coast Development Control Plan 2022 subject to advice from the Department of Planning, Housing and Infrastructure as deemed necessary to finalise the plan.**
- 139/24 Notifies all those who made submissions during public exhibition of Council's decision.**

2.6 Outcomes of Public Exhibition and Finalisation of Street Design Guideline and Landscape Specifications

7:21pm

RESOLVED on the motion of RIK HART:

That Council:

- 140/24 Adopts the Street Design Guideline (Attachment 1).**
- 141/24 Adopts the Landscape Works Specification – Standard Drawings (Attachment 2), replacing the existing Landscape Works Specifications.**
- 142/24 Endorses publishing on Council's website the 'Closing the Loop' Statement (Attachment 3).**
- 143/24 Upon adoption of the Guideline, prepares a draft Landscape and Street Design DCP chapter.**

2.7 Outcome of Exhibition Local Housing Strategy

7:24pm

RESOLVED on the motion of RIK HART:

That Council:

- 144/24 Adopts the Central Coast Local Housing Strategy (Attachment 4 to this report).**
- 145/24 Seeks endorsement from the Department of Planning, Housing and Infrastructure (DPHI) as the approving body for Local Housing Strategies for endorsement for the Central Coast Local Housing Strategy.**
- 146/24 Authorises the CEO to make any minor changes required to achieve DPHI approval.**
- 147/24 Notifies those persons who lodged submissions of Council's decision.**

2.8 Suite of Policies for Councillors

7:28pm

RESOLVED on the motion of RIK HART:

That Council:

- 148/24 Endorses the following documents be placed on public exhibition for a period of 28 days from 30 May 2024 to 27 June 2024, with submissions accepted for a period of not less than 42 days:**
 - a) Code of Conduct**
 - b) Procedures for the Administration of the Code of Conduct**
 - c) Code of Meeting Practice**
 - d) Briefings and Workshops Policy**
 - e) Councillor and Staff Interaction Policy**
 - f) Councillor Induction and Professional Development Policy.**
- 149/24 Considers a further report be presented in July 2024 following the public exhibition period for consideration of any relevant submissions and adoption of the documents.**
- 150/24 Notes the Public Forum Policy which has been reformatted into the updated Council policy template without changes to the intent of the policy.**

2.9 Local Government Remuneration Tribunal Mayor and Councillor Fee and Superannuation

7:30pm

RESOLVED on the motion of RIK HART:

That Council:

151/24 Notes the determination made by the Local Government Remuneration Tribunal on 29 April 2024 in respect to the remuneration for Mayors and Councillors.

~~**152/24 Fix the annual fee to be paid to each Councillor at \$35,650 pursuant to section 248(2) of the Local Government Act 1993.**~~
(Amended via resolution 178/24)

152/24 Fix the annual fee to be paid to each Councillor at \$35,620 pursuant to section 248(2) of the Local Government Act 1993.

153/24 Fix the annual fee to be paid to the Mayor at \$110,970 pursuant to section 249(3) of the Local Government Act 1993.

154/24 Determines, pursuant to section 249(5) of the Local Government Act 1993, that an annual fee of \$10,000 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.

155/24 Resolves for the incoming Mayor and Councillors to receive superannuation at the federal superannuation guarantee rate of 11.5% from 1 July 2024 in accordance with section 254B of the Local Government Act 1993.

2.10 Food Organics and Garden Organics (FOGO) Feasibility Study Technical and Financial Update

7:31pm

RESOLVED on the motion of RIK HART:

That Council:

156/24 Receives the attached Food Organics and Garden Organics (FOGO) Feasibility report findings and contents.

157/24 Notes the actions listed at Table 7-2 in the FOGO Feasibility report be undertaken to inform the FOGO Business Case.

158/24 Approves progression to Stage 3 - FOGO Business Case development, which is

to be submitted to Council for consideration and approval prior to implementation of any FOGO Services or FOGO Tenders or FOGO Contract(s) commencing.

159/24 Resolves, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 2 remain confidential in accordance with section 10A(2)(c) and 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 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.

2.11 Central Coast Council and Sport Central Coast Memorandum of Understanding

7:34pm

RESOLVED on the motion of RIK HART:

That Council authorises the Chief Executive Officer signing the Memorandum of Understanding between Central Coast Council and Sport Central Coast. (Attachment 1)

2.12 Federal Parliamentary Inquiry (Inquiry into Local Government Sustainability) and Upper House Standing Committee on State Development (Inquiry into Ability of Local Governments to Fund Infrastructure and Services)

7:35pm

RESOLVED on the motion of RIK HART:

That Council:

160/24 Notes the staff submission to the Upper House Standing Committee on State Development – Inquiry into Ability of Local Governments to fund infrastructure and services (NSW).

161/24 Endorses the Federal Parliamentary Inquiry – Inquiry into Local Government Sustainability, for submission, attached as Attachment 1 to this report, with the following inclusions to strengthen the submission:

- a) The primary role of councils is to manage its assets for the community, noting that the successful delivery of community services are largely asset dependent;**
- b) Rate capping influences a council's behaviour toward its financial performance due to the cost and uncertainty of going through the Special Rate Variation (SRV) process, which also influences the validity of their Long-term Financial Plan (LTFP);**

- c) ***Councils should be updating their LTFP annually and presenting it with the Operational Plan and Budget each year; and***
- d) ***Timing for the Financial Assistance Grants distributed by the Federal Government to local councils should be consistent so that councils can appropriately budget for them in their annual Operational Plan and Budget, and LTFP.***

2.13 Closure of Public Pathways on either side of 18 Macleay Avenue Woy Woy - Consideration of Submissions

7:40pm

RESOLVED on the motion of RIK HART:

That Council:

- 162/24 *Notes the submissions that have been made in respect of proposals to close the public pathways on either side of 18 Macleay Avenue Woy Woy as part of a 28-day public notification period.***
- 163/24 *In accordance with the provisions of Part 4 of Division 3 of the Roads Act 1993, authorises the process to close the public pathways between:***
 - a) *Lot 16 DP 255220 (18 MacLeay Avenue Woy Woy) and Lot 127 DP 245660 (12-16 MacLeay Avenue Woy Woy).***
 - b) *Lot 16 DP 255220 (18 MacLeay Avenue Woy Woy) and Lot 17 DP 255220 (20 Nambucca Drive Woy Woy).***
- 164/24 *Resolves that the closed road reserve be classified as operational land.***
- 165/24 *Authorises the Chief Executive Officer to execute all necessary documentation to finalise the partial closure of the public pathways and the consolidation of the closed pathways with the adjoining land at 18 Macleay Avenue Woy Woy.***
- 166/24 *Ensures all relevant parties are notified as to the closure and consolidation of land when completed.***

2.14 Finalisation of Road Closure and Land Swap - Little Jilliby Road, Little Jilliby

7:42pm

RESOLVED on the motion of RIK HART:

That Council:

- 167/24 *Notes submissions made about the proposed partial closure of public road reserve adjacent to 227 Little Jilliby Road, Little Jilliby (referred to as Lot 232***

in Attachment 1).

- 168/24 Resolves to finalise the partial road closure in accordance with Part 4 of Division 3 of the Roads Act 1993 and authorise the Chief Executive Officer to execute all necessary documentation.**
- 169/24 Reaffirms its intention to consolidate the closed public road reserve with adjoining land at 227 Little Jilliby Road, Little Jilliby and authorise the Chief Executive Officer to execute all necessary documentation.**
- 170/24 In conjunction with the partial road closure and land consolidation, authorises the Chief Executive Officer to execute all necessary documentation to finalise the acquisition of part of 227 Little Jilliby Road, Little Jilliby (referred to Lot 233 in Attachment 1) and resolve to dedicate the acquired land as public road reserve.**
- 171/24 Notifies all relevant parties in relation to items 1, 2, 3 and 4.**

2.15 Community Support Grant Program - March 2024

7:44pm

RESOLVED on the motion of RIK HART:

That Council:

- 172/24 Allocates \$13,245.00 (inclusive of GST where applicable) from the 2023/24 grants budget to the Community Support Grant program for the month of March, as outlined below and in Attachment 1.**
- a) Toukley Neighbourhood Centre Incorporated- TNC Community Centre - \$5,000.00.**
 - b) Berkeley Vale Probus Club Incorporated - Purchase 1 laptop and Microsoft office - \$1,110.00.**
 - c) Green Point and District Garden Club Incorporated - Friendship Day 2024 - \$2,135.00.**
 - d) Terrigal Trotters Club -2024 GNW Trail Running Festival – \$5,000.00.**
- 173/24 Declines the following applications, for the reasons indicated in Attachment 1:**
- a) Gosford 50 Plus Leisure and Learning Centre Incorporated - Volunteer Management Committee Office Set up – insufficient information to make an accurate assessment.**
 - b) Tumbi Umbi Campus P&C Association - Insurance Coverage -application is ineligible.**

- c) *Trustees of Church Property for the Diocese of Newcastle - Purchase of defibrillators - application is ineligible.*
- d) *Community Powershare Limited - Community Powershare Battery Project - application is ineligible.*
- e) *Soldiers Beach Surf Life Saving Club Incorporated - Expand emergency first aid capacity at Soldiers Beach SLSC - application is ineligible.*
- f) *North Entrance Surf Life Saving Club Incorporated - Purchase of Publicly Accessible Automated External Defibrillators - application is ineligible.*
- g) *Volunteering Central Coast Incorporated - Central Coast Volunteering Expo and Awards 2024- application is ineligible.*

174/24 *Advises the unsuccessful applicants in point 2 (above) and direct them to alternate funding sources if relevant.*

2.16 Minutes of Advisory Group and Committee meetings held in March 2024

7:45 pm

RESOLVED on the motion of RIK HART:

That Council:

175/24 *Notes the minutes of the following Advisory Group and Committee meetings that were held in March and April 2024:*

- a) Coastal Open Spaces – held 5 March 2024
- b) Aboriginal Advisory Committee – held 9 April 2024
- c) Audit Risk and Improvement Committee – held 27 March 2024
- d) Heritage and Culture Advisory Committee meeting – held 13 March 2024
- e) Mangrove Mountain and Spencer Advisory Committee – held 4 April 2024
- f) Catchments to Coast Committee – held 20 March 2024
- g) Water Management Advisory Committee – held 3 April 2024

176/24 *Requests the Heritage and Culture Advisory Committee identify options available for acknowledging the heritage and culture of the existing Gosford Library building at their next meeting for Council's further consideration.*

The Meeting closed at 7:46pm.