



Central Coast Council
Ordinary Council Meeting

Held in the Council Chamber
2 Hely Street, Wyong

22 August 2023

MINUTES

Present

Rik Hart

In Attendance

David Farmer	Chief Executive Officer
Boris Bolgoff	Director Infrastructure Services
Dr Alice Howe	Director Environment and Planning
Danielle Hargreaves	Director Water and Sewer (Acting)
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: 6:41pm

Moved: Rik Hart

130/23 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: 6:41pm

Moved: Rik Hart

131/23 Resolved

That Council confirm the minutes of the Ordinary Meeting of Council held on 25 July 2023.

1.3 Notice of Intention to Deal with Matters in Confidential Session

Time Commenced: 6:42pm

Moved: Rik Hart

132/23 Resolved

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

REPORTS

2.1 Monthly Finance Report July 2023

Time Commenced: 6:42pm

Moved: Rik Hart

133/23 Resolved

That Council receive the report Monthly Financial Reports – July 2023.

2.2 Investment Report for July 2023

Time Commenced: 6:42pm

Moved: Rik Hart

134/23 Resolved

- 1 That Council note the Investment Report for July 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 July 2023 interim unrestricted funds deficit in the Drainage Fund. The value of unrestricted fund deficit within the Drainage Funds is yet to be finalised with pending year end processes and audit for the financial year ending June 2023.**
- 4 That Council note the July 2023 Restrictions have not been finalised and will be updated once year end processes and audit for the financial year ending June 2023 are complete.**

2.3 Draft Central Coast Dogs in Open Space Action Plan

Time Commenced: 6:45pm

Moved: Rik Hart

135/23 Resolved

That Council

- 1 Note the extensive community input received in response to the first version of the draft Dogs in Open Space Action Plan (the First Draft Plan).**
- 2 Publicly exhibit the revised draft Central Coast Dogs in Open Space Action Plan 2023 -2033 (Attachment 1) (the Revised Draft Plan), which takes into consideration that feedback, as well as additional feedback from workshops held in August 2023, for not less than 28 days.**
- 3 Receive a further report that considers community feedback following completion of this public exhibition period.**
- 4 Note that the Dogs in Open Space Areas Policy (2002) and the Dogs in Open Space Strategy (2012) are intended to be revoked upon adoption of the Dogs in Open Space Action Plan.**

- 5** *Note that current arrangement for use of Council managed open space by dogs be maintained until such time as Council adopts the final Dogs in Open Spaces Action Plan.*
- 6** *Prepares an option for developing a fenced off-leash area at the Terrigal Haven, and publicly exhibit this option alongside the revised draft Central Coast Dogs in Open Space Action Plan 2023-2033 for not less than 28 days. The option must include information on funding, aesthetics, and other impacts. The community's feedback on this option should be included in the further report.*
- 7** *Adds Memorial Oval, Davistown, as an additional off-leash area to increase the total number of off-leash areas in Davistown.*

2.4 Affordable Housing Project Sites - Investigation and Optimisation

Time Commenced: 7:00pm

Moved: Rik Hart

136/23 Resolved

That Council:

- 1** *Note that four Council-owned dwellings are currently formally managed for community and emergency housing.*
- 2** *Note that Council's pilot partnership with community housing provider, Pacific Link, is progressing to deliver affordable housing at Ashton Avenue, The Entrance.*
- 3** *Include the following Council-owned properties in the adopted Council Affordable Housing Land (CAHL) Proposal and conduct further investigations to identify appropriate affordable housing outcomes for them:*
 - a.** *8 and 10 Manning Road, THE ENTRANCE*
 - b.** *14 Manning Road, THE ENTRANCE*
 - c.** *18 Manning Road, THE ENTRANCE*
 - d.** *20A Manning Road, THE ENTRANCE*
 - e.** *24A Manning Road, THE ENTRANCE*
 - f.** *49 Hammond Road, TOUKLEY*
 - g.** *9, 11, 13 and 15 Yaralla Road, TOUKLEY*
 - h.** *20W Yaralla Road, TOUKLEY and 40 Beachcomber Parade, TOUKLEY*
 - i.** *11 Margaret Street, WYONG*
- 4** *Include 3 Margaret Street, WYONG (Section 4 of Attachment 1) in the following Council-owned properties in the adopted Council Affordable Housing Land (CAHL) Proposal and commence an expression of interest for a community or emergency*

housing provider to redevelop the site.

- 5** *Explore options for temporary affordable housing uses on the following Council-owned vacant properties while the investigations identified in Part 3 are undertaken (properties in Section 1 of Attachment 1):*
- a. 8 and 10 Manning Road, THE ENTRANCE*
 - b. 20A Manning Road, THE ENTRANCE*
 - c. 9, 11, 13 Yaralla Road, TOUKLEY*
 - d. 20W Yaralla Road and 40 Beachcomber Parade, TOUKLEY*
 - e. 18 Margaret St, WYONG*
- 6** *Demolish existing structures and explore options for temporary affordable housing uses at 49 Hammond Road, TOUKLEY (Section 5 of Attachment 1) while the investigations identified in Part 3 are undertaken.*
- 7** *Lease via a recognised community or emergency housing provider the following properties to community or emergency housing providers (Sections 2 and 6 of Attachment 1) while the investigations identified in Part 3 are undertaken:*
- a. 14 Manning Road, THE ENTRANCE (continue current practice)*
 - b. 18 Manning Road, THE ENTRANCE (but only as and when the current tenants determine to vacate the premises)*
 - c. 15 Yaralla Road, TOUKLEY (currently untenanted)*
 - d. 14 Hope Street, WYONG (currently untenanted)*
 - e. 11 Margaret Street, WYONG (currently untenanted)*
- 8** *Lease the following properties to community or emergency housing providers (Section 3 of Attachment 1) as and when the current tenants determine to vacate the premises and until required for Council use:*
- a. 6 Depot Road, CHARMHAVEN*
 - b. 110 Enterprise Drive, FOUNTAINDALE*
 - c. 80 Lara Street, KOOLEWONG*
 - d. 92 Church Road, TUGGERAH*
 - e. 7 Anzac Avenue, WYONG*

2.5 Bulk reclassification of land - Operational-to-Community and Community-to-Operational

Time Commenced: 7:09pm

Moved: Rik Hart

137/23 Resolved

That Council:

- 1** *Commence the reclassification of 80 lots of operational land located in 12 suburbs to community land in accordance with Section 34 of the Local Government Act 1993. The street addresses and legal descriptors of the 80 lots of land proposed for*

reclassification are listed in Attachment 1 and involve:

- a. four sites with improvements (five lots in all) at Glenning Valley (part of Berkley Sports Complex), Kanwal (Lakelands Community Centre), Wamberal (Wamberal Memorial Hall) and Yarramalong (St Barnabas Church); and**
 - b. nine park and natural area sites (some of which are groups of sites, comprising 75 lots in all) at Buff Point, Davistown, Hamlyn Terrace, Jiliby, Lisarow, Noraville, Springfield and Watanobbi.**
- 2 Publicly exhibit the proposed reclassification of these 80 lots of land from operational to community for not less than 28 days.**
- 3 Note that once reclassified as community land, these sites will be subject to further community engagement through a future categorisation process and included in a revised Council Community Land Plan of Management.**
- 4 Revoke Council resolutions 202/21/1, 202/21/6 and 202/21/7 of 27 July 2021 to reclassify and/or sell the following three sites of community land:**
 - a. Land at 4 and 6 Tyrrell Place KILLARNEY VALE (Lot 479 DP 704452 and Lot 478 DP 704452);**
 - b. Land at 8 and 10 Bay Village Road BATEAU BAY (Lot 51 DP 1154778 and Lot 2 DP 1154356); and**
 - c. Land at 10W Woodcutters Road WOONGARAH (Lot 32 DP 1044070).**
- 5 Commence the reclassification of the following four lots from community land to operational land in accordance with Section 34 of the Local Government Act 1993 (Attachment 2):**
 - a. Land facing Henry Parry Drive that provides access to the former Council Chambers at 49-51 Mann St GOSFORD, being Lot 1 in DP 251476;**
 - b. Land abutting Kanangra Drive to the east known as 50W Parraweena Drive GWANDALAN, being Lot 1 in DP 1043151;**
 - c. Land being part of 6W Kemira Road LAKE MUNMORAH; being part of Lot 79 in DP 217918; and**
 - d. Land at 20 Summerland Road SUMMERLAND POINT known as Summerland Sporties, and currently leased to Doyalson-Wyee RSL Club, being part of Lot 4 in DP 263812.**
- 6 Progress the subdivision of land to facilitate reclassification of part of 6W Kemira Road LAKE MUNMORAH and part of 20 Summerland Road SUMMERLAND POINT.**
- 7 Note Council's intention to progress resolutions 52/21 of 22 March 2022 and 202/21/8-13 of 27 July 2021 to reclassify the following seven sites from community to operational land:**
 - a. 18 Dane Street, GOSFORD, being Lot 2 DP 1011876;**
 - b. 48W Wallarah Road, GOROKAN, being Lot 2 DP 733448;**
 - c. 191 Wallarah Road, KANWAL, being Lot 21 DP 813270;**

- d. **75 Bungary Road, NORAH HEAD, being Lot 5 Sec 24 DP 758779 and Lot 1 DP 860696;**
- e. **Part 2-4 Park Road, THE ENTRANCE, being Lot 10 DP 1285833 (part only) and Lot 1 DP 406038 (part only);**
- f. **13 and 15 Yaralla Road, TOUKLEY, being Lot 78 DP 20493 and Lot 79 DP 20493; and**
- g. **Car park and curtilage, Austin Butler Access, WOY WOY, being Lot 19 DP 235385 (part only).**

8 **As part of the consultation process to reclassify land described in parts 5 and 7, seek community feedback on the following options with respect to Austin Butler Access, WOY WOY (Lot 19 DP 235385 [part only]):**

- a. **Retain the site in Council ownership, or**
- b. **Proceed with the sale and allocate all proceeds from that sale via the 10-year Long Term Financial Plan to the greening of the local community, for example, via an extensive street tree planting program.**

2.6 Central Coast Council Election 2023 - Constitutional Referendum update

Time Commenced: 7:19pm

Moved: Rik Hart

138/23 Resolved

That Council adopt the referendum question endorsed by the NSW Electoral Commission ('NSWEC') and Office of Local Government ('OLG') that question being: "Do you favour a reduction in the number of Central Coast Councillors from 15 to 9 and a reduction in the number of wards from 5 to 3, with each ward electing 3 councillors."

2.7 Revocation of Policies

Time Commenced: 7:23pm

Moved: Rik Hart

139/23 Resolved

1. That Council revokes the following policies:

- ***Matters in the Land and Environment Court Policy***
- ***Gosford City Nuclear Free Zone Policy***
- ***Environmental Management Policy***
- ***Green Corridors Policy***
- ***Administration Buildings Policy***
- ***Project Management Framework***
- ***Water and Sewer Developer Charges Pre-Existing Lots in Development Service Areas Policy***
- ***Water and Sewer Servicing Requirements for Community Title Developments Policy***
- ***Water Supply and Sewerage Development Charges Policy***
- ***Water Supply Catchment Area Development Policy***

which are no longer relevant, redundant, have been superseded or the content is covered in legislation or another statutory instrument.

- 2** ***Note that in relation to the Gosford City Nuclear Free Zone Policy, Central Coast Council supports the previous policy position.***

- 3** ***Request that the CEO prepares a report for the newly elected Council to consider whether Central Coast Council wishes to revise a nuclear free policy position.***

2.8 Statement of Business Ethics

Time Commenced: 7:30pm

Moved: Rik Hart

140/23 Resolved

That Council:

- 1** ***Resolve to adopt the draft Statement of Business Ethics (attachment 1).***

- 2** ***Revoke the Statement of Business Ethics (2018) (attachment 2).***

2.9 ICLEI Local Governments for Sustainability Membership

Time Commenced: 7:32pm

Moved: Rik Hart

141/23 Resolved

That Council become a member of ICLEI - Local Governments for Sustainability and participates in the Cities with Nature Program and associated Cities with Nature Academy.

2.10 Review of Development Contributions - DA/1260/2021/A - 24 Gallipoli Road, Long Jetty - Seniors Housing Development Comprising 89 Dwellings, Strata Subdivision and Associated Demolition and Other Works (Amended Application)

Time Commenced: 7:33pm

Moved: Rik Hart

142/23 Resolved

That Council:

- 1 Not support the request to amend the development contributions relating to DA/1260/2021/A at 24 Gallipoli Road, Long Jetty.***
- 2 Advise the Hunter and Central Coast Regional Planning Panel of its decision.***

2.11 Community Engagement Plan for 2023-24

Time Commenced: 7:35pm

Moved: Rik Hart

143/23 Resolved

- 1 That Council receive the report on the Community Engagement Plan 2023-24.***
- 2 That Council authorise the CEO to include an annual plan of forecasted community engagement in the Council's Operational Plan from the financial year 2024-25.***

2.12 Acquisition of Land for Fire Trail - 130 Clyde Rd, Holgate

Time Commenced: 7:37pm

Moved: Rik Hart

144/23 Resolved

That Council:

- 1 Note that the existing Clyde Road Fire Trail encroaches on to part of the private property Lot 220 DP 715745 at 130 Clyde Road, Holgate.**
- 2 Resolve to acquire that part of Lot 220 DP 715745 at 130 Clyde Road, Holgate identified in Attachment 1 for the upgrade and ongoing management of the Clyde Road Fire Trail in accordance with the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.**
- 3 Note that, once acquired, part Lot 220 DP 715745 will be classified as community land and recommended for categorisation as general community use at the next review of the Plan of Management for Council Community Land.**
- 4 Authorise the Chief Executive Officer to execute all necessary documentation for the acquisition of the land identified in Attachment 1.**

2.13 Local Government NSW Annual Conference - Attendance and Voting

Time Commenced: 7:38pm

Moved: Rik Hart

145/23 Resolved

That Council note the Administrator will attend the 2023 Local Government NSW Annual Conference as Council's voting delegate and will not be submitting any motions.

2.14 Community Support Grant Program - June 2023

Time Commenced: 7:39pm

Moved: Rik Hart

146/23 Resolved

1 That Council allocate \$51,318.06 (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. Gosford Netball Association - \$5,000.00**
- b. Davistown Progress Association Incorporated - \$1,192.88**
- c. Central Coast Family History Society Incorporated - \$2,714.00**
- d. Naughty Noodle Fun Haus Incorporated - \$4,535.00**
- e. Koorana AECG - \$5,000.00**
- f. Norah Head Ratepayers Residents and Coast care Association Incorporated - \$303.00**
- g. Central Coast Kids in Need Incorporated - \$1,460.00**
- h. Art at Work Incorporated - \$3,790.00**
- i. Davistown Progress Association Incorporated - \$5,000.00**
- j. The Entrance Neighbourhood Centre Incorporated - \$3,000.00**
- k. Copacabana Community Association Incorporated - \$3,263.00**
- l. Gosford Sub-Branch RSL - \$5,000.00**
- m. Central Coast Bonsai Club Incorporated - \$1,600.00**
- n. Terrigal United Football Club - \$3,500.00**
- o. State Volleyball NSW - \$960.18**
- p. Central Coast Lapidary Club Incorporated - \$5,000.00**

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. Tuggerah Lakes Secondary College Berkeley Vale Campus Parents & Citizens Association - Existing project or program**
- b. Berkeley Vale Rugby League and Sports Club - application is ineligible.**
- c. Cancer Patients Foundation Limited - application is ineligible**
- d. J.P Fyfe & D Williams - application is ineligible**
- e. Southlake's Incorporated - identified in a more suitable grant program**
- f. We Care Connect Limited - insufficient information provided to make an accurate assessment.**
- g. Brisbane Water Historical Society Incorporated - existing project or program**
- h. Wyong Drama Group Incorporated - insufficient information provided to make an accurate assessment.**
- i. UCA- Gosford Uniting Church - broader community benefit is not demonstrated.**
- j. NSW Wildlife Information Rescue and Education Service Incorporated - not recommended for funding as currently proposed**

2.15 Administrator Expenses and Facilities Report - 1 January 2023 to 30 June 2023

Time Commenced: 7:40pm

Moved: Rik Hart

147/23 Resolved

That Council note the Administrator Expenses and Facilities Report for the period of 1 January 2023 to 30 June 2023.

2.16 Metro Cinemas Lake Haven - Amendment to lease

Time Commenced: 7:41pm

Moved: Rik Hart

148/23 Resolved

- 1 That Council authorise the Chief Executive Officer to amend the lease for the Lake Haven cinema complex so that the lessee (Metro Cinemas Lakehaven P/L) can purchase and install recliner seating on terms that, in the opinion of the Chief Executive Officer, are commercially prudent and reasonable.**

- 2 That Council resolve, pursuant to Section 11(3) of the Local Government Act 1993, that Confidential Attachment 1 remain confidential under Section 10A (2) (d) of the Local Government Act 1993 because it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of a person who supplied it, or (ii) confer a commercial advantage on a competitor of the Council.**

The Meeting closed at 7:42pm.