



## Central Coast Council

### Minutes of the Ordinary Meeting of Council Held remotely - online on 27 April 2020

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#### Present

Mayor Lisa Matthews and Councillors Greg Best, Jillian Hogan, Kyle MacGregor, Doug Vincent (arrived 7.44pm), Troy Marquart, Chris Burke, Chris Holstein, Bruce McLachlan, Jilly Pilon, Rebecca Gale, Louise Greenaway, Jeff Sundstrom, Richard Mehrtens and Jane Smith.

#### In Attendance

Gary Murphy (Chief Executive Officer), Boris Bolgoff (Director Roads, Transport, Drainage and Waste), Julie Vaughan (Director Connected Communities), Scott Cox (Director Environment and Planning), Jamie Loader (Director Water and Sewer), Ricardo Martello (Executive Manager Innovation and Futures), Carlton Oldfield (Acting Chief Financial Officer) and Shane Sullivan (Unit Manager, Governance and Business Services).

The Mayor, Lisa Matthews, declared the meeting open at 6.30pm.

The Mayor, Lisa Matthews advised that all formal Anzac Day services were cancelled due to the COVID-19 national restrictions on public gatherings. She noted that this did not impact on the community paying their respects to our fallen and returned servicemen and women with the community holding their own driveway services across the Central Coast. In honour of our heroes a minutes silence was held.

At the request of the Mayor, Mr Gary Murphy, Chief Executive Officer advised that the meeting will be held remotely in accordance with section 747A of The Local Government Act 1993 clause 1(a)(i). Councillors were also reminded to adhere to the relevant policies and procedures including the Code of Meeting Practice and Code of Conduct. The Mayor, Lisa Matthews, advised in accordance with the Code of Meeting Practice that the meeting is being recorded and read an acknowledgement of country statement.

The reports are recorded in their correct agenda sequence.

#### Apologies

Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

**Moved:**                    **Councillor Pilon**  
**Seconded:**           **Councillor Gale**

#### Resolved

**260/20      That Council note there are no apologies or leaves of absence.**

**For:**  
**Unanimous**

## **Petition**

Councillor Gale tabled a petition received from the community opposing the development application DA/57958/2020 - Telecommunications Tower at Saratoga.

## **Public Forum**

The Mayor, Lisa Matthews advised that due to the technical constraints Council would not be holding the Public Forum prior to the meeting and those that wish to submit a written submission were welcome to do so. The following written submissions were received prior to the meeting and distributed to all Councillors;

Item 3.1 - DA/803/2019 - 48 McLachlan Avenue, Long Jetty - Boarding House

- Eric & Jessica Thorsby - Against
- Lucy Kilgannon - Against
- Bryce Poole - Against
- Anne Davidson and Monica O'Sullivan - Against
- Lauren Poole - Against
- Laurie Elliss - For

Item 3.4 - Greater Lake Munmorah Structure Plan - Results of public consultation

- Sarah Jane Rosen - Against
- Susan Wynn - Against
- Matthew West - Against

Item 3.6 - Supplementary Report - Amended Planning Proposal Request - Glenworth Valley

- Barton Lawler - For

Item 3.7 - Planning Proposal – Doyalson Wyee RSL Club – Pacific Hwy, Doyalson

- Brett Elliss - For

## **1.1 Disclosures of Interest**

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Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

### **Item 3.1 - DA/803/2019 - 48 McLachlan Avenue, Long Jetty - Boarding House**

Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he knows the developer. He chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

Councillor Pilon declared a pecuniary interest in the matter as her employer is currently doing work for this business on two other jobs. Councillor Pilon left the meeting at 7.07pm, returned at 7.11pm and did not participate in discussion on this matter.

Councillor Marquart declared a significant non pecuniary interest in the matter as his brother owns a property in the adjoining street. Councillor Marquart left the meeting at 7.07pm, returned at 7.11pm and did not participate in discussion on this matter.

**Item 3.4 – Greater Lake Munmorah Structure Plan - Results of public consultation**

Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he knows residents within the structure plan area.

The Chief Executive Officer, Mr Gary Murphy declared a significant non pecuniary interest in the matter as his primary place of residence is contained within the structure plan area.

This item was deferred.

**Item 3.6 - Supplementary Report - Amended Planning Proposal Request -Glenworth Valley**

Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he knows the applicant.

This item was resolved by the exception method.

**Item 3.7 – Planning Proposal - Doyalson Wyee RSL Club - Pacific Hwy, Doyalson**

Councillor Hogan declared a significant non pecuniary interest in the matter as the her employer has a working relationship and accepted donations from the applicant. Councillor Hogan left the meeting at 7.29pm, returned at 7.41pm and did not participate in discussion or voting on this matter.

The Chief Executive Officer, Mr Gary Murphy declared a less than significant non pecuniary interest in the matter as he is a member of the club. He chose to stay in the meeting and participate in discussion on this matter as it does not prejudice or influence his debate on the matter.

**Item 4.4 – Community Support Grant Program - February 2020**

Councillor Hogan declared a less than significant non pecuniary interest in the matter as some of the organisations who have submit applications are previous employers.

This item was resolved by the exception method.

**Item 7.3 – Notice of Motion – Ourimbah Master Plan**

The Director Roads Transport Drainage and Waste, Mr Boris Bolgoff declared a pecuniary interest in the matter as he owns property within the area.

This item was resolved by the exception method.

**Moved:**            **Councillor Holstein**  
**Seconded:**       **Councillor Burke**

**Resolved**

**261/20      That Council receive the report on Disclosure of Interest and note advice of disclosures.**

**For:**  
**Unanimous**

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## **1.2            Confirmation of Minutes of Previous Meeting**

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Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

**Moved:**            **Councillor Holstein**  
**Seconded:**       **Councillor Hogan**

**Resolved**

**262/20      That Council confirm the minutes of the Ordinary Meeting of Council held on the 9 March 2020 and the Extraordinary Meeting of Council held on 23 March 2020.**

**For:**  
**Unanimous**

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## **1.3            Notice of Intention to Deal with Matters in Confidential Session**

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Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

**Moved:**            **Councillor MacGregor**  
**Seconded:**       **Councillor Holstein**

**Resolved**

**263/20      That Council receive the report and note that no matters have been tabled to deal with in a closed session.**

**For:**  
**Unanimous**

**Procedural Motion – Exception**

Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

**Moved:** Councillor MacGregor

**Seconded:** Councillor Pilon

**Resolved**

**264/20** *That Council adopt the following items as a group and in accordance with the report recommendations:*

<b>Item #</b>	<b>Item Title</b>
<b>3.2</b>	<b><i>Planning Proposal RZ/8/2015 North Road, Wyong</i></b>
<b>3.5</b>	<b><i>Supplementary Report - Proposed Residential and Conservation Zoning for 285-335 Pacific Highway Lake Munmorah</i></b>
<b>3.6</b>	<b><i>Supplementary Report - Amended Planning Proposal Request - Glenworth Valley</i></b>
<b>4.4</b>	<b><i>Community Support Grant Program - February 2020</i></b>
<b>4.5</b>	<b><i>Borrowings 2020</i></b>
<b>4.7</b>	<b><i>Dredging on the Central Coast</i></b>
<b>4.8</b>	<b><i>Central Coast 7.12 Developer Contributions Plan</i></b>
<b>4.9</b>	<b><i>Local Strategic Planning Statement</i></b>
<b>4.10</b>	<b><i>Working Together Staying Strong Funding Support Program</i></b>
<b>7.3</b>	<b><i>Notice of Motion - Ourimbah Master Plan</i></b>
<b>7.4</b>	<b><i>Notice of Motion - Telecommunications Tower at Alan Davidson Oval Wyoming</i></b>

**265/20** *That with the exception of the reports listed below, Council adopt the recommendations contained in the reports listed above:*

<b>Item #</b>	<b>Item Title</b>
<b>2.1</b>	<b><i>Mayoral Minute - Call on NSW Government for Financial Assistance to Councils</i></b>
<b>3.1</b>	<b><i>DA/803/2019 - 48 McLachlan Avenue, Long Jetty - Boarding House</i></b>
<b>3.3</b>	<b><i>Planning Proposal Application - RZ/3/2019 - 45 Mulloway Road Chain Valley Bay</i></b>
<b>3.7</b>	<b><i>Planning Proposal - Doyalson Wyee RSL Club - Pacific Hwy, Doyalson</i></b>
<b>4.1</b>	<b><i>Update on Actions - Response to COVID-19</i></b>

<b>Item #</b>	<b>Item Title</b>
<b>4.2</b>	<b><i>Amendment to Advisory Group Terms of Reference</i></b>
<b>4.3</b>	<b><i>Reappointment of Independent Audit Risk and Improvement Committee Members and provision of the 2019 ARIC Annual Report</i></b>
<b>4.6</b>	<b><i>Investment Report for February and March 2020</i></b>
<b>5.1</b>	<b><i>Update on Notice of Motion - Protection of Porters Creek Wetland</i></b>
<b>7.1</b>	<b><i>Deferred Item - Notice of Motion - Gosford Waterfront Marina</i></b>
<b>7.5</b>	<b><i>Notice of Motion - Establishment of a Social Impact Taskforce</i></b>

**266/20**      ***That Council defer consideration of the following items;***

<b>Item #</b>	<b>Item Title</b>
<b>3.4</b>	<b><i>Greater Lake Munmorah Structure Plan - Results of public consultation</i></b>
<b>7.2</b>	<b><i>Deferred Item - Notice of Motion - Council request for Chief Executive Officer to investigate revenue options and modelling for Central Coast Council</i></b>

**For:**  
**Unanimous**

**2.1            Mayoral Minute - Call on NSW Government for Financial Assistance to Councils**

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Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

**Moved:**            **Councillor Best**  
**Seconded:**       **Councillor Pilon**

**Resolved**

- 267/20**      ***That Council note representations made to the NSW Government, in a letter from the Mayor and Chief Executive Officer on 14 April 2020, to urgently deliver comprehensive and multifaceted financial support and stimulus packages to local government to enable them to continue to operate effectively and provide essential services during the COVID-19 pandemic.***
- 268/20**      ***That Council support the call for the packages to include among other things the following measures:***

- Providing stimulus funding to councils for projects that will help sustain council operations and boost local economies. This could be achieved through increasing or bringing forward funding under existing funding programs or introducing new programs;***

- *Increased access to TAFE, VET and other apprenticeship opportunities that council staff can undertake to address skill shortages, especially for staff in non-essential services who are unable to be redeployed.*

**269/20** *That Council note, in addition to the assistance measures to be considered across all LGAs, specific to the Central Coast Council, representations have been made to the NSW Government to:*

- *provide support for the cost of conducting Local Planning Panels. State Government should recognise this as cost shifting and provide support to Councils in the conduct of these Panels. It is estimated that the cost of conducting a Local Planning Panel will reach approximately \$400,000 per year. This is an additional cost to be borne by Council and ratepayers of the Central Coast. There is no associated reduction in cost of conducting Council Meetings to counterbalance this requirement. For Central Coast the timing of this requirement is particularly onerous and some consideration of that would be appreciated by way of support and realistic timeframes; and*
- *allow council to retain State significant development developer contributions. Since the introduction of the SEPP (Gosford City Centre) 2018 developments that have a Capital Investment Value of between \$10 million but no more than \$75 million the Minister is the consent authority. This has meant that all developments within Gosford is now assessed by the Department of Planning Infrastructure and Environment resulting in hundreds of thousands of dollars in fees is now payable to the State Government when in fact council staff perform at least 50 per cent of the development assessment. Council seeks a fair share (50 per cent) of the fees paid to date and payable into the future.*

**270/20** *That Council commends the NSW and Federal Governments on their stewardship during this crisis and commits to working in partnership to protect community health and sustain local economies through this crisis.*

**271/20** *That Council call on the local Federal and State Member(s), Prime Minister the Hon Scott Morrison MP, NSW Premier the Hon Gladys Berejiklian MP, Federal Treasurer the Hon Josh Frydenburg MP, NSW Treasurer the Hon Dominic Perrottet MP, NSW Local Government Minister the Hon Shelley Hancock MP, Federal Minister for Local Government the Hon Mark Coultan, Federal Opposition Leader the Hon Anthony Albanese, NSW Opposition Leader Jodi McKay MP, Federal Shadow Minister for Local Government Jason Clare MP and NSW Shadow Minister for Local Government Greg Warren MP to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic.*

**272/20** *That Council endorses Local Government NSW's sector-wide campaign to obtain financial assistance, employment support and stimulus funding for*

*the local government sector.*

- 273/20**     *That Council support advising the LGNSW President Linda Scott of the passage of this Mayoral Minute.*
- 274/20**     *That Council notes the recent \$395 million funding package to Local Government from the State Government.*
- 275/20**     *That Council request that the Chief Executive Officer provide an urgent report around the details around this initiative.*

**For:**

**Unanimous**

### **3.1        DA/803/2019 - 48 McLachlan Avenue, Long Jetty - Boarding House**

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Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he knows the developer. He chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

Councillor Pilon declared a pecuniary interest in the matter as her employer is currently doing work for this business on two other jobs. Councillor Pilon left the meeting at 7.07pm, returned at 7.11pm and did not participate in discussion on this matter.

Councillor Marquart declared a significant non pecuniary interest in the matter as his brother owns a property in the adjoining street. Councillor Marquart left the meeting at 7.07pm, returned at 7.11pm and did not participate in discussion on this matter.

Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

**Moved:**            **Councillor Gale**

**Seconded:**       **Mayor Matthews**

**Resolved**

- 276/20**     *That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.*
- 277/20**     *That Council advise those who made written submissions of its decision.*

**For:**

**Mayor Matthews, Councillors Burke, Gale,  
Greenaway, Hogan, Holstein, MacGregor,  
Mehrtens, Smith and Sundstrom**

**Against:**

**Councillors Best and McLachlan**



**3.2 Planning Proposal RZ/8/2015 North Road, Wyong**

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Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

This item was resolved by the exception method.

**Moved:** Councillor MacGregor

**Seconded:** Councillor Pilon

**Resolved**

**278/20 That Council refuse the request to amend the Wyong Local Environmental Plan 2013 on Lots 11-17 (1-5 Ingram Street & 15-17 Owen Avenue, Wyong), Lots 10-18 DP 36475 (1-13 Owen Avenue & 3-5 North Road, Wyong), and Lots 1 & 2 DP 1223082 (1 & 1R North Road, Wyong) for the following reasons:**

- a No justification has been provided to support the claim that the rezoning of the subject land from R2 Low Density Residential to R3 Medium Density Residential will achieve improved planning outcomes.**
- b No analysis has been undertaken to address the transition from the proposed R3 Medium Density Residential development to surrounding R2 Low Density Residential development. The proposal in its current form would increase the potential for land use conflict with adjoining lower density residential development.**
- c Insufficient information has been submitted to address traffic issues associated with the proposed development. No detailed design has been provided for the road upgrades required to accommodate the proposed development, and no funding mechanism has been prepared to provide monetary contribution from the developer towards the road upgrades.**
- d Insufficient information has been submitted to address flooding issues associated with the proposed development. The current concept plan is inconsistent with Planning Direction 4.3 Flood Prone Land as it proposes an intensification of residential land use on flood prone land.**
- e Insufficient information has been submitted to support and justify the proposed development. The Planning Proposal was lodged with the former Wyong Shire Council in December 2015 and numerous requests for additional information since that time have not been met.**
- f The proposal has exceeded the second extension to the Gateway Determination timeframe of 16 February 2020.**

**For:**

**Unanimous**

**3.3 Planning Proposal Application - RZ/3/2019 - 45 Mulloway Road Chain Valley Bay**

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Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

**Moved:** Councillor Best

**Seconded:** Councillor Holstein

**Resolved**

**279/20 That Council, pursuant to Section 3.33 of the Environmental Planning and Assessment Act, 1979, prepare a Planning Proposal applying to Lot 5 DP 1228880 (45 Mulloway Road, Chain Valley Bay) to rezone the subject sites from E3 Environmental Management to RE2 Private Recreation and E2 Environmental Conservation by amending the Wyong Local Environmental Plan 2013 (or Central Coast Local Environmental Plan), whichever is in effect at the time.**

**280/20 That Council, pursuant to Section 3.34 of the Environmental Planning and Assessment Act, 1979, forward the Planning Proposal to the Minister requesting a Gateway Determination.**

**281/20 That Council request 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.**

**282/20 That Council undertakes public authority and community consultation in accordance with the Gateway Determination requirements.**

**283/20 That Council authorise staff to negotiate, prepare and exhibit a Planning Agreement with respect to any aspect of the proposal to support the development of the subject land.**

**284/20 That Council authorise staff to prepare and exhibit site specific development controls with respect to any aspect of the proposal to support the development of the subject land.**

**285/20 That Council consider a further report on the results of public authority and community consultation.**

**286/20 That Council notes the need for Roads and Maritime Services to upgrade the intersection of Pacific Highway and Chain Valley Road.**

**For:**

**Mayor Matthews, Councillors Best, Burke, Gale, Greenaway, Holstein, Marquart, McLachlan, Mehrrens, Pilon, Smith and Sundstrom**

**Against:**

**Councillors Hogan and MacGregor**

**3.4 Greater Lake Munmorah Structure Plan - Results of public consultation**

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Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he knows residents within the structure plan area.

The Chief Executive Officer, Mr Gary Murphy declared a significant non pecuniary interest in the matter as his primary place of residence is contained within the structure plan area.

Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

Council deferred the consideration of item 3.4 (minute 275/20).

**3.5 Supplementary Report - Proposed Residential and Conservation Zoning for 285-335 Pacific Highway Lake Munmorah**

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Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

This item was resolved by the exception method.

**Moved:** Councillor MacGregor

**Seconded:** Councillor Pilon

**Resolved**

**287/20 That Council, pursuant to Section 3.33 of the Environmental Planning and Assessment Act, 1979, prepare a Planning Proposal applying to:**

- Lot 1 DP 626787;
- Lot 2 DP626787;
- Lot 437 DP755266;
- Lot 438 DP755266;
- Lot 27 DP 755266;
- Lot 12 DP771284; and
- Lot 83 DP 650114.

**288/20 That Council rezone the subject sites from RU6 Transition to R2 Low Density Residential and E2 Environment Conservation. By amending the Wyong Local Environmental Plan 2013 (or Central Coast Local Environmental Plan) whichever is in effect at the time.**

**289/20 That Council, pursuant to Section 3.34 of the Environmental Planning and Assessment Act, 1979, forward the Planning Proposal to the Minister requesting a Gateway Determination.**

**290/20 That Council request 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.**

- 291/20      ***That Council undertakes public authority and community consultation in accordance with Gateway Determination requirements.***
- 292/20      ***That Council prepare and exhibit appropriate Development Control Plan provisions and other documents to support the development of the land subject to this planning proposal.***
- 293/20      ***That Council authorise staff to negotiate and prepare a Planning Agreement with respect to any aspect of the proposal to support the development of the subject land.***
- 294/20      ***That Council consider a further report on the results of public authority and community consultation.***

***For:***

***Unanimous***

### **3.6            Supplementary Report - Amended Planning Proposal Request - Glenworth Valley**

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Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he knows the applicant.

Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

This item was resolved by the exception method.

***Moved:            Councillor MacGregor***

***Seconded:       Councillor Pilon***

***Resolved***

- 295/20      ***That the Council support an amended Planning Proposal applying to:***
- ***Lots 19, 20, 21, 23, 24, 25, 30, 31, 32, 33, 37, 50, 53, 64, 65, 68, 81, 82, 85, 86, 87, 89, 91, 108, 145 DP 755221,***
  - ***Lots 22, 23, 32, 73, 75, 76 DP 755253,***
  - ***Lots 1, 3 DP 617088,***
  - ***Lot 881 DP 563889,***
  - ***Lot 1 DP 1222754,***
  - ***Lot 7 DP 1230083,***
  - ***Lot 245 DP 48817,***
  - ***Lot 7012 DP 1059767,***
  - ***Lot 7029 DP 93603,***
  - ***Lot 7035 DP 1051932,***
  - ***Lot 7036 DP 1059768,***
  - ***Lot 7303 DP 1154929, Glenworth Valley, and***

- **Lot A DP 365595,**
- **Lot C DP 382358,**
- **Lot 2 DP 1139242,**
- **Lot 882 DP 563889,**
- **part of Lot 102 DP 1139060,**
- **Lot 7039 DP 1059766,**
- **Lot 7303 DP 1161109, Calga**

**to amend the Gosford Local Environmental Plan 2014 (or draft Central Coast Local Environmental Plan), whichever is in effect at the time, to permit the following additional permitted uses (if they are not included in the Central Coast Local Environmental Plan):**

- a on land zoned E2 Environmental Conservation, development for the purpose of eco-tourist facilities and recreation facilities (outdoor);**
- b on land zoned RU2 Rural Landscape, development for the purposes of eco-tourist facilities, camping grounds and tourist and visitor accommodation;**
- c on the existing cleared areas of the land zoned E2 Environmental Conservation, comprising Lots 19, 20, 21, 23, 25, 30, 32, 33, 37, 50, 53, 64, 68, 85, 86, 87, 89, 91, 108 and 145 DP 755221, Lots 22 and 32 DP 755253, Lot 3 DP 617088, Lot 245 DP 48817, Lot 7039 DP 1059766 and Lot 7303 DP 1154929, development for the purpose of extensive agriculture.**
- d on land comprising that part of Lot 89 DP 755221 which currently accommodates the multi-purpose building and its curtilage,**
  - (i) development for the purpose of function centre, entertainment facility and food and drink premises, and**
  - (ii) the total floor area for the function centre, entertainment facility and food and drink premises is to be a maximum of 1500m<sup>2</sup> with any additions being attached to, or directly adjacent to, the existing building.**
- e on the existing cleared areas of the land zoned E2 Environmental Conservation comprising part of Lots 19, 37 and 89 DP 755221 and Lots 22 and 32 DP 755253, development for the purpose of function centre and camping ground.**
- f on the existing cleared areas of the land zoned E2 Environmental Conservation comprising part of Lots 108 and 145 DP 755221, development for the purpose of tourist and visitor accommodation.**

**296/20 That Council submit a revised Planning Proposal to the Minister for Planning in accordance with Section 3.35(2) of the Environmental Planning and Assessment Act 1979, requesting an amended Gateway Determination**

***pursuant to Section 3.34 of the Environmental Planning and Assessment Act 1979.***

**297/20      *That Council request 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.***

**298/20      *That Council undertake community and public authority consultation, in accordance with the Gateway Determination requirements.***

**299/20      *That the Council consider a further report on results of the agency and community consultation.***

***For:***

***Unanimous***

### **3.7            Planning Proposal - Doyalson Wyee RSL Club - Pacific Hwy, Doyalson**

Councillor Hogan declared a significant non pecuniary interest in the matter as the her employer has a working relationship and accepted donations from the applicant. Councillor Hogan left the meeting at 7.29pm, returned at 7.41pm and did not participate in discussion or voting on this matter.

The Chief Executive Officer, Mr Gary Murphy declared a less than significant non pecuniary interest in the matter as he is a member of the club. He chose to stay in the meeting and participate in discussion on this matter as it does not prejudice or influence his debate on the matter.

Councillor Vincent joined the meeting at 7.45pm and was not present for discussion on this item.

***Moved:            Councillor Best***

***Seconded:        Councillor Holstein***

***Resolved***

**300/20      *That Council, pursuant to Section 3.33 of the Environmental Planning and Assessment Act, 1979, prepare a Planning Proposal applying to:***

- Lots 1-9 DP 215878, 49-65 Wentworth Avenue, Doyalson***
- Lot 1 DP 503655, 80 Pacific Highway, Doyalson***
- Lot 11 DP 240685, 90 Pacific Highway, Doyalson***
- Lot 49 DP 707586, 100 Pacific Highway, Doyalson***
- Lot 7 DP 240685, 110 Pacific Highway, Doyalson; and***
- Lot 62 DP 755266, 120 Pacific Highway Doyalson***

***To rezone land from RE2 Private Recreation to R2 Low Density Residential, RU6 Transition to R2 Low Density Residential and RE2 Private Recreation, by amending the Wyong Local Environmental Plan 2013 (or Central Coast Local***

*Environmental Plan), whichever is in effect at the time.*

- 301/20     *That Council Pursuant to Section 3.34 of the Environmental Planning and Assessment Act, 1979, forward the Planning Proposal to the Minister requesting a Gateway Determination.*
- 302/20     *That Council undertakes public authority and community consultation in accordance with the Gateway Determination requirements.*
- 303/20     *That Council authorise staff to negotiate and prepare a Planning Agreement with respect to any aspects of the proposal to support the development of the subject land;*
- 304/20     *That Council consider a further report on the results of public authority and community consultation.*
- 305/20     *That Council notes the proponents offer to enter into a planning agreement with Council that ensures no commencement until suitable alternate grounds and facilities have been found for all the sporting associations currently using the site.*

**For:**  
**Unanimous**

#### **4.1            Update on Actions - Response to COVID-19**

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Councillor Vincent joined the meeting at 7.45pm during discussion on this item.

**Moved:**            **Councillor Marquart**  
**Seconded:**       **Councillor Best**

**Resolved**

- 306/20     *That Council receive the report on Update on Actions – Response to COVID-19.*

**For:**  
**Unanimous**

#### **4.2            Amendment to Advisory Group Terms of Reference**

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Councillor Best left the meeting at 7.54pm and returned at 7.55pm.

**Moved:**            **Councillor Smith**  
**Seconded:**       **Councillor Greenaway**

**Resolved**

- 307/20      That Council retain the current requirement in Part 5 of the standard Terms of Reference for Advisory Committee to report the minutes to Council.**

**For:**

**Unanimous**

**4.3            Reappointment of Independent Audit Risk and Improvement Committee Members and provision of the 2019 ARIC Annual Report**

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**Moved:            Councillor Smith**

**Seconded:        Councillor Vincent**

**Resolved**

- 308/20      That Council recognise the contribution of the three Independent External Members of Audit, Risk and Improvement Committee for their assistance and contribution over the past three years and make the following phased re-appointments:**

- a      Dr Colin Gellatly (AO) be re-appointed for a period of one year;**
- b      John Gordon be re-appointed for a period of two years; and**
- c      Carl Millington be re-appointed for a period of three years.**

- 309/20      That Council determines that the current remuneration for the three Independent External Members be maintained for the term of their reappointment, with the Independent External Members receiving \$20,920 per annum and the Chair receiving an additional 15% or \$3,138 per annum.**

- 310/20      That Council note the Audit, Risk and Improvement Committee Annual Report for 2019 that is Attachment 1 to this report.**

- 311/20      That the Chief Executive Officer provide a Councillor briefing on the Office of Local Government's draft Risk Management and Internal Audit Framework for Local Councils, and the recent review undertaken into Council's Enterprise Risk Management Framework.**

**For:**

**Mayor Matthews, Councillors Best, Gale,  
Greenaway, Hogan, Holstein, MacGregor,  
Marquart, McLachlan, Mehrtens, Pilon,  
Smith, Sundstrom and Vincent**

**Against:**

**Councillor Burke**



**4.4 Community Support Grant Program - February 2020**

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Councillor Hogan declared a less than significant non pecuniary interest in the matter as some of the organisations who have submit applications are previous employers.

This item was resolved by the exception method.

**Moved:** Councillor MacGregor

**Seconded:** Councillor Pilon

**Resolved**

**312/20** *That Council support the recommendations in principle to allocate \$21,264.00 from the 2019/20 grants budget to the community support grant program as outlined in the following report and Attachment 1, subject to 2 below.*

**313/20** *That Council request the Chief Executive Officer to review the proposals and identify those that may not be able to proceed at this stage due to the COVID-19 pandemic and only allocate to those able to deliver proposed projects*

**314/20** *That Council decline applications for the reasons indicated in Attachment 2 the application be advised and where relevant, directed to alternate funding.*

**For:**

**Unanimous**

**4.5 Borrowings 2020**

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This item was resolved by the exception method.

**Moved:** Councillor MacGregor

**Seconded:** Councillor Pilon

**Resolved**

**315/20** *That Council authorises the Chief Executive Officer to present a loan proposal for its consideration at the meeting of 25 May 2020 for the sum of fifty million dollars.*

**For:**

**Unanimous**

**4.6 Investment Report for February and March 2020**

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Councillor Vincent left the meeting at 8.20pm and returned at 8.22pm.

Councillor Best left the meeting at 8.39pm and returned at 8.41pm.

*Moved: Councillor Gale*

*Seconded: Councillor Pilon*

- 1 *That Council receive the Investment Report for February 2020 and March 2020.*
- 2 *That the Chief Executive Officer investigate opportunities for Developer Contributions and Water and Sewer contributions to be borrowed within Council for operational matters.*
- 3 *That Council request the Chief Executive Officer to provide a further report in relation to the opportunities.*

*For:*

*Councillors Best, Burke, Gale, Holstein,  
Marquart, McLachlan, Pilon and Smith*

*Mayor Matthews, Councillor Greenaway,  
Hogan, MacGregor, Mehrtens, Sundstrom  
and Vincent*

The vote was declared LOST on the casting vote of the Mayor.

**4.7 Dredging on the Central Coast**

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This item was resolved by the exception method.

***Moved: Councillor MacGregor***

***Seconded: Councillor Pilon***

***Resolved***

- 316/20 That Council note the report on Dredging on the Central Coast and the report by GHD Group Pty Ltd titled the Entrance Channel Dredging Operations Feasibility Review August 2019.***
- 317/20 That Council note that the 2020 dredging program of The Entrance Channel has commenced with a number of planning tasks completed, and initial sand berm modification and channel maintenance completed on 6 April 2020.***
- 318/20 That Council seek an independent financial cost benefit analysis of owning and operating a dredge in comparison with a contract dredge.***
- 319/20 That Council complete its commitment to dredging Ettalong (between Little Box Head and Half-Tide Rocks) in accordance with the 'Rescuing Our Waterways' funding agreement.***

***For:***

***Unanimous***

**4.8 Central Coast 7.12 Developer Contributions Plan**

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This item was resolved by the exception method.

**Moved:** Councillor MacGregor

**Seconded:** Councillor Pilon

**Resolved**

**320/20** *That Council approve the draft Central Coast Section 7.11 Contributions Plans and the Central Coast Section 7.12 Contributions Plan as amended, specifically:*

**Central Coast Section 7.11 Contributions Plans**

- *Delete reference to Wyong Shire Council, either as a phrase or individual words, including logos except where occurring in titles of documents and replace, where appropriate, to references to Central Coast Council.*
- *Update references to any date or year where appropriate.*
- *Delete reference to s94 and section 94 and replace with s7.11 wherever occurring.*
- *Delete reference to repealed legislation and replace with current legislation including definitions, indexation and clause and section numbers where appropriate.*
- *Amend minor typographical errors and phrasing wherever occurring.*
- *Amend tables and text references to secondary dwellings to remove the previous discount to secondary dwellings wherever occurring.*
- *Update Plan Amendment table to reflect current amendments.*

**Central Coast Section 7.12 Contributions Plan**

- *Replace the word cycleway with shared path where ever occurring*
- *Amend the Work Schedule Table to include two columns with the headings of total actual costs and costs covered by other sources.*
- *The works schedule be changed as follows:*

***Deletion of the following shared pathways:***

<b>Route</b>	<b>Bike Plan Link ID</b>	<b>Suburb</b>	<b>Cost (\$M)</b>
<b>Malinya Road</b>	<b>356</b>	<b>Saratoga</b>	<b>\$0.6</b>
<b>Eastern Road</b>	<b>220, 221</b>	<b>Bateau Bay</b>	<b>\$0.4</b>
<b>Barrenjoey Road</b>	<b>43</b>	<b>Ettalong</b>	<b>\$0.5</b>

***Addition of the following shared pathways:***

<b><i>Route</i></b>	<b><i>Bike Plan Link ID</i></b>	<b><i>Suburb</i></b>	<b><i>Cost (\$M)</i></b>
<b><i>Mannering Park</i></b>	<b><i>135-136, 349</i></b>	<b><i>Mannering Park</i></b>	<b><i>\$3.6</i></b>

***Change in Cost of the following shared pathways:***

<b><i>Route</i></b>	<b><i>Bike Plan Link ID</i></b>	<b><i>Suburb</i></b>	<b><i>Cost (\$M)</i></b>
<b><i>Magenta Boardwalk</i></b>	<b><i>348</i></b>	<b><i>Magenta</i></b>	<b><i>\$5.0</i></b>
<b><i>Tuggerawong</i></b>	<b><i>103</i></b>	<b><i>Tuggerawong</i></b>	<b><i>\$3.9</i></b>
<b><i>Kurrawa Avenue</i></b>	<b><i>357</i></b>	<b><i>Point Clare</i></b>	<b><i>\$5.0</i></b>
<b><i>Empire Bay Drive</i></b>	<b><i>88</i></b>	<b><i>Empire Bay</i></b>	<b><i>\$0.7</i></b>

**321/20** *That Council give public notice of its decision to approve the draft Central Coast Section 7.11 Contributions Plans as exhibited and the Central Coast Section 7.12 Contributions Plan with amendments to the works schedule within 28 days of its resolution in accordance with the requirements of the Environmental Planning & Assessment Regulations 2000.*

**322/20** *That Council formally apply Section 7.11 contributions to Secondary Dwellings in the former Gosford Local Government area when the Central Coast Section 7.11 Contributions Plans and the Central Coast Section 7.12 Contributions Plan comes into effect.*

**323/20** *That Council advise those persons who made submissions of Council's decision.*

**324/20** *That Council provide a copy of the approved contributions plans to the Minister of Planning & Public Spaces in accordance with Section 7.18 of the Environmental Planning and Assessment Act 1979.*

***For:***

***Unanimous***

#### **4.9 Local Strategic Planning Statement**

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This item was resolved by the exception method.

***Moved:*** ***Councillor MacGregor***

***Seconded:*** ***Councillor Pilon***

***Resolved***

**325/20** *That Council receive and note the letter from NSW Department of Planning, Industry and Environment (DPIE).*

**326/20      That Council endorse the draft LSPS for the purpose of public consultation.**

**327/20      That Council request the CEO to exhibit the draft Local Strategic Planning Statement for 28 days to allow for public consultation.**

**328/20      That a further report be presented to Council on the outcomes of the public exhibition.**

**For:**  
**Unanimous**

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#### **4.10      Working Together Staying Strong Funding Support Program**

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This item was resolved by the exception method.

**Moved:            Councillor MacGregor**  
**Seconded:       Councillor Pilon**

**Resolved**

**329/20      That Council endorse the Working Together Staying Strong grant program as outlined in the following report and Guidelines (Attachment 1).**

**330/20      That Council allocate \$300,000 towards the program identified from savings via projects not able to be undertaken due to COVID-19.**

**331/20      That Council authorise the Chief Executive Officer (or their delegate) through delegated authority to make final determination and allocation of funding on each application based on staff assessment to ensure quick allocation of funds.**

**332/20      That Council receive a monthly information report providing an update on the program and details on funded applicants.**

**For:**  
**Unanimous**

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#### **5.1      Update on Notice of Motion - Protection of Porters Creek Wetland**

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**Moved:            Councillor Smith**  
**Seconded:       Councillor MacGregor**

**Resolved**

**333/20      That Council note the report of Council highlighting the complexity of the process in protecting Porters Creek wetland, the level of consultation**

*required, delays due to the diversion of staff resources to significant events facing our community and the need for consideration of other resolutions of Council.*

**334/20** *That Council note the expected impact of the COVID-19 will have a significant impact on unemployment and the economy of the Central Coast.*

**335/20** *That Council form a working group to;*

- a* **Oversee the activities to permanently protect Porters Creek wetland in keeping with the resolutions of 25 November, 2019 (Resolutions 1213/19, 1214/19, 1215/19, 1216/19, 1217/19, 1219/19)**
- b* **Progress the development of cleared land currently available and zoned Industrial or Business in the Warnervale area as an employment precinct focused around the following sectors: health, manufacturing, food production, renewable energy and/or waste.**
- c* **Engage the following;**
  - a* **a Project Manager with a proven track record, for an initial period of 18 months, to oversee the development of the employment lands**
  - b* **a consultant to progress the activities required to put in place a Conservation Agreement on Porters Creek Wetland**

**336/20** *That Council appoint the following as members of the working group;*

- **Mayor**
- **Deputy Mayor**
- **Wyong Ward Councillors**
- **CEO, Gary Murphy**
- **Invited representatives from relevant State agencies and focus sectors, as appropriate**
- **Support Staff as follows: Administration support, Governance staff member and Legal Counsel**

**337/20** *As per resolution 844/19, reserve the balance of funds from savings from the Emergency Services Levy increase for the implementation of actions to protect Porters Creek Wetland including;*

- **Funds adjusted to a project budget (24866) to progress the conservation agreement (\$100,000).**
- **Porters Creek Wetland and Catchment Restoration and Monitoring Planning Project is being scoped (delivery by June 2019) to also be funded from these savings.**
- **\$345,000 for the establishment of a Conservation Agreement.**

**338/20** *That Council in keeping with resolution 761/17, that Council reserve funds to*

*progress employment generating projects.*

**339/20**     *That Council note that the Working Group initially meet on a fortnightly basis for 3 months to progress these initiatives.*

**340/20**     *That Council provide a further report to Council no later than the first Ordinary Council meeting in September, 2020.*

**For:**

**Mayor Matthews, Councillors Burke,  
Greenaway, Hogan, Holstein, MacGregor,  
Mehrtens, Smith, Sundstrom and Vincent**

**Against:**

**Councillors Best, Gale, Marquart,  
McLachlan and Pilon**

A Division was called by Councillors Vincent and MacGregor

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**7.1            Deferred Item - Notice of Motion - Gosford Waterfront Marina**

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**Moved:**            **Mayor Matthews**

**Seconded:**       **Councillor Mehrtens**

**Resolved**

**341/20**     *That Council receive the report of Deferred Item – Notice of Motion – Gosford Waterfront Marina.*

**342/20**     *That Council recognises Gosford is the first major Waterfront city north of Sydney Harbour.*

**343/20**     *That Councillors via the Chief Executive Officer, receive a report on the opportunities available to activate the Gosford Waterfront Precinct, including review of previous Masterplan, and fast ferry terminal opportunities, reasons for these plans being rejected, traffic management issues in relation to Dane Drive, flooding and contaminated land issues in this area. It may be may be appropriate for Council to start to review what employment initiatives we can instigate, under current economic circumstances.*

**For:**

**Unanimous**

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**7.2            Deferred Item - Notice of Motion - Council request for Chief Executive Officer to investigate revenue options and modelling for Central Coast Council**

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Council deferred the consideration of item 7.2 (minute 275/20).

### **7.3 Notice of Motion - Ourimbah Master Plan**

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The Director Roads Transport Drainage and Waste, Mr Boris Bolgoff declared a pecuniary interest in the matter as he owns property within the area.

This item was resolved by the exception method.

**Moved: Councillor MacGregor**

**Seconded: Councillor Pilon**

#### **Resolved**

**344/20 That Council thanks the Ourimbah Region Residents Association (ORRA) for its work in representing the interests of its community in relation to the Ourimbah Master and Draft Urban Spatial Plan.**

**345/20 That Council also thank the many petitioners who supported the petition prepared by the Member for The Entrance, David Mehan MP, asking for Ourimbah's heritage to be preserved.**

**346/20 That Council will incorporate the suggestions made by ORRA and the petitioners in any plan for Ourimbah, including:**

- a That Ourimbah be classified as a 'Village'.**
- b That building heights be limited to two storeys except on the Pacific Highway between Station Street and Walmsley Road where it will remain single storey to preserve the heritage streetscape at this location.**
- c That planning controls be used to preserve the character of the heritage streetscape between the Railway Station and Post Office site on Station Street along the Highway to Walmsley Road.**
- d That the rural character and streetscape for Dog Trap Road, Ourimbah Creek Road and Baileys Road be preserved by planning controls.**

**For:**

**Unanimous**

### **7.4 Notice of Motion - Telecommunications Tower at Alan Davidson Oval Wyoming**

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This item was resolved by the exception method.

**Moved: Councillor MacGregor**

**Seconded: Councillor Pilon**

#### **Resolved**

**347/20 That Council notes community concern about the proposal by Optus to erect**



*a telecommunication tower on the grounds of Alan Davidson Oval, Wyoming.*

**348/20** *Council also notes that while a development application to erect the tower has been granted, an amended application has been declined and a decision on leasing the land to Optus has not been made.*

**349/20** *That Council not grant a lease to Optus over the grounds at Alan Davidson Oval.*

**350/20** *That Council directs the Chief Executive Officer to invite all telecommunication providers to develop a strategy for the co-location of telecommunications equipment which maximises service access and minimises the number of stand-alone towers required in an area.*

**351/20** *That Council directs the Chief Executive Officer to review Councils processes to ensure the decision to lease Council land to a private business is considered before a development application may be made and that there be wide community consultation.*

**For:**  
**Unanimous**

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**7.5 Notice of Motion - Establishment of a Social Impact Taskforce**

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**Moved:** **Councillor Smith**

**Seconded:** **Councillor Hogan**

**Resolved**

**352/20** *That Council request the Chief Executive Officer to convene a Social Impacts Taskforce for an initial period of 6 months to:*

- a consider the impacts of the COVID-19 pandemic on our Central Coast community*
- b increase communication and clarify roles between organisations, agencies and all levels of government*
- c identify and monitor key measures of community wellbeing for the Central Coast*

**353/20** *That Council appoint the following Councillors to the task group;*

- Councillor Smith*
- Councillor Hogan*
- Councillor Holstein*
- Councillor MacGregor*
- Councillor Vincent*

**354/20** *That Council request the Chief Executive Officer to include the Director of*

***Connected Communities and other appropriate staff on the Taskforce.***

- 355/20**     ***That Council request the Chief Executive Officer to develop a process to ensure good governance and transparency of the operation of the Taskforce.***
- 356/20**     ***That Council request the Chief Executive Officer to provide a report on the activities of the Taskforce to the first Ordinary Meeting of Council in October 2020.***
- 357/20**     ***That Council request further information through the Chief Executive Officer on any consideration from the Economic Taskforce on working with local businesses on activities that might help stem the pandemic.***

***For:***

***Unanimous***

**The Meeting** closed at 9.30 pm.