

## **AMENDED ITEM**

**Item No:** 1.2  
**Title:** Confirmation of Minutes of Previous Meetings  
**Department:** Governance

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8 April 2019 Ordinary Council Meeting

Trim Reference: F2018/00020-07 - D13492057



### **Summary**

Confirmation of minutes of the Ordinary Meeting of the Council held on 25 March 2019.

A motion or discussion with respect to the Minutes is not order except with regard to their accuracy as a true record of the proceedings.

### **Recommendation**

***That Council confirm the minutes of the Ordinary Meeting of the Council held on 25 March 2019.***

### **Attachments**

**1** MINUTES - Ordinary Meeting Meeting - 25 March 2019      D13490394



## Central Coast Council

### Minutes of the Ordinary Council Meeting

Held in the Council Chamber  
2 Hely Street, Wyong  
on 25 March 2019  
Commencing at 6.30pm

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#### Present

Mayor Jane Smith and Councillors Greg Best, Jillian Hogan, Doug Vincent, Louise Greenaway, Kyle MacGregor, Bruce McLachlan, Jilly Pilon, Lisa Matthews, Jeff Sundstrom, Rebecca Gale Collins, Chris Holstein, Troy Marquart and Richard Mehrstens.

#### In Attendance

Gary Murphy (Chief Executive Officer), Boris Bolgoff (Director Roads, Transport, Drainage and Waste), Scott Cox (Director Environment and Planning), Bileen Nel (Director Water and Sewer), Julie Vaughan (Director Connected Communities), Shane Sullivan (Acting Director Governance), Matthew Prendergast (Acting Executive Manager Innovation and Futures) and Vivienne Louie (Unit Manager Financial Performance and Responsible Accounting Officer).

The Mayor, Jane Smith, declared the meeting open at 6.54pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor, Jane Smith read an acknowledgement of country statement.

The Mayor, Jane Smith also acknowledged the connection that we all have to this land and place, and the shared responsibility that we have to care for and protect this land for future generations.

At the commencement of the ordinary meeting report no's 1.1, 1.2, 1.3, 3.6 and 6.3 were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

#### Apology

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

#### Resolved

**205/19     That Council resolve to accept the apology from Councillor Burke.**

**For:**  
**Unanimous**

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**1.1 Disclosure of Interest**

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**Item 2.2 - PP/2012/33 - Planning Proposal Bakali Road, Forresters Beach**

Scott Cox declared a less than significant non pecuniary interest in the matter as his family have been residents of Forresters Beach since 1955 and his father still resides there. Mr Cox chose to remain in the chamber. The matter was dealt with by the exception method.

**Item 3.5 - Community Support Grant Program 2018-2019**

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she is associated with some of the community groups. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting. The matter was dealt with by the exception method.

Councillor McLachlan declared a pecuniary interest in the matter as he made a small donation to the North Entrance Life Saving Club, Coast Life. Councillor McLachlan chose to leave the chamber and not participate in discussion and voting. The matter was dealt with by the exception method.

**Item 6.3 - Community Vs JRPP Legal Challenge – Council to Support**

Councillor MacGregor declared a pecuniary interest in the matter as he is a member of the Joint Regional Planning Panel (JRPP) and receives income from attending these meetings and believes it to be a significant pecuniary conflict of interest. Councillor MacGregor left the chamber at 7.46pm, returning at 8.10pm, and did not participate in discussion or voting.

It is noted that Councillor MacGregor declared a pecuniary interest in the matter and left the Public Forum at 6.36pm, did not return to the Public Forum.

Councillor Sundstrom declared a pecuniary interest in the matter as he is an alternative panel member for the JRPP and has been involved in deliberations on this matter. Councillor Sundstrom left the chamber at 7.46pm, returning at 8.09pm, and did not participate in discussion or voting.

It is noted that Councillor Sundstrom declared a pecuniary interest in the matter and left the Public Forum at 6.36pm, and did not return to the Public Forum.

Scott Cox declared a significant non pecuniary interest in that the motion implies potential administrative errors by his Development Assessment staff. Mr Cox left the chamber at 7.46pm, returning at 8.09pm, and did not participate in discussion or voting.

It is noted that Scott Cox, Director Environment and Planning declared a significant non pecuniary interest in the matter and left the Public Forum at 6.37pm, and did not return to the Public Forum.

**Item 6.4 – Notice of Motion - Proposed New Intercity Fleet Maintenance Facility Project Kangy Angy**

Councillor Matthews declared a pecuniary interest in the matter as she has a client who is still challenging this development. Councillor Matthews left the chamber at 9.59pm and did not return.

**Moved:** Councillor MacGregor

**Seconded:** Councillor Matthews

**Resolved**

**206/19 That Council receive the report on Disclosure of Interest and note advice of disclosures.**

**For:**

**Unanimous**

**1.2 Confirmation of Minutes of Previous Meetings**

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**Moved:** Councillor MacGregor

**Seconded:** Councillor Gale Collins

**Resolved**

**207/19 That Council confirm the minutes of the Ordinary Meeting of the Council held on 11 March 2019.**

**For:**

**Unanimous**

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

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**Moved:** Councillor MacGregor

**Seconded:** Councillor Hogan

**Resolved**

**208/19 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 left the chamber at 7.02pm and returned at 7.03pm and did not participate in voting or discussion.

**Moved:** Councillor MacGregor  
**Seconded:** Councillor Greenaway

**Resolved**

**209/19** That with the exception of the following reports, Council adopt the recommendations contained in the remaining reports:

<b>Item 2.1</b>	<b>DA/1240/2018 - Dual Occupancy and Strata Subdivision - 11 Grasree Avenue Woongarra</b>
<b>Item 2.3</b>	<b>Gosford Heritage Interpretation Strategy</b>
<b>Item 3.1</b>	<b>Code of Conduct</b>
<b>Item 3.2</b>	<b>2019 National General Assembly of Local Government</b>
<b>Item 3.3</b>	<b>Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy</b>
<b>Item 3.4</b>	<b>Cities Power Partnership Pledges</b>
<b>Item 3.6</b>	<b>Exhibition of the Draft Operational Plan 2019-20</b>
<b>Item 4.1</b>	<b>Snowy Hydro Legacy Fund Update</b>
<b>Item 4.4</b>	<b>Investment Report for February 2019</b>
<b>Item 6.1</b>	<b>Deferred Item - Notice of Motion - \$2.8 Billion Tuggerah Redevelopment</b>
<b>Item 6.2</b>	<b>Deferred Item - Notice of Motion - Gosford and Wyong Pools</b>
<b>Item 6.3</b>	<b>Notice of Motion - Community Vs JRPP Legal Challenge - Council to Support</b>
<b>Item 6.4</b>	<b>Notice of Motion - Proposed New Intercity Fleet Maintenance Facility Project Kangy Angy</b>

**210/19** That Council adopt the following items en-masse and in accordance with the report recommendations:

<b>Item 2.2</b>	<b>PP/2012/33 - Planning Proposal Bakali Road, Forresters Beach</b>
<b>Item 3.5</b>	<b>Community Support Grant Program 2018-2019</b>
<b>Item 4.2</b>	<b>2019 State and Federal Election Funding Opportunities</b>
<b>Item 4.3</b>	<b>Update on Council's Access to Information Initiatives</b>

**For:**  
**Unanimous**

**Procedural Motion**

**Moved:** Councillor Gale Collins  
**Seconded:** Councillor Matthews

**Resolved**

**211/19** That Council allow meeting practice to be varied to bring the following items forward within the agenda;

- **Item 3.6 - Exhibition of the Draft Operational Plan 2019-20 and;**

- **Item 6.3 - Notice of Motion - Community Vs JRPP Legal Challenge - Council to Support.**

**For:**

**Unanimous**

**2.1 DA/1240/2018 - Dual Occupancy and Strata Subdivision - 11 Grasstree Avenue Woongarra**

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Councillor Gale Collins left the chamber at 7.46pm and did not return.

Councillor Best left the chamber at 8.10pm, returning at 8.16pm and did not participate in discussion and voting.

**Moved: Councillor Mehrtens**

**Seconded: Councillor Marquart**

**Resolved**

**212/19 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.**

**213/19 That Council advise those who made written submissions of Council's decision.**

**For:**  
**Mayor Smith and Councillors Marquart, Holstein, Mehrtens, Sundstrom, Matthews, Pilon and McLachlan**

**Against:**  
**Councillors Vincent and Hogan**

**Abstained: Councillors MacGregor and Greenaway**

**2.2 PP/2012/33 - Planning Proposal Bakali Road, Forresters Beach**

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Scott Cox declared a less than significant non pecuniary interest in the matter as his family have been residents of Forresters Beach since 1955 and his father still resides there. Mr Cox chose to remain in the chamber. The matter was dealt with by the exception method.

**Moved: Councillor MacGregor**

**Seconded: Councillor Greenaway**

**Resolved**

**214/19 That Council support an amended Planning Proposal to:**

- a) **Rezone the following lots to R2 Low Density Residential under Gosford Local Environmental Plan 2014 or Central Coast Local Environmental Plan (whichever is in effect at the time):**
- Lot 1 DP 405510,  
 Lot 51 DP 1028301,  
 Lot 62 DP 838562,  
 Lots 155 & 156 DP 531710,  
 Lots 1-14, 18 & 19 DP 23283,  
 Lots 1-8 DP 24187,  
 Lots 1-3 DP 101649, and part of Lot 522 DP 1077907 Central Coast Highway, Forresters Beach, and Lots 1, 2 & 4 DP 1000694, and part of Lot 3 DP 1000694 Bakali Road, Forresters Beach.**
- b) **Rezone part of Lot 522 DP 1077907 and part of Lot 3 DP 1000694 to E2 Environmental Conservation under Gosford Local Environmental Plan 2014 or Central Coast Local Environmental Plan (whichever is in effect at the time);**
- c) **Rezone part of Lot 522 DP 1077907 and part of Lot 3 DP 101649 Central Coast Highway, Forresters Beach to RE1 Public Recreation under the Gosford Local Plan 2014 or Central Coast Local Environmental Plan (whichever is in effect at the time);**
- d) **Apply the Minimum Lot Size of:**
- **1850 m<sup>2</sup> to land proposed to be zoned R2 Low Density Residential and fronting Bakali Road on Lot 3 DP 1000694 and parts of Lots 1 & 2 DP 1000694 ,and**
  - **550 m<sup>2</sup> to all remaining land proposed to be rezoned R2 Low Density Residential, under the Gosford Local Environmental Plan 2014 or the Central Coast Local Environmental Plan (whichever is in effect at the time).**

**215/19 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.**

**216/19 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.**

**217/19 That Council prepare and exhibit the appropriate Development Control Plan provisions to support the development of the land subject to this Planning Proposal.**

**218/19 That Council enter into a Voluntary Planning Agreement with the owner of Lot 522 DP 1077907, Lot 4 DP 1000694 and Lot 3 DP 101649 to require:**

- **Dedication of 4000m<sup>2</sup> of land to Council for a park;**
- **Dedication of land for the purposes of a drainage reserve;**
- **Undertake roadworks to satisfy the requirements of the NSW Roads and Maritime Service and Council;**
- **Implement a Vegetation Management Plan for the area proposed to be zoned E2 Environmental Management; and**
- **exhibit with the Planning Proposal.**

**219/19 That Council undertakes community and public authority consultation in accordance with the Gateway Determination requirement.**

**220/19 That Council considers a further report on the results of the public authority and community consultation.**

**For:**

**Unanimous**

### **2.3 Gosford Heritage Interpretation Strategy**

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Councillor Gale Collins left the chamber at 7.46pm and did not return.

**Moved: Councillor Matthews**

**Seconded: Councillor Holstein**

**Resolved**

**221/19 That Council, for the purposes of community consultation, endorse the draft Gosford Central Business District Heritage Interpretation Strategy for a minimum period of 28 days.**

**222/19 That, following exhibition of the draft Gosford Central Business District Heritage Interpretation Strategy, Council considers a further report on results of community consultation.**

**For:**

**Unanimous**

### **3.1 Code of Conduct**

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Councillor Gale Collins left the chamber at 7.46pm and did not return.

**Moved: Councillor Hogan**

**Seconded: Councillor Matthews**

**Resolved**

**223/19 That Council adopt the Code of Conduct that is Attachment 1 to this report in accordance with section 440(3) of the Local Government Act 1993 with the following amendments:**

**a The inclusion of the additional provisions listed at reference d), e), f), h), i), k) and n) in the document titled "Additional Provisions to Draft Code of Conduct" that is Attachment 3 to this report.**

**224/19 That Council adopt the Procedures for the Administration of the Model Code that is Attachment 2 to this report in accordance with section 440AA of the Local Government Act 1993.**

**For:**

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

**Against:**

**Councillor Best**

**Abstained: Councillor Marquart**

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**3.2 2019 National General Assembly of Local Government**

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Councillor Gale Collins left the chamber at 7.46pm and did not return.

Councillor Greenaway left the chamber at 8.41pm, returning at 8.43pm, and was absent during voting.

**Moved: Mayor Smith**

**Seconded: Councillor Pilon**

**Resolved**

**225/19 That Council endorse the following Councillor attendees and Council voting delegate.**

**Voting Delegate: Mayor Smith**

**Attendees: Councillor Best  
Councillor Greenaway  
Councillor Pilon  
Councillor MacGregor  
Councillor Matthews  
Councillor Mehrtens  
Councillor Sundstrom  
Councillor Vincent**

**For:**

**Unanimous**

### 3.3 Consideration of Submissions and Adoption of the Central Coast Affordable and Alternative Housing Strategy

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Councillor Gale Collins left the chamber at 7.46pm and did not return.

**Moved:** Councillor Holstein

**Seconded:** Councillor Hogan

**Resolved**

**226/19 That Council defer the matter to a Council meeting to be held in April 2019 to allow the Councillors to discuss aspects of the new strategy changes.**

**For:**  
**Mayor Smith and Councillors Holstein, Mehrstens, Sundstrom, Matthews, MacGregor, Pilon, McLachlan, Greenaway, Hogan and Best.**

**Against:**  
**Councillors Marquart and Vincent**

### 3.4 Cities Power Partnership Pledges

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Councillor Gale Collins left the chamber at 7.46pm and did not return.

**Moved:** Mayor Smith

**Seconded:** Councillor Mehrstens

**Resolved**

**227/19 That Council note and endorse the Cities Power Partnership Pledge Actions.**

**228/19 That the Mayor write to the Climate Council and commit to the following Cities Power Partnership Pledge Actions (CPP) as identified in the CPP Program:**

- a Pledge Action A3 - Install renewable energy (solar PV and battery storage) on Council buildings for example childcare facilities, libraries, street lighting, recreation centres, sporting grounds and Council offices.**
- b Pledge Action A13 - Identify opportunities to turn waste to energy, specifically organic matter through Council's waste water treatment plants.**
- c Pledge Action A14 - Implement landfill gas methane flaring or capture for electricity generation.**
- d Pledge Action B3 - Public lighting can use a lot of city's energy budget – roll out energy efficiency lighting (particularly street lighting) across the municipality.**
- e Pledge Action C1 - Ensure Council fleet purchases meet strict greenhouse gas emissions requirements and support the uptake of electric vehicles.**

**f Pledge Action D8 - Support local community groups with their community energy initiatives.**

**229/19 That Council provide six monthly progress reports as required by the Cities Power Partnership Program.**

**For:**  
**Mayor Smith and Councillors Holstein, Mehrtens, Sundstrom, Matthews, MacGregor, McLachlan, Greenaway, Vincent and Hogan**

**Against:**  
**Councillors Marquart, Pilon and Best**

The meeting adjourned at 9.30pm, resuming at 9.41pm.

### **3.5 Community Support Grant Program 2018-2019**

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Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she is associated with some of the community groups. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting.

Councillor McLachlan declared a pecuniary interest in the matter as he made a small donation to the North Entrance Life Saving Club, Coast Life. Councillor McLachlan chose to leave the chamber and not participate in discussion and voting. The matter was dealt with by the exception method.

**Moved: Councillor MacGregor**  
**Seconded: Councillor Greenaway**

**Resolved**

**230/19 That Council allocate \$26,980.92 from the 2018-19 grants budget to the community support grant programs as outlined in the following report and Attachment 1.**

**For:**  
**Unanimous**

### **3.6 Exhibition of the Draft Operational Plan 2019-20**

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

**1 That Council rejects the 2019-20 Draft Budget.**

**2 That Council conducts a management audit to investigate why Councils finances are deteriorating at such as rapid rate.**

- 3 That Council further staff report to Council around delivering a rate reduction to the rate payers of the former Wyong Shire Local Government Area to provide parity with rate payers of the former Gosford City Local Government Area.

For:  
Councillors Marquart, Pilon, McLachlan and  
Best

Against:  
Mayor Smith and Councillors Holstein,  
Mehrtens, Sundstrom, Gale Collins, Matthews,  
MacGregor, Greenaway, Vincent and Hogan

**The Motion was put to the vote and declared LOST.**

**The Motion as foreshadowed by the Mayor was then put.**

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

**Resolved**

- 231/19 That Council endorse the draft Operational Plan for the 2019-20 financial year ("Operational Plan 2019-20") for the purposes of public exhibition from Monday 1 April 2019 to Wednesday 1 May 2019 and invite public submissions in accordance with the Local Government Act 1993.**
- 232/19 That Council give public notice of the draft Operational Plan 2019-20 in accordance with s.405(3) of the Local Government Act 1993, and publicly exhibit that draft Operational Plan 2019-20 in accordance with that public notice.**
- 233/19 That Council resolve, for the purpose of s. 405(4) of the Local Government Act 1993, that maps showing the parts of the Central Coast local government area to which each category and sub-category of ordinary and special rates proposed in the draft Operational Plan 2019-20 be made available in Council's Gosford and Wyong Administration Offices.**
- 234/19 That Council authorise the Chief Executive Officer to make appropriate amendments to the draft Operational Plan 2019-20 to correct numerical or typographical errors.**
- 235/19 That Council note that the Council will consider final adoption of the draft Operational Plan 2019-20 and making of rates and charges at a meeting of the Council on 11 June 2019.**
- 236/19 That Council request the Chief Executive Officer to provide a briefing in May 2019 to Councillors on the Workforce Management Strategy including:**
- (i) Current resourcing in place to deliver the themes of the Community Strategic Plan – Belonging, Smart, Green, Responsible and Liveable**
  - (ii) Detail of historic resources in these areas and justification of changes**
  - (iii) Identified gaps in any areas and how this will be rectified**

**For:**  
**Mayor Smith and Councillors Holstein, Mehrstens, Sundstrom, Gale Collins, MacGregor, Pilon, McLachlan, Greenaway, Vincent and Hogan**

**Against:**  
**Councillors Marquart, Pilon and Best**

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#### **4.1 Snowy Hydro Legacy Fund Update**

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Councillor Gale Collins left the chamber at 7.46pm and did not return.

Scott Cox, Director Environment and Planning left the chamber at 9.43pm, returning at 9.45pm and did not participate in discussion.

Shane Sullivan, Acting Director Governance left the chamber at 9.43pm, returning at 9.45pm and did not participate in discussion.

**Moved: Councillor Best**  
**Seconded: Councillor Holstein**

**Resolved**

**237/19 That Council note the report on Snowy Hydro Legacy Fund Update.**

**For:**  
**Unanimous**

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#### **4.2 2019 State and Federal Election Funding Opportunities**

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**Moved: Councillor MacGregor**  
**Seconded: Councillor Greenaway**

**Resolved**

**238/19 That Council receive the report on 2019 State and Federal Election Funding Opportunities.**

**For:**  
**Unanimous**

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#### **4.3 Update on Council's Access to Information Initiatives**

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**Moved: Councillor MacGregor**  
**Seconded: Councillor Greenaway**

**Resolved**

**239/19** *That Council receive the update on the ongoing release of Council held information under the Government Information (Public Access) Act 2009 and Council's access to information initiatives, including the proactive release program.*

**For:**  
**Unanimous**

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**4.4 Investment Report for February 2019**

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Councillor Gale Collins left the chamber at 7.46pm and did not return.

**Moved:** **Councillor MacGregor**  
**Seconded:** **Councillor Matthews**

**Resolved**

**240/19** *That Council receive the Investment Report for February 2019.*

**For:**  
**Unanimous**

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**6.1 Deferred Item - Notice of Motion - \$2.8 Billion Tuggerah Redevelopment**

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Councillor Gale Collins left the chamber at 7.46pm and did not return.

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

**Resolved**

**241/19** *That Council request the Chief Executive Officer, in partnership with the Project Proponents, Regional Development Australia Central Coast (RDACC) and Planning Department Representatives, provide Council with a preliminary briefing around this extraordinary initiative.*

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

**Against:**  
**Councillor Greenaway**

**6.2 Deferred Item - Notice of Motion - Gosford and Wyong Pools**

Councillor Gale Collins left the chamber at 7.46pm and did not return.

**Moved:** Councillor MacGregor

**Seconded:** Councillor Mehrtens

**Resolved**

- 242/19** That Council notes that both Gosford and Wyong Pools are longstanding essential pieces of community infrastructure on the Central Coast and provide essential services for our community for people of all ages and levels of advantage.
- 243/19** That Council notes that the usage and patronage of both Gosford and Wyong pools as well as our leisure centres has increased and that demand for these facilities is strong across the Central Coast highlighting the importance of their operation to our community.
- 244/19** That Council identify opportunities to upgrade and renovate these facilities as part of our upcoming budget process for 2019 as discussed at the recent budgeting workshop attended by councillors and senior staff.
- 245/19** That Council retain these facilities in public ownership, not transferred to for profit organisations or outsourced for profit to private businesses or interests in the future and that these facilities remain in their current location for the duration of their lifespans or until otherwise determined by full Council at a later date.
- 246/19** That Council thank the staff who maintain and operate these facilities for their hard work, diligence and service to our broader community.
- 247/19** That Council request the Chief Executive Officer provide councillors with a briefing on the past, current status and future opportunities for the development and construction of an aquatic leisure centre for the northern wards of the Central Coast LGA i.e. the Warnervale leisure centre."
- 248/19** That Council advises of the current classification of the Wyong and Gosford pool facilities.

**For:**

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

**Against:**

**Councillors Marquart and Best**

**Abstained: Councillor Pilon**

**6.3 Notice of Motion - Community Vs JRPP Legal Challenge - Council to Support**

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Councillor MacGregor declared a pecuniary interest in the matter as he is a member of the Joint Regional Planning Panel (JRPP) and receives income from attending these meetings and believes it to be a significant pecuniary conflict of interest. Councillor MacGregor left the chamber at 7.46pm, returning at 8.10pm, and did not participate in discussion or voting.

It is noted that Councillor MacGregor declared a pecuniary interest in the matter and left the Public Forum at 6.36pm, did not return to the Public Forum.

Councillor Sundstrom declared a pecuniary interest in the matter as he is an alternative panel member for the JRPP and has been involved in deliberations on this matter. Councillor Sundstrom left the chamber at 7.46pm, returning at 8.09pm, and did not participate in discussion or voting.

It is noted that Councillor Sundstrom declared a pecuniary interest in the matter and left the Public Forum at 6.36pm, and did not return to the Public Forum.

Scott Cox declared a significant non pecuniary interest in that the motion implies potential administrative errors by his Development Assessment staff. Mr Cox left the chamber at 7.46pm, returning at 8.09pm, and did not participate in discussion or voting.

It is noted that Scott Cox, Director Environment and Planning declared a significant non pecuniary interest in the matter and left the Public Forum at 6.37pm, and did not return to the Public Forum.

**Moved: Councillor Best**  
**Seconded: Councillor McLachlan**

**Resolved**

**249/19 That Council reaffirms its disappointment at the Joint Regional Planning Panel's (JRPP) decision to approve under the Affordable Rental Housing SEPP 2009, DA/44/2018 (JRPP ID 2018HCC04,) a 34 Unit Housing Development in Dunleigh Street, Toukley.**

**250/19 That Council further reaffirms its support as outlined in its 29 January 2019 decision calling on the JRPP "to reject this proposal".**

**251/19 That Council notes the ongoing community outrage at this decision and their strong intention to mount a judicial legal challenge in the Land and Environment Court against the JRPP.**

**252/19 That Council request that the Chief Executive Officer seek urgent legal advice around proceeding, process, timing, costs and prospects of such a Land and Environment Court proceeding.**

**For:**  
**Unanimous**

**6.4 Notice of Motion - Proposed New Intercity Fleet Maintenance Facility  
Project Kangy Angy**

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Councillor Matthews declared a pecuniary interest in the matter as she has a client who is still challenging this development. Councillor Matthews left the chamber at 9.59pm and did not return or participate in discussion or voting.

Councillor Gale Collins left the chamber at 7.46pm and did not return.

Councillor Best left the chamber at 10.03pm and did not return.

**Moved:** Councillor Greenaway  
**Seconded:** Councillor MacGregor

**Resolved**

- 253/19 That Council request the Chief Executive Officer review the circumstances relating to Transport for New South Wales application to Office of Environment and Heritage (OEH) for a modification of the threatened species concurrence - proposed New Intercity Fleet Maintenance Facility Project at 53 - 55 Orchard Rd Kangy Angy issued by OEH on 22 August 2016, noting that OEH issued a second concurrence for the project on 29 August 2017.**
- 254/19 That Council request that the Chief Executive Officer identify grounds, if any, to oppose the modification request.**
- 255/19 That Council, in the event that any grounds are identified as per paragraph 2, request the Chief Executive Officer write a submission to OEH detailing the grounds.**
- 256/19 That Council request the Chief Executive Officer provide a copy of the submission to Councillors once it is finalised and further clarify if any trees proposed for removal are on Council land.**

**For:**  
**Mayor Smith and Councillors Mehrtens,  
Sundstrom, MacGregor, Pilon, McLachlan,  
Greenaway, Vincent and Hogan**

**Against:**  
**Councillors Marquart and Holstein**

**Questions on Notice**

**Q54/19 QON - Tennis Courts  
Councillor Jillian Hogan**

There was an Expression of Interest put out to the public for the Care and control of Council Tennis Courts such as the ones at Koala Park and Blue Haven what was the outcome of the EOI?

**Q55/19 QON - Gwandalan and Summerland Point Peninsula Improvement Group  
Councillor Doug Vincent**

Could staff please advise if a response will be provided, in the near future, to the Gwandalan and Summerland Point Peninsula Improvement Group (GASPPIG) Executive (Tony Kirby, President and Bill Symington, Secretary) addressing the groups 15 questions that were emailed to Council regarding statutory obligations under the Local Government Act to publicly notify residents and ratepayers of specific Council matters.

**Q56/19 QON - Lakes and Waterways  
Councillor Doug Vincent**

Could staff please advise what machinery council has to maintain and keep our lakes and waterways clean (i.e. wrack harvesters, dredges and gross pollutant trap cleaning equipment) Could staff also advise if the machinery is the current technology or nearing the end of its useful life?

**Q57/19 QON - 'Ask' Service  
Councillor Louise Greenaway**

Would staff please advise if there is a time frame within which members of the community can expect an answer to questions submitted via ask, (after receipt of the initial acknowledgement)? That is they receive an acknowledgement but have no idea if an actual answer should be expected within one week, one month, one year? At least with Councillor Requests we can anticipate a response within 5 business days or so.

**Q58/19 QON - Baker Park Gifted to Community  
Councillor Louise Greenaway**

Would staff please advise how Baker Park was gifted to the community given that it doesn't appear to have been via Gersh Baker's will? I.e. was it by deed during his lifetime or by his widow on her death?

**Q59/19 QON - Empire Bay**  
**Councillor Jilly Pilon on behalf of Councillor Gale Collins**

Can Council assess the extent of drainage issue at Boongala Ave in Empire Bay?

**Q60/19 QON - Boarding Houses**  
**Councillor Jilly Pilon on behalf of Councillor Gale Collins**

Can Council access the number of private boarding houses that do care for homeless people across the Central Coast?

**Q61/19 QON - Concrete Crushing Dust Levels**  
**Councillor Kyle MacGregor**

How is Council or other regulatory bodies monitoring dust levels from concrete crushing which occurs within the Central Coast LGA and how is council or other regulatory bodies monitoring this information and protecting both people and our natural environment from exposure to the dust and airborne elements of these facilities i.e. silica dust?

**Q62/19 QON - Councillor Briefings**  
**Councillor Kyle MacGregor**

Is Council able to publish the total amount of briefings that have been held since the inception of the current council and have a table which confirms how many of this total number have been attended by individual Councillors with either the number attended or a percentage that reflects the number of total attended published in response to this question on notice in an upcoming business paper?

**Q63/19 QON - Gosford Hospital Parking Arrangements**  
**Councillor Jeff Sundstrom**

New parking arrangements at Gosford hospital have upset a quite number of staff and they are currently boycotting the location. They had questions about whether paid or timed parking was going to be introduced on Racecourse Road. Do we have plans or investigations going into either paid or timed parking on Racecourse Road or in the vicinity of the Hospital?

**Q64/19 QON - Peat Island Development**  
**Councillor Richard Mehrrens**

What is Council's current role and involvement in the Peat Island Development?

**Q65/19 QON - Gosford Short Term Parking Strategy**  
**Councillor Chris Holstein**

Can staff please advise on progress of the Gosford short term parking strategy? When will it commence and what communication strategy is planned to inform the public?

**Q66/19 QON - Gosford Pool Leak**  
**Councillor Troy Marquart**

Please confirm if any of the three pools at Gosford pool currently leak, if so how much they leak annually and can these leaks be fixed by an upgrade or a renovation?

**The Meeting** closed at 10.17pm.