



Central Coast Council

Minutes of the Ordinary Council Meeting of Council Held in the Council Chamber 49 Mann Street, Gosford on 28 October 2019

Present

Mayor Lisa Matthews and Councillors Greg Best, Chris Holstein, Jane Smith, Doug Vincent, Jeff Sundstrom, Richard Mehrtens, Jillian Hogan, Kyle MacGregor (arrived 6.36pm), Louise Greenaway, Bruce McLachlan, Rebecca Gale Collins, Jilly Pilon and Troy Marquart.

In Attendance

Gary Murphy (Chief Executive Officer), Boris Bolgoff (Director Roads, Transport, Drainage and Waste), Glenn Cannard (Acting Director Connected Communities), Scott Cox (Director Environment and Planning), Dr Liz Develin (Director Governance), Jamie Loader (Director Water and Sewer), Ricardo Martello (Executive Manager Innovation and Futures) and Craig Norman (Chief Finance Officer).

The Mayor, Lisa Matthews, declared the meeting open at 6.34pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor, Lisa Matthews read an acknowledgement of country statement.

The Mayor, Lisa Matthews 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.

The reports are recorded in their correct agenda sequence.

Apologies

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

Resolved

988/19 ***That the apology received from Councillor Burke be accepted.***

For:
Unanimous

1.1 Disclosure of Interest

Item 2.1 - DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application)

Councillor McLachlan declared a pecuniary interest in the matter on the basis that he manages properties in the location. Councillor McLachlan left the chamber at 7.15pm, returned at 7.16pm and did not participate in discussion or voting.

Mayor Matthews declared a less than significant non pecuniary interest in the matter as she is a member of the F45 Tuggerah studio but she is not a member of The Entrance Studio. Mayor Matthews chose to remain in the chamber and participate in discussion and voting as the conflict is minor.

Item 2.2 - DA 52083/2017 - Review of the Determination of DA - 5-7 Church Street, Terrigal

Councillor Smith declared a less than significant non pecuniary interest in the matter as she has been involved in planning matters in Terrigal before joining Council made various submissions. She also noted that she goes to Terrigal Medical Centre, where the doctor who spoke at the Public form works, although they have never discussed the matter at any of her medical visits. Councillor Smith chose to remain in the chamber and participate in discussion and voting as the conflict is minor.

Item 2.3 - Proposed residential and conservation rezoning for 285-335 Pacific Highway Lake Munmorah

Councillor McLachlan declared a less than significant non pecuniary interest in the matter on the basis of one of the land owners is known to him. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict is minor.

Item 4.4 - Review of submissions and adoption of the Ourimbah Land Use Strategy and Town Centre Masterplan

Boris Bolgoff, Director Roads, Transport, Drainage and Waste declared a pecuniary interest in the matter as he owns property in the area and he will be leaving the Chamber. Boris Bolgoff left the chamber at 8.43pm, returned at 8.52pm and did not participate in discussion.

Moved: **Councillor Gale Collins**

Seconded: **Councillor Sundstrom**

Resolved

989/19 That Council receive the report on Disclosure of Interest and note advice of disclosures.

For:

Unanimous

1.2 Confirmation of Minutes of Previous Meetings

Moved: Councillor Holstein
Seconded: Councillor MacGregor

Resolved

990/19 That Council receive the amended minutes of the Ordinary Meeting of Council held on 8 October 2019.

For:
Unanimous

1.3 Notice of Intention to Deal with Matters in Confidential Session

Moved: Councillor MacGregor
Seconded: Councillor Greenaway

Resolved

991/19 That Council receive the report and note that no matters have been tabled to deal with in a closed session.

For: Mayor Matthews, Councillors Holstein, Smith, Vincent, Sundstrom, Mehrrens, Hogan, MacGregor, Greenaway, McLachlan, Gale Collins, Pilon and Marquart
Abstained: Councillor Best

Procedural Motion – Exception

Moved: Councillor Mehrrens
Seconded: Councillor Best

Resolved

992/19 That Council adopt the following items en-mass and in accordance with the report recommendations:

Item 2.4 - Request to Amend the Gosford Local Environmental Plan 2014 - 302 to 308 Ocean View Road Ettalong Beach
Item 3.1 - CPA/2158 - Banner Upgrade Project
Item 4.7 - Meeting Record of the Heritage Advisory Committee held on 4 September 2019
Item 5.1 - Investment Report for September 2019
Item 5.2 - Pecuniary Interest Disclosure Returns 2018-2019
Item 8.3 - Notice of Motion – Tuggerawong Hall Site

993/19 *That with the exception of the reports listed below, Council adopt the recommendations contained in the reports listed above:*

Item 1.4 - Mayoral Minute – Plan to save our recycling
Item 2.1 - DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application)
Item 2.2 - DA 52083/2017 - Review of the Determination of DA - 5-7 Church Street, Terrigal
Item 2.3 - Proposed residential and conservation rezoning for 285-335 Pacific Highway Lake Munmorah
Item 2.5 - Draft Tuggerah to Wyong Economic Corridor Strategy
Item 4.1 - Council Resolution to Establish an Integrity and Ethical Standards Unit
Item 4.2 - Ordinary Meetings to Recommence at Gosford Chambers
Item 4.3 - Deferred Item - Consideration of Submissions and Adoption of the Central Coast Youth Strategy
Item 4.4 - Review of submissions and adoption of the Ourimbah Land Use Strategy and Town Centre Masterplan
Item 4.5 - Adoption of Wyong River and Ourimbah Creek Floodplain Risk Management Studies and Plans
Item 4.6 - Appointments to the Playspaces Advisory Committee
Item 4.8 - Meeting Record of the Social Inclusion Advisory Committee held on 22 August 2019
Item 4.9 - Policy for Investment Management
Item 8.1 - Deferred Item - Notice of Motion - Central Coast Council QNA Town Hall style public meetings
Item 8.2 - Notice of Motion - Pilot programme to install water tanks across Central Coast LGA at a reduced rate for pensioners and low income earners
Item 8.4 – Notice of Motion – Green Power Blackout

For:
Unanimous

1.4 Mayoral Minute - Plan to save our recycling

Moved: Mayor Matthews

- 1 That Council acknowledges the growing imperative to manage waste and recycling within NSW, and calls for urgent action from the State Government to help build a circular economy in NSW.
- 2 That Council recognises initiatives and projects taken within the Central Coast local government area to help achieve this goal, including the following selection of activities during 2018/19:

- *The provision of a 3-bin domestic waste collection service to 133,000 households incorporating a recycling and garden organics collection service*
- *The provision of 200 public place recycling bins at key locations*
- *The local processing of 29,870 tonnes of household recyclables and around 40,000 tonnes of garden organics.*
- *Worked with its recycling contractor in the development of a local glass sand processing facility and the reuse of processed glass as a sand replacement in Councils operations.*
- *Collected and shredded over 15,000 mattresses to recover recyclable products.*
- *Recovered over 1,000 tonnes of metal for recycling*
- *Recovered various other resources for recycling at its waste management facilities or nominated drop off points, including timber, e-waste, batteries, mobile phones, tyres, motor oil, cardboard, and concrete.*
- *Initiated a soft plastic collection service for subsequent processing into an asphalt additive which has been used on a number of projects across the local government area saving the equivalent of 530,000 plastic bags and 12,500 waste toner cartridges per kilometre of road*
- *Developed policies and implemented actions relating to single use plastics and sustainable events on Council property aimed at avoiding waste and procuring recycled products.*
- *Delivered waste education programs to over 3,600 residents including 2,847 students from local schools and TAFE.*
- *Launched a new mobile responsive website (1Coast.com.au) which received around 146,600 visitor and have 6053 followers on the 1Coast Facebook page which provides regular waste and recycling messaging.*
- *Commenced the development of an overarching waste management strategy for the Central Coast region to define Councils waste management objectives and a resulting suite of actions.*

3 *That Council endorses Local Government NSW's sector-wide Save our Recycling campaign, and asks the State Government to reinvest the Waste Levy in:*

- Funding councils to collaboratively develop regional-scale plans for the future of waste and recycling in their regions*
- the delivery of the priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified*
- support for the purchase of recycled content by all levels of government, to help create new markets*
- Funding and delivery of a state-wide education campaign on the importance of recycling, including the right way to recycle, the purchase of products with recycled content and the importance of waste avoidance.*

4 *That Council write to all the local State Members on the Central Coast - Adam Crouch MP, Member for Terrigal, Liesl Tesch MP, Member for Gosford, David Mehan MP, Member for The Entrance, David Harris MP, Member for Wyong and Yasmin Catley MP, Member for Swansea, outlining the urgent need to educate, innovate and invest in local waste and recycling services via the waste levy and calling for their support for recycling.*

- 5 *That Council write to the relevant NSW State Ministers including the Minister for Energy and Environment the Hon Matthew Kean MP, Local Government Minister Shelley Hancock, NSW Treasurer the Hon Dominic Perrottet MP, Premier the Hon Gladys Berejiklian MP, Opposition Leader Jodi McKay MP, Shadow Minister for Environment and Heritage Kate Washington MP, and Shadow Minister for Local Government Greg Warren MP, outlining the urgent need to educate, innovate and invest in local waste and recycling services via the waste levy and calling for their support for recycling.*
- 6 *That Council formally write to its own Youth Action Team, Y4Y, advising them of Council's support for the Save Our Recycling campaign, and asking them to consider endorsing and sharing it their own networks across the Central Coast local government area.*
- 7 *That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute.*
- 8 *That Council develop and implement a communications campaign to promote Council's support for the Save Our Recycling campaign.*

*Amendment Moved: Councillor Marquart
Amendment Seconded: Councillor Gale Collins*

- 1 *That Council acknowledges the growing imperative to manage waste and recycling within NSW, and calls for urgent action from the State Government to help build a circular economy in NSW.*
- 2 *That Council recognises initiatives and projects taken within the Central Coast local government area to help achieve this goal, including the following selection of activities during 2018/19:*
 - *The provision of a 3-bin domestic waste collection service to 133,000 households incorporating a recycling and garden organics collection service*
 - *The provision of 200 public place recycling bins at key locations*
 - *The local processing of 29,870 tonnes of household recyclables and around 40,000 tonnes of garden organics.*
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 - *Recovered various other resources for recycling at its waste management facilities or nominated drop off points, including timber, e-waste, batteries, mobile phones, tyres, motor oil, cardboard, and concrete.*
 - *Initiated a soft plastic collection service for subsequent processing into an asphalt additive which has been used on a number of projects across the local government area saving the equivalent of 530,000 plastic bags and 12,500 waste toner cartridges per kilometre of road*
 - *Developed policies and implemented actions relating to single use plastics and sustainable events on Council property aimed at avoiding waste and procuring recycled products.*

- *Delivered waste education programs to over 3,600 residents including 2,847 students from local schools and TAFE.*
 - *Launched a new mobile responsive website (1Coast.com.au) which received around 146,600 visitor and have 6053 followers on the 1Coast Facebook page which provides regular waste and recycling messaging.*
 - *Commenced the development of an overarching waste management strategy for the Central Coast region to define Councils waste management objectives and a resulting suite of actions.*
- 3 *That Council endorses Local Government NSW's sector-wide Save our Recycling campaign, and asks the State Government to reinvest the Waste Levy in:*
- a *Funding councils to collaboratively develop regional-scale plans for the future of waste and recycling in their regions*
 - b *the delivery of the priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified*
 - c *support for the purchase of recycled content by all levels of government, to help create new markets*
 - d *Funding and delivery of a state-wide education campaign on the importance of recycling, including the right way to recycle, the purchase of products with recycled content and the importance of waste avoidance.*
- 4 *That Council categorically rule out reducing the General Waste or "Red Lid" bin collections in any fashion at anytime. This would include ruling out reducing the size of the General Waste bins or the amount of General Waste bin collections per week, month or year within any regional scale waste or recycling plan.*
- 5 *That Council write to all the local State Members on the Central Coast - Adam Crouch MP, Member for Terrigal, Liesl Tesch MP, Member for Gosford, David Mehan MP, Member for The Entrance, David Harris MP, Member for Wyong and Yasmin Catley MP, Member for Swansea, outlining the urgent need to educate, innovate and invest in local waste and recycling services via the waste levy and calling for their support for recycling.*
- 6 *That Council write to the relevant NSW State Ministers including the Minister for Energy and Environment the Hon Matthew Kean MP, Local Government Minister Shelley Hancock, NSW Treasurer the Hon Dominic Perrottet MP, Premier the Hon Gladys Berejiklian MP, Opposition Leader Jodi McKay MP, Shadow Minister for Environment and Heritage Kate Washington MP, and Shadow Minister for Local Government Greg Warren MP, outlining the urgent need to educate, innovate and invest in local waste and recycling services via the waste levy and calling for their support for recycling.*
- 7 *That Council formally write to its own Youth Action Team, Y4Y, advising them of Council's support for the Save Our Recycling campaign, and asking them to consider endorsing and sharing it their own networks across the Central Coast local government area.*
- 8 *That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute.*

- 9 *That Council develop and implement a communications campaign to promote Council's support for the Save Our Recycling campaign.*

Amendment For:
Councillors Gale Collins and Marquart

Amendment Against:
Mayor Matthews, Councillors Best, Holstein, Smith, Vincent, Sundstrom, Mehrrens, Hogan, MacGregor, Greenaway and McLachlan

Amendment Abstained:
Councillor Pilon

The amendment was put to the vote and declared LOST.

The motion was then put.

Moved: Mayor Matthews

Resolved

994/19 *That Council acknowledges the growing imperative to manage waste and recycling within NSW, and calls for urgent action from the State Government to help build a circular economy in NSW.*

995/19 *That Council recognises initiatives and projects taken within the Central Coast local government area to help achieve this goal, including the following selection of activities during 2018/19:*

- ***The provision of a 3-bin domestic waste collection service to 133,000 households incorporating a recycling and garden organics collection service***
- ***The provision of 200 public place recycling bins at key locations***
- ***The local processing of 29,870 tonnes of household recyclables and around 40,000 tonnes of garden organics.***
- ***Worked with its recycling contractor in the development of a local glass sand processing facility and the reuse of processed glass as a sand replacement in Councils operations.***
- ***Collected and shredded over 15,000 mattresses to recover recyclable products.***
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- ***Recovered various other resources for recycling at its waste management facilities or nominated drop off points, including timber, e-waste, batteries, mobile phones, tyres, motor oil, cardboard, and concrete.***
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waste and procuring recycled products.

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- b the delivery of the priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified*
- c support for the purchase of recycled content by all levels of government, to help create new markets*
- d Funding and delivery of a state-wide education campaign on the importance of recycling, including the right way to recycle, the purchase of products with recycled content and the importance of waste avoidance.*

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998/19 *That Council write to the relevant NSW State Ministers including the Minister for Energy and Environment the Hon Matthew Kean MP, Local Government Minister Shelley Hancock, NSW Treasurer the Hon Dominic Perrottet MP, Premier the Hon Gladys Berejiklian MP, Opposition Leader Jodi McKay MP, Shadow Minister for Environment and Heritage Kate Washington MP, and Shadow Minister for Local Government Greg Warren MP, outlining the urgent need to educate, innovate and invest in local waste and recycling services via the waste levy and calling for their support for recycling.*

999/19 *That Council formally write to its own Youth Action Team, Y4Y, advising them of Council's support for the Save Our Recycling campaign, and asking them to consider endorsing and sharing it their own networks across the Central Coast local government area.*

1000/19 *That Council advise LGNSW President Linda Scott of the passage of this Mayoral Minute.*

1001/19 *That Council develop and implement a communications campaign to promote Council's support for the Save Our Recycling campaign.*

1002/19 *That Council recognise the significant contribution that staff have made around our waste strategy.*

For:

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

Against:

Councillors Gale Collins, Pilon and Marquart

2.1 **DA/569/2016/B - Shop 37/2-6 Warrigal Street, The Entrance - Use of Shop 37 for Recreational Facility - Personal Fitness Studio (Amended Application)**

Councillor McLachlan declared a pecuniary interest in the matter on the basis that he manages properties in the location. Councillor McLachlan left the chamber at 7.15pm, returned at 7.16pm and did not participate in discussion or voting.

Mayor Matthews declared a less than significant non pecuniary interest in the matter as she is a member of the F45 Tuggerah studio but she is not a member of The Entrance Studio. Mayor Matthews chose to remain in the chamber and participate in discussion and voting as the conflict is minor.

Moved:

Mayor Matthews

Seconded:

Councillor MacGregor

Resolved

1003/19 *That Council defer consideration of this item until a site inspection has been conducted.*

For:

Unanimous

2.2 **DA 52083/2017 - Review of the Determination of DA - 5-7 Church Street, Terrigal**

Councillor Smith declared a less than significant non pecuniary interest in the matter as she has been involved in planning matters in Terrigal before joining Council made various submissions. She also noted that she goes to Terrigal Medical Centre, where the doctor who spoke at the Public form works, although they have never discussed the matter at any of her medical visits. Councillor Smith chose to remain in the chamber and participate in discussion and voting as the conflict is minor.

Moved: Councillor Smith
Seconded: Councillor MacGregor

- 1 That Council note the application for Council to review its decision on determination of DA 52083/2017.
- 2 That Council refuse the application for the following reasons:
 - a) The application does not comply with Gosford LEP 2013 including:
 - a. Clause 4.3(2) (Height of Buildings)
 - b. Clause 4.4(2) (Floor Space Ratio)
 - b) The application does not comply with provisions of the Gosford DCP 2013 and/or the apartment design guidelines including:
 - i. the development exceeds the number of storeys by 25%
 - ii. the external wall height is a 23.55% variation
 - iii. Max width of enclosed floor space at 5th level exceedance by 13-26%
 - iv. No setback to Hudson Lane, representing a 100% variation
 - v. No communal space is provided, representing a 100% variation
 - vi. No deep soil zones are provided, representing a 100% variation
 - vii. No side boundary setbacks for visual privacy, representing a 100% variation
 - viii. the proposed development does not activate the Hudson laneway frontage as is envisaged by the provisions within GDCP 2013 for the Terrigal Village Centre
 - c) the provision of the first floor parking area facing Church Street and Hudson Lane is inconsistent with the Desired Character recommendations in GDCP 2013 in that "on-site carparking and service areas should not be visible from any street frontage, and should be located in basements or behind occupied floorspace such as shops"
 - d) the development is not in the public interest as it will create an expectation that similar non-compliance with Council's planning controls is acceptable.
- 3 That Council request that any proposed outcome as a result of any mediation process be referred to Council for approval.

For:
Councillors Smith, Vincent, Sundstrom, Hogan,
MacGregor and Greenaway

Against:
Mayor Matthews, Councillors Best,
Holstein, Mehrtens, McLachlan, Gale
Collins, Pilon and Marquart

The Motion was put to the vote and declared LOST.

The matter was then at LARGE.

Moved: Councillor Gale Collins
Seconded: Councillor Best

Resolved

1004/19 *That Council grant consent based on the request for a review by the applicant and subject to the conditions detailed in the schedule attached to this report, having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues.*

1005/19 *That Council advise those who made written submissions of its decision.*

For: Mayor Matthews, Councillors Best, Holstein, Mehrtens, McLachlan, Gale Collins, Pilon and Marquart	Against: Councillors Smith, Vincent, Sundstrom, Hogan, MacGregor and Greenaway
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A division was called by Councillor Best and Marquart.

For: Mayor Matthews, Councillors Best, Holstein, Mehrtens, McLachlan, Gale Collins, Pilon and Marquart	Against: Councillors Smith, Vincent, Sundstrom, Hogan, MacGregor and Greenaway
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As a result of the division the motion was declared CARRIED.

2.3 Proposed residential and conservation rezoning for 285-335 Pacific Highway Lake Munmorah

Councillor McLachlan declared a less than significant non pecuniary interest in the matter on the basis of one of the land owners is known to him. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict is minor.

Moved:	Mayor Matthews
Seconded:	Councillor MacGregor

Resolved

1006/19 *That Council defer consideration of this item until a site inspection and workshop has been conducted to determine key principles in regards to transport networks, land capabilities, sustainability and livability features.*

1007/19 *That Council conduct the proposed site inspection at a suitable time to accommodate the ward Councillors in Budgewoi Ward, if possible.*

For:
Unanimous

Procedural Motion – Order of Business

Moved: Councillor MacGregor

Seconded: Mayor Matthews

Resolved

1008/19 That Council bring item 4.4 - Review of submissions and adoption of the Ourimbah Land Use Strategy and Town Centre Masterplan forward for consideration.

For:

Unanimous

2.4 Request to Amend the Gosford Local Environmental Plan 2014 - 302 to 308 Ocean View Road Ettalong Beach

This item was resolved by the exception method.

Moved: Councillor Mehrtens

Seconded: Councillor Best

Resolved

1009/19 That Council refuse the request to amend the Gosford Local Environmental Plan 2014 on Lot 1 Sec 1 DP 5298 and Lots 2A and 2B DP 381761 (302-308 Ocean View Road Ettalong Beach) for the following reasons:

- a** The justification for rezoning of the subject sites from R1 General Residential to B2 Local Centre is not supported. The Market Economic Assessment prepared by MDA Property dated December 2018, justifies the zone change entirely on supply of housing. As housing is a permissible use in the R1 General Residential zone this does not imply a demand for B2 Local Centre zoning in the area.
- b** No analysis has been undertaken for the demand or lack thereof for the outlined permissible uses which could be introduced under the B2 Local Centre zone.
- c** Submitted materials did not adequately address the implications of placing a B2 Local Centre zoning on three sites isolated from the main commercial core of Ettalong. Notwithstanding the historical existing zoning of Lot 1 DP5298 which appears to be an anomaly and not intended to be an extension of the existing commercial core.
- d** Current typologies of residential development in the area are predominantly low density one to two storeys structures. The increase in height and floor space ratio over three consolidated sites is out of

character with the surrounding development.

For:

Unanimous

2.5 Draft Tuggerah to Wyong Economic Corridor Strategy

Moved: Councillor Smith

Seconded: Councillor Hogan

Resolved

1010/19 That Council defer consideration of this item until 11 November 2019 meeting with consideration for Council to consider the points below;

- a That Council prepare a Transport Report to be exhibited with the Tuggerah to Wyong Economic Corridor Strategy that includes information on the current capacity of the transport network, future demand based on the proposed Strategy and future options to deliver improved Transport network outcomes.**
- b That Council include in the Transport Report ;**
 - Measures of efficiency, sustainability and liveability**
 - Consultation with key agencies and transport stakeholders**
 - Known commitments for transport infrastructure and timeframes for delivery**
 - Options for transport improvements (short, medium and long term) that will improve future measures of efficiency and liveability**
- c That Council, for the purposes of community consultation, endorse the public exhibition of the Transport Report and draft Tuggerah to Wyong Economic Corridor Strategy for a minimum period of 40 days.**
- d That Council conduct two workshops (one day and one evening) that includes a presentation of the draft documents and an opportunity for comments.**
- e That Council following exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy Council consider a further report on results of the community consultation.**
- f That Council remove the reference to the airport from the draft as it is not consistent with the intent of the previous resolution of Council.**

For:

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

Against:

Councillors Greenaway, Gale Collins, Pilon and Marquart

3.1 CPA/2158 - Banner Upgrade Project

This item was resolved by the exception method.

Moved: Councillor Mehrtens
Seconded: Councillor Best

Resolved

1011/19 That Council declines to accept any of the tenders received for Contract CPA/2158 – Banner Upgrade Project, in accordance with Clause 178 (1b) of the Local Government (General) Regulation 2005.

1012/19 That Council enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender, in accordance with Clause 178 (3) of the Local Government (General) Regulation 2005.

For:
Unanimous

4.1 Council Resolution to Establish an Integrity and Ethical Standards Unit

Moved: Councillor Holstein
Seconded: Councillor Smith

Resolved

1013/19 That Council note that the Audit, Risk and Improvement Committee (ARIC) consider that there is no need to establish an Integrity and Ethical Standards Unit as the proposed functions are already addressed by the existing structure.

1014/19 That Council note that the Audit, Risk and Improvement Committee (ARIC) recommends that Council review the resourcing of the current structure, as well as the preparation and distribution of regular reports from that functional area to Council.

1015/19 That Council direct the Chief Executive Officer to:

- a** Develop a Governance Dashboard for Quarterly Reporting to Council;
- b** Increase the transparency associated with the Internal Ombudsman function by:
 - i** Developing a Charter for the Internal Ombudsman (IO) to clearly describe the role and function of the IO, and the types of complaints that are investigated;

- ii Annual reporting by the IO in Council's Annual Report;**
- iii Development of an internet page to clearly describe the IO's role and how the community can interact with them.**

- c Establish an internal forum to monitor the Dashboard and enhance communication between key functions such as Governance, People and Culture, Customer Service, Internal Ombudsman, Internal Audit, and Finance; and**

- d Ensure mechanisms a), b) and c) are in place by the end of 2019 and the outcomes reviewed by mid-2020 so that a report can be provided to Council to determine if these activities have achieved the desired outcomes.**

For:

Mayor Matthews, Councillors Best, Holstein, Smith, Sundstrom, Mehrtens, McLachlan, Gale Collins, Pilon and Marquart

Abstained:

Councillors Vincent, Hogan, MacGregor and Greenaway

The meeting was adjourned at 8.56pm and reconvened at 9.06pm

4.2 Ordinary Meetings to Recommence at Gosford Chambers

Moved: Mayor Matthews

Seconded: Councillor Holstein

- 1 That Council note and receive the report.
- 2 That Council confirm the location of the Ordinary Meetings for the remainder of 2019 will be held at Gosford Chambers.
- 3 That Council confirm the location of the Ordinary Meetings for 2020 will be as per the Code of Meeting Practice, alternating between Gosford and Wyong Chambers commencing at Gosford.
- 4 That Council briefings for the remainder of 2019 be held at Wyong Chambers.
- 5 That Council request the Chief Executive Officer provide a report on the costings and safety improvements involved in the changes in design carried out for Gosford Chambers, including costs made during the administration period.

Amendment Moved: Councillor Smith

Amendment Seconded: Councillor Sundstrom

- 1 That Council note and receive the report.
- 2 That Council confirm the location of the Ordinary Meetings for the remainder of 2019 will be held at Gosford Chambers.

- 3 *That Council confirm the location of the Ordinary Meetings for 2020 will be held at Gosford Chambers until the end of May 2020 to catch up missed meetings of Council as per our previous commitment; and the remaining meetings be held as per the Code of Meeting Practice, alternating between Gosford and Wyong Chambers.*
- 4 *That Council conduct briefings for the remainder of 2019 at Wyong Chambers.*
- 5 *That Council request the Chief Executive Officer to provide a report on the costings and safety improvements involved in the changes in design carried out for Gosford Chambers.*

Amendment For:
Councillors Holstein, Smith, Sundstrom,
Greenaway, Pilon and Marquart

Amendment Against:
Mayor Matthews, Councillors Best, Mehrtens,
Hogan, MacGregor, McLachlan and Gale
Collins

Amendment Abstained: Councillor Vincent

The Amendment was put to the vote and declared LOST.

The Motion was then put.

Moved: **Mayor Matthews**
Seconded: **Councillor Holstein**

Resolved

- 1016/19** ***That Council note and receive the report.***
- 1017/19** ***That Council confirm the location of the Ordinary Meetings for the remainder of 2019 will be held at Gosford Chambers.***
- 1018/19** ***That Council confirm the location of the Ordinary Meetings for 2020 will be as per the Code of Meeting Practice, alternating between Gosford and Wyong Chambers commencing at Gosford.***
- 1019/19** ***That Council briefings for the remainder of 2019 be held at Wyong Chambers.***
- 1020/19** ***That Council request the Chief Executive Officer provide a report on the costings and safety improvements involved in the changes in design carried out for Gosford Chambers, including costs made during the administration period.***

For:
Mayor Matthews, Councillors Best,
Holstein, Mehrtens, Hogan, MacGregor,
McLachlan, Gale Collins and Marquart

Against:
Councillors Smith, Sundstrom,
Greenaway and Pilon

Abstained: Councillor Vincent

4.3 Deferred Item - Consideration of Submissions and Adoption of the Central Coast Youth Strategy

Moved: Councillor Smith
Seconded: Councillor Hogan

Resolved

- 1021/19** That Council note that the Draft Central Coast Youth Strategy was publicly exhibited from 26 July 2019 to 23 August 2019.
- 1022/19** That Council consider the submissions received during the exhibition period.
- 1023/19** That Council note and endorse the amendments recommended by Council staff in this report.
- 1024/19** That Council adopt the Central Coast Youth Strategy (Attachment 1), and make available on Council's website.
- 1025/19** That Council thank and commend the Youth Action Team (Y4Y), Council staff and stakeholder for their work in developing the Strategy
- 1026/19** That the Chief Executive Officer provide a progress report on the actions identified in the Strategy at the last meeting in August, 2020.

For:
Unanimous

4.4 Review of submissions and adoption of the Ourimbah Land Use Strategy and Town Centre Masterplan

Boris Bolgoff, Director Roads, Transport, Drainage and Waste declared a pecuniary interest in the matter as he owns property in the area and he will be leaving the Chamber. Boris Bolgoff left the chamber at 8.43pm, returned at 8.52pm and did not participate in discussion.

Councillor Bruce McLachlan left the chamber at 8.47pm and returned to the chamber at 9.10pm during consideration of this item and as a result took no part in voting.

Moved: Mayor Matthews
Seconded: Councillor MacGregor

Resolved

- 1027/19** That Council defer the consideration of this item to allow Council to review the plan and its alignment to the Urban Spatial Plan, the Local Strategic Planning Statement and the Ourimbah Creek Floodplain Risk Management Plan.

For:
Unanimous

Procedural Motion – Order of Business

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

Resolved

1028/19 **That Council bring item 4.5 - Adoption of Wyong River and Ourimbah Creek Floodplain Risk Management Studies and Plans forward for consideration.**

For:
Unanimous

4.5 Adoption of Wyong River and Ourimbah Creek Floodplain Risk Management Studies and Plans

Councillor Bruce McLachlan left the chamber at 8.47pm and returned to the chamber at 9.10pm during consideration of this item and as a result took no part in voting.

Moved: **Mayor Matthews**
Seconded: **Councillor Smith**

Resolved

1029/19 **That Council defer consideration of this item until a site inspection has been conducted with those interested Councillors and members of the Catchments and Coast Committee – Tuggerah Lakes.**

1030/19 **That Councillors and members of the Catchments and Coast Committee – Tuggerah Lakes be invited to identify relevant sites.**

For:
Unanimous

4.6 Appointments to the Playspaces Advisory Committee

Moved: **Councillor MacGregor**
Seconded: **Councillor Hogan**

Resolved

1031/19 **That Council appoint the following Councillors as representatives on the Playspaces Advisory Committee:**

- *Mayor Matthews*
- *Councillor MacGregor*
- *Councillor Hogan*
- *Councillor Holstein*
- *Councillor Gale Collins*

1032/19 *That Council endorse the recommendation included in the confidential attachment that is Attachment 1 to this report titled "Playspaces Advisory Committee – Full EOI Applications and Convenor Recommendation".*

1033/19 *That Council resolve, pursuant to s10A(2)(a) of the Local Government Act 1993, that Attachment 1 to this report remain confidential as it contains personnel matters concerning particular individuals (other than councillors), and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it may compromise the personal information of Central Coast community members.*

1034/19 *That Council request that the first meeting consider how a quorum can be considered and the terms of reference be amended to include provision of advice to Council and Council staff.*

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

Against:
Councillors Best, Pilon and Marquart

4.7 Meeting Record of the Heritage Advisory Committee held on 4 September 2019

This item was resolved by the exception method.

Moved: *Councillor Mehrtens*

Seconded: *Councillor Best*

Resolved

1035/19 *That Council receive and note the report on Meeting Record of the Heritage Advisory Committee held on 4 September 2019 that is Attachment 1 to this report.*

1036/19 *That Council note item 5 from the Heritage Committee which recommends that staff provide a scope of works on the appropriate process, people and potential project outline involving both Indigenous and European perspectives on the first settlement of Europeans in the Brisbane Water area. This is in preparation for the upcoming 2023 Commemoration.*

For:
Unanimous

4.8 Meeting Record of the Social Inclusion Advisory Committee held on 22 August 2019

Moved: Councillor MacGregor
Seconded: Councillor Mehrtens

Resolved

1037/19 That Council receive the report on Meeting Record of the Social Inclusion Advisory Committee held on 22 August 2019 that is Attachment 1 to this report.

1038/19 That Council adopt the Terms of Reference for the Social Inclusion Advisory Committee, as set out in Attachment 2 to this report.

1039/19 That Council appoint Councillor Kyle MacGregor as the Chairperson for the Social Inclusion Advisory Committee.

1040/19 That Council acknowledge and thanks the members of all Council Advisory Committees for their significant contribution, time, expertise, skills, knowledge and resources.

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

Against:
Councillors Best, McLachlan, Gale Collins, Pilon and Marquart

4.9 Policy for Investment Management

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

1041/19 That Council note that a review of the Policy for Investment Management has been undertaken and changes to the policy has been presented to the Audit, Risk and Improvement Committee (ARIC).

1042/19 That Council adopt the Policy for Investment Management.

1043/19 That Council note in light of the recent announcement by NSW Treasury Corporation that they will soon issue a Sustainability Bond that the Chief Executive Officer be requested to investigate the suitability of incorporating

investment into such bonds as part of Council's Investment Policy and to report back through the Audit, Risk and Improvement Committee

1044/19 *The Chief Executive Officer provide a further report to Council after consideration by ARIC.*

For:

Unanimous

5.1 Investment Report for September 2019

This item was resolved by the exception method.

Moved: **Councillor Mehrtens**

Seconded: **Councillor Best**

Resolved

1045/19 *That Council receive the Investment Report for September 2019.*

For:

Unanimous

5.2 Pecuniary Interest Disclosure Returns 2018-2019

This item was resolved by the exception method.

Moved: **Councillor Mehrtens**

Seconded: **Councillor Best**

Resolved

1046/19 *That Council receive the report on Pecuniary Interest Disclosure Returns 2018-2019 and note that the Chief Executive Officer has tabled Pecuniary Interest Disclosure Returns, pursuant to Clause 4.25 of Council's Code of Conduct.*

For:

Unanimous

8.1 Deferred Item - Notice of Motion - Central Coast Council QNA Town Hall style public meetings

Moved: Councillor MacGregor

Seconded: Councillor Vincent

Resolved

1047/19 That Council note the importance of good governance through open and transparent decision making and accountability for both our Council as an organisation and our residents and rate payers in the general public.

1048/19 That Council conduct 5 Question and Answer (QNA) Town Hall style public meetings (1 per ward) over the next 12 months prior to the September 2020 Local Government elections.

1049/19 That Council open the meetings to those interested Councillors to take questions (from the audience) or make statements regarding our Local Government Area (LGA) and issues relevant to our LGA from the general public in a QNA style town hall meeting.

1050/19 That Council conduct these meetings in an accessible and appropriate public location that does not require a fee to participate in these meetings either by engaging in asking questions or through attending as a guest to view the proceedings.

1051/19 That Council conduct these meetings be chaired by the Mayor (Deputy Mayor or another Councillor nominated by the Mayor if they are unable to attend) and that the Executive Leadership Team not be required to attend (unless interested in doing so of their own volition) and that the only Council and staff resources to be allocated be those required to operate a microphone and relevant audio equipment and meeting support, room hire (if required) and basic refreshments and amenity for attendees (ie. tea and coffee, water and appropriate provisions of amenities for a public meeting).

1052/19 That Council conduct a briefing prior to the end of 2019 regarding the logistics of facilitating the QNA meetings.

For:

Councillors Smith, Vincent, Sundstrom, Mehrtens, Hogan, MacGregor, McLachlan, Gale Collins and Pilon

Against:

Mayor Matthews, Councillors Best, Holstein, Greenaway and Marquart

8.2 Notice of Motion - Pilot programme to install water tanks across Central Coast LGA at a reduced rate for pensioners and low income earners

Moved: Councillor MacGregor

Seconded: Councillor Sundstrom

- 1 That Council request the Chief Executive Officer to provide a report back to Council on the feasibility of the installation of water tanks across our Local Government Area (LGA) at a discounted rate for pensioners and or potentially other low income groups across our LGA.
- 2 That Council request the report consider options such as a temporary reduction in residents rates (for example an equivalent amount to cover the cost of the purchase and installation of the water tanks/ water saving mechanisms) should they chose to install a water tank/ water saving mechanisms on their property to capture and collect water for domestic consumption or to reduce the residents usage of councils water supply.
- 3 That Council request the report consider options such as Council bulk buying and installing water tanks on residents properties for a reasonable fee to encourage the capture and collection of water for domestic consumption.
- 4 That Council request the report outline the potential budgetary impact on Council for this proposal as well as any additional or alternative staff identified options for reducing the economic burden on local low income residents to install water tanks or other water saving measures in their homes across our LGA.
- 5 That Council request the report come back to Council for consideration within a reasonable timeframe of 6 months.
- 6 That Council request the Chief Executive Officer provide a report on the provisions of rebates, concessions, discounts, hardship provisions, assistance and water saving initiatives which are currently available from the Central Coast Council, State and Federal Governments in respect to water use on the Central Coast.
- 7 That this matter be referred to Council's Water Management Advisory Committee for their comment.

Amendment Moved: Councillor Holstein

Amendment Seconded: Councillor Pilon

That Council request the Chief Executive Officer provide a report on the provisions of rebates, concessions, discounts, hardship provisions, assistance and water saving initiatives which are currently available from the Central Coast Council, State and Federal Governments in respect to water use on the Central Coast.

Amendment For:
Councillors Best, Holstein, McLachlan, Gale
Collins, Pilon and Marquart

Amendment Against:
Mayor Matthews, Councillors Smith,
Vincent, Sundstrom, Mehrstens, Hogan,
MacGregor and Greenaway

The Amendment was put to the vote and declared LOST.

The Motion was then put.

Moved: Councillor MacGregor

Seconded: Councillor Sundstrom

Resolved

- 1053/19** That Council request the Chief Executive Officer to provide a report back to Council on the feasibility of the installation of water tanks across our Local Government Area (LGA) at a discounted rate for pensioners and or potentially other low income groups across our LGA.
- 1054/19** That Council request the report consider options such as a temporary reduction in residents rates (for example an equivalent amount to cover the cost of the purchase and installation of the water tanks/ water saving mechanisms) should they chose to install a water tank/ water saving mechanisms on their property to capture and collect water for domestic consumption or to reduce the residents usage of Councils water supply.
- 1055/19** That Council request the report consider options such as Council bulk buying and installing water tanks on residents properties for a reasonable fee to encourage the capture and collection of water for domestic consumption.
- 1056/19** That Council request the report outline the potential budgetary impact on Council for this proposal as well as any additional or alternative staff identified options for reducing the economic burden on local low income residents to install water tanks or other water saving measures in their homes across our LGA.
- 1057/19** That Council request the report come back to Council for consideration within a reasonable timeframe of 6 months.
- 1058/19** That Council request the Chief Executive Officer provide a report on the provisions of rebates, concessions, discounts, hardship provisions, assistance and water saving initiatives which are currently available from the Central Coast Council, State and Federal Governments in respect to water use on the Central Coast.
- 1059/19** That this matter be referred to Council's Water Management Advisory Committee for their comment.

For:

Mayor Matthews, Councillors Holstein, Smith, Vincent, Sundstrom, Mehrrens, Hogan, MacGregor, Greenaway and Pilon

Against:

Councillors Best, McLachlan, Gale Collins and Marquart

8.3 Notice of Motion - Tuggerawong Hall Site

This item was resolved by the exception method.

Moved: Councillor Mehrstens
Seconded: Councillor Best

Resolved

1060/19 That Council reclassify the Tuggerawong Hall site, 326 Tuggerawong Road, Tuggerawong – Lots 63 and 64 DP 13019 as “Community”.

1061/19 That Council undertake all necessary advertising, consideration of submissions and preparation of relevant documentation in order to give effect to this motion.

1062/19 That Council update its Plans of Management (POM) to ensure that a relevant POM is in place in respect to this parcel.

1063/19 That Council request the Chief Executive Officer to give public notice in compliance with s.34 of the Local Government Act of the proposal.

For:
Unanimous

8.4 Notice of Motion - Green Power Blackout

Moved: Councillor Best
Seconded: Councillor Gale Collins

Resolved

1064/19 That Council defer consideration of this matter to the Ordinary Meeting being held on 11 November 2019.

For: Mayor Matthews, Councillors Best, Holstein, Hogan, MacGregor, McLachlan, Greenaway, Gale Collins, Pilon and Marquart	Against: Councillors Smith, Vincent, Sundstrom and Mehrstens
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The Meeting closed at 10.35pm.