



Central Coast Council

## Ordinary Council Meeting

Held in the Council Chamber  
49 Mann Street, Gosford

30 November 2020

# MINUTES

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### Present

Dick Persson AM

### In Attendance

Rik Hart	Acting Chief Executive Officer
Malcolm Ryan	Chief Operating 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
Natalia Cowley	Chief Financial Officer
Ricardo Martello	Executive Manager Innovation and Futures
Krystie Bryant	Executive Manager People and Culture

### Notes

The Administrator, Dick Persson AM, declared the meeting open at 6.30pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Administrator, Dick Persson AM acknowledged the traditional custodians of the land on which the meeting was being held, and paid respect to Elders past, present and emerging.

The Administrator, Dick Persson AM adjourned the meeting at 6.31pm and advised the meeting would resume following the conduct of the Public Forum.

The Public Forum commenced at 6.31pm with the speakers addressing the Council on each of the items below;

#### Item 5.5 – Sale of Council Operational Assets

- Ms Joy Cooper
- Ms Jane Smith
- Ms Maxine Daubert – Centre Director of Gosford Cubbyhouse Long Day Care Centre

Item 6.1 – Management of the Obstacle Limitation Surfaces (OLS) at Warnervale Aircraft Landing Area (ALA)

- Mr Laurie Eyes – President of Central Coast Airport Resistance Group Inc
- Mr Andrew Smith – President of Central Coast Aero Club
- Mr John Codrington – President of Your Central Coast Airport Association Inc

The Public Forum closed with the Ordinary Meeting resuming at 7.01pm.

### **Procedural Motion**

Time commenced: 7.02pm

Moved: Mr Persson AM

### **Resolved**

1234/20 That Council consider item 6.1 – Management of the Obstacle Limitation Surfaces (OLS) at Warnervale Landing Area (ALA) and item 5.5 – Sale of Council Operational Assets at the beginning of the meeting.

## **1.1 Disclosures of Interest**

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Time commenced: 7.13pm

Moved: Mr Persson AM

### **Resolved**

1235/20 That Council receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

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

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Time commenced: 7.13pm

Moved: Mr Persson AM

### **Resolved**

1236/20 That Council confirm the minutes of the Ordinary Meeting of Council held on the 23 November 2020 and the Extraordinary Meeting of Council held 26 November 2020.

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

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Time commenced: 7.13pm

Moved: Mr Persson AM

**Resolved**

1237/20 That Council not go into Confidential Session

**2.1 2020-21 Q1 Business Report**

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Time commenced: 7.14pm

Moved: Mr Persson AM

**Resolved**

1238/20 That Council note that the 2020-21 Q1 Business Report for Central Coast Council has been completed by 30 November 2020 as required and will be issued on Wednesday, 2 December 2020.

**2.2 Investment Report for September 2020**

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Time commenced: 7.15pm

Moved: Mr Persson AM

**Resolved**

1239/20 That Council receive the Investment Report for September 2020.

**2.3 Investment Report for October 2020**

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Time commenced: 7.16pm

Moved: Mr Persson AM

**Resolved**

1240/20 That Council receive the Investment Report for October 2020.

**3.1 Artificial Reefs**

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Time commenced: 7.16pm

Moved: Mr Persson AM

**Resolved**

1241/20 That Council receive and note the report on Artificial Reefs.

**3.2 Meeting Record of the Coastal Open Space System (COSS) Committee Meeting held on 20 October 2020**

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Time commenced: 7.18pm

Moved: Mr Persson AM

**Resolved**

1242/20 That Council receive the report on Meeting Record of the Coastal Open Space System (COSS) Committee meeting held 20 October 2020.

**4.1 Councillor Attendance and Expenses and Facilities Report to 30 October 2020**

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Time commenced: 7.18pm

Moved: Mr Persson AM

**Resolved**

1243/20 That Council receive and note this report.

**4.2 Audit Risk and Improvement Committee recruitment**

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Time commenced: 7.19pm

Moved: Mr Persson AM

**Resolved**

1244/20 That the Council resolve to establish the Interview Panel to select a new Audit Risk and Improvement Committee Independent External Members as set out in this Report.

#### **4.3 Draft Gifts and Benefits Policy and Procedures**

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Time commenced: 7.20pm

Moved: Mr Persson AM

##### **Resolved**

- 1245/20 That the draft Gifts and Benefits Policy (Attachment 1 to this report) be placed on public exhibition for a period of 28 days.
- 1246/20 That the draft Gifts and Benefits Policy (Attachment 1 to this report) and draft Gifts and Benefits Procedures (Attachment 2 to this report) be provided to Council's Audit Risk and Improvement Committee for its review and comment.
- 1247/20 That a further report be presented to the 8 March 2021 Ordinary Council Meeting Council to adopt the Gifts and Benefits Policy, for consideration of any submissions received.

#### **4.4 Draft Lobbying Policy**

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Time commenced: 7.21pm

Moved: Mr Persson AM

##### **Resolved**

- 1248/20 That the draft Lobbying Policy (Attachment 1 to this report) be placed on public exhibition for a period of 28 days.
- 1249/20 That the draft Lobbying Policy be provided to Council's Audit Risk and Improvement Committee for its review and comment.
- 1250/20 That a further report be presented to the 8 March 2021 Ordinary Council Meeting to adopt the Lobbying Policy and consider any submissions received.

#### **4.5 Governance Lighthouse report as at 30 September 2020**

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Time commenced: 7.21pm

Moved: Mr Persson AM

##### **Resolved**

1251/20 That Council note the Governance Lighthouse report as at 30 September 2020 as provided as an Attachment to this report.

### **5.1 Tuggerah to Wyong Economic Corridor Strategy**

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Time commenced: 7.22pm

Moved: Mr Persson AM

#### **Resolved**

1252/20 That Council adopt the draft Tuggerah to Wyong Economic Corridor Strategy as amended in response to public exhibition as outlined in Attachment 1 to this report.

1253/20 That Council notify those persons who lodged submissions of Council's decision.

### **5.2 Classification of Land at 40 Fairmont Boulevard, Lot 97 DP 1261646, Hamlyn Terrace**

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Time commenced: 7.25pm

Moved: Mr Persson AM

#### **Resolved**

1254/20 That Council note and accept that the land known as 40 Fairmont Boulevard, Lot 97 DP 1261646, Hamlyn Terrace has been classified community land pursuant to the Local Government Act 1993.

### **5.3 Planning Proposal 81/2015 for 893 The Entrance Road, Wamberal**

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Time commenced: 7.25pm

Moved: Mr Persson AM

#### **Resolved**

1255/20 That Council note that this report will not be considered at the Council Meeting of 30 November 2020, as the applicant has withdrawn their application.

### **5.4 Deferred item - Proposal to Purchase Land known as the Davistown Wetland**

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Time commenced: 7.25pm

Moved: Mr Persson AM

**Resolved**

1256/20 That Council note that this report will not be considered at the Council Meeting of 30 November 2020, to allow the land owners of Davistown Wetlands further time to discuss an alternative proposal with Council staff.

**5.5 Sale of Council Operational Assets**

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Time commenced: 7.05pm

Moved: Mr Persson AM

**Resolved**

1257/20 That Council resolve to sell the following properties for not less than market value as determined by an independent valuer;

- a) 200 Thompson Vale Road Doyalson 2262 (Lot 762 DP 746526)  
740 Thompson Vale Road Doyalson 2262 (Lot 32 DP 586913)  
740 Thompson Vale Road Doyalson 2262 (Lot 78 DP 755245)  
1550 Thompson Vale Road Doyalson 2262 (Lot 31 DP 586913)

- b) 15-23 Hely St Wyong 2259 (PT 1 Sec1 DP 3136)  
15-23 Hely St Wyong 2259 (PT 2 Sec1 DP 3136)  
15-23 Hely St Wyong 2259 (PT 3 Sec1 DP 3136)  
15-23 Hely St Wyong 2259 (PT 4 Sec1 DP 3136)  
15-23 Hely St Wyong 2259 (PT 5 Sec1 DP 3136)

- c) 49-51 Mann Street Gosford 2250 (Lot 1 DP 251476)  
49-51 Mann Street Gosford 2250 (Lot 1 DP 564021)  
53 Mann Street Gosford 2250 (Lot 3 DP 129268)  
55-57 Mann Street Gosford (Lot 2 DP 129268)  
59-71 Mann Street Gosford (Lot 1 DP 129268)

1258/20 That Council resolve to reclassify the following land from community to operational land and sell for not less than market value as determined by an independent valuer;

- a) 73 Mann Street Gosford (Lot B in DP 321076)  
75 Mann Street Gosford (Lot 2 in DP 543135)
- b) 126 Georgiana Terrace, Gosford (Lot 454 in DP 727721)

1259/20 That Council resolve to sell the following properties for not less than the purchase

price paid by Council:

- a) 225 Sparks Road, Jilliby (Lot 15 DP 259530)  
671 Hue Hue Road, Jilliby (Lot 16 DP 259530)  
689 Hue Hue Road Jilliby, (Lot 17 DP 259530)  
701 Hue Hue Road Jilliby, (Lot 18 DP 259530)  
725 Hue Hue Road Jilliby, (Lot 4 DP 239704)  
725 Hue Hue Road Jilliby, (Lot 25 DP 259530)  
725 Hue Hue Road Jilliby, (Lot 26 DP 259530)  
749 Hue Hue Road, Jilliby (Lot 19 DP 259530)  
781 Hue Hue Road, Jilliby (Lot 6 DP 239704)  
791 Hue Hue Road, Jilliby (Lot 7 DP 239704)  
811 Hue Hue Road, Jilliby (Lot 8 DP 239704)
- b) 140 Sparks Road Warnervale NSW 2259 (Lot 5 DP 239691)

- 1260/20 That Council authorise the Chief Executive Officer to finalise the terms of sale.
- 1261/20 That Council resolve, pursuant to section 55 (3) of the Local Government Act 1993, to procure the property sales agents for the first group of properties subject to a competitive quotation process in lieu of a formal open public tender.
- 1262/20 That the Chief Executive Officer establish a Property Advisory Committee consisting of two or three appropriately skilled and experienced external people to provide advice to achieve the best result for Council and provide probity advice.
- 1263/20 That a further report be provided regarding the following properties and any impacts with regard to affordable housing:
- a) 23-25 Ashton Ave, The Entrance 2261 (Lot 37 Sec 2 DP 14230)  
23-25 Ashton Ave, The Entrance 2261 (Lot 36 Sec 2 DP 14230)  
23-25 Ashton Ave The Entrance 2261 (Lot 24 Sec 2 DP 14230)
- 1264/20 That a further report be provided regarding the following properties and any impacts with regard to environment and community concerns:
- a) 219b Albany Street North Gosford 2250 (Lot 203 DP840680)  
219c Albany Street North Gosford 2250 (Lot 204 DP840680)
  - b) 219 Albany Street North Gosford 2250 (Lot 201 DP 840680), comprising Henry Wheeler Place (formerly Lots 7 & 10 DP 238231) and negotiating alternative arrangements for access and service easements with affected adjoining property owners.

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**6.1 Management of the Obstacle Limitation Surface (OLS) at Warnervale Aircraft Landing Area (ALA)**

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Time commenced: 7.02pm

Moved: Mr Persson AM

**Resolved**

1265/20 That Council undertake the pruning of trees on the lands to the north of the Warnervale ALA to maintain an obstacle limitation surface of 3.3% to the north, in line with the guideline for night flight operations in the Civil Aviation Advisory Publication 92-1: Guideline for Aircraft Landing Areas (CAAP 92-1).

**6.2 Organisational Structure of Council**

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Time commenced: 7.27pm

Moved: Mr Persson AM

**Resolved**

1266/20 That Council determine, pursuant to s. 332(1) of the Local Government Act 1993, that the ongoing organisation structure of Council is approved as set out in this report.

**7.1 Deferred Item - Metro Cinema at Lake Haven - Rent Waiver**

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Time commenced: 7.30pm

Moved: Mr Persson AM

**Resolved**

1267/20 That Council adopt a 18% turnover rent from July 2020 to March 2021 in keeping with Council's obligations as landlord under the Retail and Other Commercial Leases (COVID-19) Regulation 2020 (NSW) and associated Mandatory Code of Conduct.

1268/20 That Council review the retail and commercial Mandatory COVID regulation in March 2021 and report back to Council on implication to Metro Lease if applicable.

1269/20 That Council extend the lease via a deed of variation for 2 years at the end of the lease.

1270/20 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that this report and attachments remain confidential in accordance with section 10A(2)(d)(i) of the Local Government Act as it contains commercial information of

a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Council's ability to obtain value for money services for the Central Coast community.

**The Meeting** closed at 7.30 pm.