



## CENTRAL COAST COUNCIL

MINUTES OF THE  
**ORDINARY COUNCIL MEETING OF COUNCIL**  
HELD IN THE COUNCIL CHAMBER  
LEVEL 1, 2 HELY STREET, WYONG  
ON 22 FEBRUARY 2017  
COMMENCING AT 5PM

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### **PRESENT**

Ian Reynolds

### **IN ATTENDANCE**

Chief Executive Officer, Group Leader Environment and Planning, Group Leader Assets Infrastructure and Business, Group Leader Connected Communities, Executive Manager Governance, Chief Financial Officer, Chief Information Officer, Communications Coordinator, Communications and Engagement Officer, Digital and Website Officer and two administration staff.

The Administrator, Ian Reynolds, declared the meeting open at 5.03pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Administrator, Ian Reynolds, delivered the opening prayer and read an acknowledgment of country statement.

At the commencement of the ordinary meeting report nos 1.1, 1.2, 1.3, 1.4, 1.5, 2.1 and 4.1 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.

**1.1 Disclosure of Interest**

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**RESOLVED on the motion of Mr REYNOLDS:**

**46/17 That Council receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.**

**1.2 Proposed Briefings and Inspections**

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**RESOLVED on the motion of Mr REYNOLDS:**

**47/17 That Council receive the report on Proposed Briefings and Inspections.**

**1.3 Address by Invited Speakers**

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Mr John Hancock addressed Council in relation to item 2.1 - Rezoning Request (RZ/7/2016) 275 Geoffrey Road, Chittaway Point at 5.06pm and retired at 5.12pm.

Ms Vicki Scott addressed Council in relation to item 6.2 - Regional Library & Learning Centre - Site Location at 5.14pm and retired at 5.18pm.

Ms Vicki Scott addressed Council in relation to item 6.1 - Regional Performing Arts and Conference Centre, Infrastructure Project - Progress and Site Location at 5.18pm and retired at 5.23pm.

**RESOLVED on the motion of Mr REYNOLDS:**

**48/17 That Council receive the amended report on Invited Speakers.**

**49/17 That Council agree meeting practice may be varied to allow reports from Group Leaders and/or the Chief Executive Officer to be dealt with following an Invited Speaker's address.**

**1.4 Confirmation of Minutes of Previous Meeting**

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**RESOLVED on the motion of Mr REYNOLDS:**

**50/17 That Council confirm the minutes of the previous Ordinary Meeting held on Wednesday, 24 January 2017.**

**Business Arising**

There was no business arising.

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

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**RESOLVED on the motion of Mr REYNOLDS:**

**51/17 That the Council consider the following matters in Confidential Session, pursuant to Section 10A(2)(c) of the Local Government Act 1993:**

**Report No 6.1 Regional Performing Arts and Conference Centre, Infrastructure Project – Progress and Site Location**

**Report No 6.2 Regional Library & Learning Centre - Site Location**

**52/17 That the Council note the reason for considering Report No 6.1 - Regional Performing Arts and Conference Centre, Infrastructure Project – Progress and Site Location is that the report contains;**

**2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**

**53/17 That the Council note the reason for considering Report No 6.2 - Regional Library & Learning Centre - Site Location is that the report contains;**

**2(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.**

**54/17 That the Council request the Chief Executive Officer to report on these matters in open session of Council.**

**Procedural Motion**

**RESOLVED on the motion of Mr REYNOLDS:**

**55/17 That Council adopt, with the exception of Items 2.1, 4.1, 4.2, 4.4, 4.5, 5.2, 6.1 and 6.2 the recommendations contained in the remaining reports. For the sake of clarity, that means that Items 3.1, 4.3, 4.6, 4.7, 5.1 and 5.3 were dealt with in accordance with the recommendations of the Council staff.**

**2.1 Rezoning Request (RZ/7/2016) 275 Geoffrey Road, Chittaway Point**

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Mr John Hancock addressed Council at 5.06pm and retired at 5.12pm.

**RESOLVED on the motion of Mr REYNOLDS:**

**56/17 That Council refuse the request RZ/7/2016 to prepare a planning proposal, on the following grounds:**

- a Inconsistency with the Central Coast Regional Plan 2036;**
- b Inconsistency with:**
  - i) Cl(4) of Section 117(2) Ministerial Direction 2.1 (Environment Protection Zones);**
  - ii) Cl(4) of Section 117(2) Ministerial Direction 2.2 (Coastal Protection);**
  - iii) Cl(4)(a) of Section 117(2) Ministerial Direction 3.2 (Caravan Parks);**
  - iv) Cl (6) of Section 117(2) Ministerial Direction 4.1 (Acid Sulfate Soils);**
  - v) Cl(4)(5) and (6) of Section 117(2) Ministerial Direction 4.3 (Flood Prone Land); and**
  - vi) Cl(4) of Section 117(2) Ministerial Direction 5.10 (Implementation of Regional Strategies);**
- c Inconsistency with the aims and objectives of:**
  - i) State Environmental Planning Policy 14 – Coastal Wetlands;**
  - ii) State Environmental Planning Policy 55 – Remediation of Land; and**
  - iii) State Environmental Planning Policy 71 – Coastal Protection;**
- d Inconsistency with the Tuggerah Lakes Floodplain Risk Management Plan 2014;**
- e Inconsistency with the Department of Planning and Environment’s “Guidance for merged Council’s on planning functions” (May 2016); and**
- f The potential risk to life and property arising from any consequential residential development on the subject site.**

**3.1 Proposed Transfer of Land at Brennon Road, Gorokan**

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**RESOLVED on the motion of Mr REYNOLDS:**

**57/17 That Council authorise the subdivision of the land known as Lot 1 DP 46773 at Brennon Road, Gorokan to create a separate five (5) metre wide, by 30 metre long parcel along the northern boundary of Council’s land and transfer the part lot to the adjoining owners of the land known as Lot 59 DP 30327 at no cost to the Transferees.**

**58/17 That Council authorise the Common Seal of Central Coast Council to be affixed to the formal documents for the transfer of the land.**

**59/17 That Council authorise the Administrator and the Chief Executive Officer to execute all documents.**

**4.1 Community Subsidy Program, Neighbourhood Activation Program and Developing and Recognising Talent Program**

**RESOLVED on the motion of Mr REYNOLDS:**

**60/17 That Council allocate \$9,024.91 from the 2016-17 Community Subsidy Program as follows:**

<b>Applicant</b>	<b>Project</b>	<b>Staff Funding Recommended</b>
<b>Tall Timbers Pony Club</b>	<b>Rates Subsidy</b>	<b>\$1,229.31</b>
<b>Uniting(NSW.ACT)</b>	<b>Venue Hire Sohier Park Playground</b>	<b>\$201.60</b>
<b>Wyong RSL Sub Branch</b>	<b>Road closure for Anzac Day march</b>	<b>\$2,000.00</b>
<b>Norah Head Surfing Fraternity</b>	<b>Beach Permit for surfing competitions at Soldiers Beach</b>	<b>\$1,314.00</b>
<b>Toukley RSL Sub-branch</b>	<b>Road closure for Anzac Day march</b>	<b>\$2,000.00</b>
<b>Playgroup NSW for Norah Head Playgroup</b>	<b>Venue hire of Norah Head Hall</b>	<b>\$1,040.00</b>
<b>Playgroup NSW for Mannering Park Playgroup</b>	<b>Venue hire of Mannering Park Hall</b>	<b>\$1,240.00</b>
<b>Total</b>		<b>\$9,024.91</b>

**61/17 That Council allocate \$5,510.00 from the 2016-17 Neighbourhood Activation Program as follows:**

<b>Applicant</b>	<b>Project</b>	<b>Staff Funding Recommended</b>
<b>Dr Suzanne Laucht</b>	<b>Purchase of a trailer to assist a community organisation to deliver programs providing a community benefit</b>	<b>\$2,000.00</b>
<b>Ben Hunt</b>	<b>The Long Jetty Produce Swap start up costs</b>	<b>\$1,560.00</b>
<b>Toukley Preschool Kindergarten Inc</b>	<b>'Sharing Stories' literacy awareness event</b>	<b>\$1,950.00</b>
<b>Total</b>		<b>\$5,510.00</b>

**62/17 That Council allocate \$6,250.00 from the 2016-17 Developing and Recognising Talent program as follows:**

<b>Applicant</b>	<b>Project</b>	<b>Staff Funding Recommended</b>
<b>Byron Stapleton</b>	<b>Ripcurl Grom Search National Final (Surfing), QLD, representing NSW</b>	<b>\$500.00</b>
<b>Miles Greenwood</b>	<b>53rd Annual Sabot Nationals (Sailing), TAS, representing NSW</b>	<b>\$500.00</b>

<b>Applicant</b>	<b>Project</b>	<b>Staff Funding Recommended</b>
<b>Zenden Hart</b>	<b>National Youth Championships (Soccer), Coffs Harbour, representing NSW</b>	<b>\$250.00</b>
<b>Umina SLSC – Central Coast Trans-Tasman Team</b>	<b>Trans-Tasman Series (Surf Life Saving), New Zealand, representing Surf Life Saving Central Coast</b>	<b>\$5,000.00</b>
<b>Total</b>		<b>\$6,250.00</b>

**4.2 2016-17 Q2 Business Report Central Coast Council**

**RESOLVED on the motion of Mr REYNOLDS:**

**63/17 That Council receive Central Coast Council's Q2 Business Report on progress against Central Coast Council's 2016-17 Operational Plan.**

**64/17 That Council approve the proposed budget amendments included in Central Coast Council's Q2 Business Report for 2016-17.**

**4.3 Adoption of Enforcement Policy**

**RESOLVED on the motion of Mr REYNOLDS:**

**65/17 That Council adopt the Policy for Compliance and Enforcement as amended.**

**66/17 That Council notify all persons who made a submission of adoption of the Policy for Compliance and Enforcement.**

**4.4 Stronger Communities Fund Major Projects Program**

**RESOLVED on the motion of Mr REYNOLDS:**

**67/17 That Council adopt the recommendations for awarding the \$9,000,000 Major Projects Program to the projects outlined in Attachment 2.**

**68/17 That Council advise the community of the results from the voting and panel assessment.**

**69/17 That Council consider that construction of an off-road cycleway along Avoca Drive, Kincumber and construction of an off-road cycleway along Tumbi Road, Wamberal from Central Coast Highway to Bellevue Road as part of the next Central Coast Council Delivery Program in consultation with RMS as they will connect the current cycleway around the Brisbane Water.**

70/17 That Council resolve, for the purposes of s.11(3) of the Local Government Act 1993, that Attachments 1, 2, 3 and 5 are to be treated and remain as confidential because these documents contain information that would, if disclosed confer a commercial advantage on a person with whom Council is conducting (or proposing to conduct) business.

#### 4.5 Library Management System

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**RESOLVED** on the motion of Mr REYNOLDS:

71/17 That Council endorse the recommendation to extend the existing agreement with Insight Informatics for the Libero software, as a hosted solution, converting and importing the existing data from AMLIB.

72/17 That Council approve the amendment to reservation, interlibrary loan, overdue, lost item and damaged item fees to align the fees which are related to the LMS.

73/17 That Council adopt the proposed fees and charges for 2016/2017 as described in Attachment 1, and:

- (a) That Council advertise the amendments referred to in (2) above for a period of 28 days as per ss. 610F and 705 of the Local Government Act 1993.
- (b) That Council apply the proposed fees following the public notification period, subject to no objections.

#### 4.6 Application to name a site in honour of the Wynn Family in Mannering Park

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**RESOLVED** on the motion of Mr REYNOLDS:

74/17 That Council endorse a proposal to name the public path around the foreshore at Mannering Park the 'William and Clarence Wynn walkway' in accordance with the former Wyong Council's Policy for Naming Public Facilities.

75/17 That Council place the proposal on public exhibition for a period of 28 days and consider any submissions received from the community.

#### 4.7 Organisational Structure of Council

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**RESOLVED** on the motion of Mr REYNOLDS:

76/17 That Council determine, pursuant to s. 332(1) of the Local Government Act 1993, that the ongoing organisation structure of Council is as set out in Attachment 2 to this report.

**5.1 Investment Report for January 2017**

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**RESOLVED on the motion of Mr REYNOLDS:**

**77/17 That Council receive the Investment Report for January 2017.**

**5.2 Council Merger Program Update**

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**RESOLVED on the motion of Mr REYNOLDS:**

**78/17 That Council note the report on Council Merger Program Update.**

**5.3 2015 - 2016 End of Council Report**

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**RESOLVED on the motion of Mr REYNOLDS:**

**79/17 That Council note the End of Council Report for 2015 – 2016 for the former Gosford and Wyong Councils.**

**QUESTIONS ON NOTICE**

Nil

**CONFIDENTIAL SESSION**

**RESOLVED unanimously on the motion of Mr REYNOLDS:**

**80/17 That the meeting move into Confidential Session.**

At this stage of the meeting being 5.50pm the meeting moved into Confidential Session with the members of the press and public excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993 as the items listed come within the following provision:-

2(c) *information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*



**OPEN SESSION**

The meeting resumed in open session at 5.51pm and the Chief Executive Officer reported on proceedings of the confidential session of the ordinary meeting as follows:

**6.1 Regional Performing Arts and Conference Centre, Infrastructure Project - Progress and Site Location**

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Ms Vicki Scott addressed Council at 5.18pm and retired at 5.23pm.

**RESOLVED on the motion of Mr REYNOLDS:**

- 81/17 That Council note this report, including the site investigations undertaken to date.**
- 82/17 That Council approve the preferred site location for the proposed Regional Performing Arts and Conference Centre in Gosford as Leagues Club Field, "Georgiana Terrace", Gosford. (Lot 7036/DP1020068, Lot 5 Sec81/DP758466, Lot 7035/DP1020068).**
- 83/17 That should the Leagues Club Field site prove unsuitable, Council investigate the potential opportunities for the Regional Performing Arts and Conference Centre to be located on the former Gosford Public School site including, liaising closely with NSW Government on their redevelopment plans following the Expression of Interest process for mixed use development.**
- 84/17 That Council proceed to take all reasonable steps to expedite the resolution of Native Title Claims and Aboriginal Land Claims on the "Leagues Club Field" site to acquire a portion of the site (approximately 6,500m<sup>2</sup>) from NSW Government for the infrastructure project.**
- 85/17 That Council request the Chief Executive Officer seek confirmation of the funding commitments from Federal and State Government, to ensure funding is secure to progress of the Regional Performing Arts & Conference Centre project.**
- 86/17 That Council commence the process to progress a detailed design for the Regional Performing Arts and Conference Centre.**
- 87/17 That Council revise and update the current business plan of the Regional Performing Arts and Conference Centre, to ensure the business model and venue specification meet the community needs and are economically viable.**
- 88/17 That Council resolve, pursuant to s. 11(3) of the Local Government Act 1993, that this report remain confidential, as the report contains commercially sensitive information which might confer a commercial advantage on a person(s) Council is or may conduct business with.**

**6.2 Regional Library & Learning Centre - Site Location**

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Ms Vicki Scott addressed Council at 5.14pm and retired at 5.18pm.

**RESOLVED on the motion of Mr REYNOLDS:**

- 89/17 That Council approve that the preferred site location for the Regional Library & Learning Centre as the Parkside building 123 Donnison Street Gosford and Council commence negotiations with current tenants regarding their future options.**
- 90/17 That Council commence the process to progress a detailed design for the Regional Library & Learning Centre.**
- 91/17 That Council confirm the funding commitment from Federal Government, to ensure funding is secure to progress the project.**
- 92/17 That Council revise and update the current business plan, to ensure the business model and venue specification meet the community needs and are economically viable.**
- 93/17 That Council resolve, pursuant to s. 11(3) of the Local Government Act 1993, that this report remain confidential, as the report contains commercially sensitive information which might confer a commercial advantage on a person(s) Council is or may conduct business with.**

**THE MEETING** closed at 5.59pm.