



Central Coast Council

Minutes of the Ordinary Meeting of Council

Held in the Council Chamber
49 Mann Street, Gosford
on 12 March 2018
Commencing at 6.30pm

Present

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

In Attendance

Brian Glendenning (Acting Chief Executive Officer), Mike Dowling (Director Assets, Infrastructure and Business), Julie Vaughan (Director Connected Communities), Scott Cox (Director Environment and Planning), Shane Sullivan (Acting Executive Manager Governance) and Vivienne Louie (Chief Financial Officer).

The Mayor, Jane Smith, declared the meeting open at 6.32pm 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.

Apology/Leave of Absence

Moved: **Councillor MacGregor**

Seconded: **Councillor Pilon**

Council as resolved at the Ordinary Meeting of Council held 12 February 2018 granted Councillor Marquart a leave of absence for a period of 12 weeks commencing from 12 February 2018.

It was noted that Councillor Burke had submitted an apology as he would be arriving late. Councillor Burke arrived at 7.27pm during consideration of item 7.1 - Rescission Motion - Coastal Waterways In Crisis.

At the commencement of the ordinary meeting report nos 1.1, 2.1, 6.4, 7.1, 6.8, 1.2, 1.3, U1/18, U2/18 and 3.1 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 Disclosures of Interest

2.1 Mayoral Minute - Climate Change

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as the community may perceive that her former association with the Community Environment Network would be a conflict as it has a position on climate change. Councillor Greenaway chose to remain in the Chamber and participate in discussion and voting as she believes the conflict is so minor that it won't influence the exercising of her public duty.

3.2 2017-18 Community Support Grant Program

Councillor Hogan declared a significant non-pecuniary interest in the matter as her employer, San Remo Neighbourhood Centre, provides programs at the Entrance Neighbourhood Centre and monitors its volunteers. Councillor Hogan stated that she would leave the Chamber during consideration of this matter. This item was resolved by the exception method.

4.2 Gosford City Centre - Bonus Incentives Provision

Mayor Smith declared a less than significant non-pecuniary interest in the matter as she is a former voluntary CEO and board member of the Community Environment Network which may have made some submissions related to this item. Mayor Smith chose to remain in the Chamber and participate in discussion and voting as she believes the conflict to be minor.

4.3 Permanent Protection of Porters Creek Wetland

Mayor Smith declared a less than significant non-pecuniary interest in the matter as she is a former voluntary CEO and board member of the Community Environment Network which may have made some submissions related to this item. Mayor Smith chose to remain in the Chamber and participate in discussion and voting as she believes the conflict to be minor.

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as she is in contact with a Gliding of Australia member. Councillor Gale Collins chose to remain in the Chamber and participate in discussion and voting as the member is not involved in any way with the Airport.

6.3 Notice of Motion - Woy Woy Rail Underpass at Woy Woy Road

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as her husband is a member of the Peninsular Chamber of Commerce. Councillor Gale Collins chose to remain in the Chamber and participate in discussion and voting as the matter does not impact her decisions on advocating for infrastructure.

Councillor Mehrtens declared a less than significant non-pecuniary interest in the matter as his employer will be the recipient of a letter referred to in the motion. Councillor Mehrtens chose to remain in the Chamber and participate in discussion and voting as the matter is not significant enough to cause concern for his employer, and his vote and consideration will be for the community.

6.5 Notice of Motion - Affordable Housing

Councillor Mehrtens declared a less than significant non-pecuniary interest in the matter as his employer will be the recipient of a letter referred to in the motion. Councillor Mehrtens chose to remain in the Chamber and participate in discussion and voting as the matters are not significant enough to cause concern for his employer, and his vote will be guided by community interest.

6.6 Notice of Motion - Shade Trees

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as the community may perceive that her former association with the Community Environment Network would have an impact as it may have made a submission on trees. Councillor Greenaway chose to remain in the Chamber and participate in discussion and voting as she believes the conflict is so minor that it won't influence the exercising of her public duty.

7.1 Rescission Motion - Coastal Waterways In Crisis

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as her husband is a member of the Peninsular Chamber of Commerce. Councillor Gale Collins chose to remain in the Chamber and participate in discussion and voting as the matter does not impact her decision making capabilities.

U1/18 TafeNSW Outreach Programs

Clr Best declared a less than significant non-pecuniary interest in the matter as he is the General Manager of Central Coast Group Training that hosts apprentices through TafeNSW. Councillor Best chose to remain in the Chamber and participate in discussion and voting as he viewed any conflict as minor.

Moved: **Councillor Greenaway**

Seconded: **Councillor Sundstrom**

Resolved

126/18 That Council receive the report on Disclosures of Interest and note advice of disclosures.

For:

Unanimous

Procedural Motion – Address by Invited Speakers

Moved: **Councillor MacGregor**

Seconded: **Councillor Gale Collins**

127/18 That Council invite the following speakers to address Council:

SPEAKERS	REPORT
Mr Patrick Aiken In favour of the motion	2.1 – Mayoral Minute - Climate Change
Mr Frank Attard In favour of the motion Mr Garry Blaschke In favour of the motion	6.4 – Notice of Motion Central Coast Pathways Sub Committee
Ms Jenny Dennis In favour of the motion	6.8 – Notice of Motion – Carters Road Lake Munmorah
Mr Matthew Wales In favour of the motion	7.1 – Rescission Motion - Coastal Waterways in Crisis

For:

Unanimous

Procedural Motion – Suspension of Standing Orders

Moved: **Councillor MacGregor**

Seconded: **Councillor Vincent**

Resolved

128/18 That Council suspend standing orders and consider items 2.1, 6.4, 6.8 and 7.1 after each speaker address and then the remaining items in agenda sequence.

For:

Unanimous

1.2 Confirmation of Minutes of Previous Meeting

Councillor Hogan left the Chamber at 8.16pm, returned at 8.20pm and was absent for the vote.

Councillor Vincent left the Chamber at 8.17pm, returned at 8.27pm and was absent for the vote.

Moved: Councillor Holstein
Seconded: Councillor Gale Collins

Resolved

129/18 That Council confirm the minutes of the previous Ordinary Meeting of the Council held on 26 February 2018 noting the following:

- **Amend Resolution 3 of item 5.1 Notice of Motion – Riggs on the Horizon to - That Council recognises the urgency around this matter and that a delegation make representation to the Federal Minister to intervene.**
- **Councillor Greenaway noted a more detailed disclosure of interest in item 2.2 Tree and Vegetation Management - Outcomes of Community Consultation. Councillor Greenaway stated that she has a less than significant non-pecuniary interest in the matter in that she has been a long standing member of the Bateau Bay Bush Care Group, was formerly on the State Executive of Land Care NSW, a former board member of Community Environment Network, a former member of Trees Bateau Bay and had an association with Save Wyong Trees. She received no remuneration from any positions held and therefore elected to remain in the Chamber as she believes the conflict, if any, is extremely minor and does not influence her ability to perform her public duty.**

For:
Unanimous

1.3 Notice of Intention to Deal with Matters in Confidential Session

Councillor Vincent left the Chamber 8.17pm, returned 8.27pm and was absent for the vote.

Moved: Mayor Smith
Seconded: Councillor Greenaway

Resolved

130/18 That Council note the reports provided to Councillors on the following items:

- **Report 8.1 Legal Advice – Chapter 3.6 of the Wyong Shire Development Control Plan 2013 – resolutions of 27 November 2017 and 26 February 2018.**

- **Report 8.2 Legal Advice – lease and agreement for lease with AAI – resolution of 12 February 2018.**

131/18 That Council defer consideration of these matters to the Ordinary Meeting of Council to be held 26 March 2018.

**For:
Unanimous**

**U1/18 TafeNSW Outreach Programs
Councillor Lisa Matthews**

The Mayor declared the matter was of great urgency.

Clr Best declared a less than significant non-pecuniary interest in the matter as he is the General Manager of Central Coast Group Training that hosts apprentices through TafeNSW. Councillor Best chose to remain in the Chamber and participate in discussion and voting as he viewed any conflict as minor.

Procedural Motion

Resolved

**Moved: Councillor Matthews
Seconded: Councillor Sundstrom**

132/18 That Council consider a motion of urgency regarding the TafeNSW Outreach Programs.

**For:
Unanimous**

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

Resolved

133/18 That Council call on TafeNSW to restore the Outreach Programs to Wyong Campus given their great success in supporting a diverse range of students to access the skills needed to participate in further tertiary education.

**For:
Unanimous**

Procedural Motion - Exception

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

134/18 ***That with the exception of the following reports, Council adopt the recommendations contained in the remaining reports:***

Item	Title
3.1	Deferred Item - Ethical Investments
4.2	Gosford City Centre - Bonus Incentives Provision
4.3	Permanent Protection of Porters Creek Wetland
6.1	Deferred Item - Notice of Motion - Curbside Waste
6.2	Deferred Item - Notice of Motion - Graffiti
6.3	Notice of Motion - Woy Woy Rail Underpass at Woy Woy Road
6.5	Notice of Motion - Affordable Housing
6.6	Notice of Motion - Shade Trees
6.9	Notice of Motion - Copyright Policy
U2/18	Urgency Motion – RPACC – Closed Session

135/18 ***That Council adopt the following items en-masse and in accordance with the report recommendations.***

Item	Title
3.2	2017-18 Community Support Grant Program
3.3	Renaming the New Regional Sporting and Recreation Complex Situated at Tuggerah
4.1	Mangrove Mountain and Spencer Advisory Committee
6.7	Notice of Motion - Renaming the Entrance Ocean Baths

For:
Unanimous

At this stage of the meeting being 8.42pm, Council adjourned the meeting.

Council resumed the meeting at 8.59pm.

2.1 Mayoral Minute - Climate Change

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as the community may perceive that her former association with the Community Environment Network would be a conflict as it has a position on climate change. Councillor Greenaway chose to remain in the Chamber and participate in discussion and voting as she believes the conflict is so minor that it won't influence the exercising of her public duty.

Mr Patrick Aiken addressed Council at 6.40pm.

Moved: Mayor Smith

That council:

- 1 Commit to strong action on climate change including mitigation and adaptation measures.*
- 2 Investigate, and if appropriate, apply to join the free program Cities Power Partnership (CPP).*
- 3 Request the Acting Chief Executive Officer to convene a workshop and briefing on climate change for Councillors.*
- 4 Develop a Central Coast Climate Change Policy that includes, but is not limited to, initiatives such as:
 - a Targets consistent with the Paris Agreement and an action plan to reduce greenhouse gas emissions in Council's operations and activities*
 - b Initiatives to promote actions on climate change within the Central Coast community, development, business and industry sectors, including the uptake of renewable energy*
 - c An overview of issues related to adaptation to climate change including emergency management (including bushfires and extreme weather events), sea level rise, risks to and management of infrastructure and impacts on biodiversity and ecosystems.**
- 5 Provide a report outlining progress against these actions by July, 2018.*

Amendment Moved: Councillor Best

Amendment Seconded: Councillor McLachlan

- 1 That Council note with great concern that, embedded in Mayoral Minute 2.1, there are a raft of significant initiatives.*
- 2 That Council now take a more inclusive and transparent approach to this issue.*
- 3 That staff brief Council on this issue and implications of seeking to enforce item 1 to 4 of agenda item 2.1 on our community with absolutely no consultation.*

For:
Councillors Gale Collins, Pilon, McLachlan and Best

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

The Amendment was put to the vote and declared LOST.

Resolved

That council:

- 136/18** ***Commit to strong action on climate change including mitigation and adaptation measures.***
- 137/18** ***Investigate, and if appropriate, apply to join the free program Cities Power Partnership (CPP).***
- 138/18** ***Request the Acting Chief Executive Officer to convene a workshop and briefing on climate change for Councillors.***
- 139/18** ***Develop a Central Coast Climate Change Policy that includes, but is not limited to, initiatives such as:***
- a*** ***Targets consistent with the Paris Agreement and an action plan to reduce greenhouse gas emissions in Council's operations and activities***
 - b*** ***Initiatives to promote actions on climate change within the Central Coast community, development, business and industry sectors, including the uptake of renewable energy***
 - c*** ***An overview of issues related to adaptation to climate change including emergency management (including bushfires and extreme weather events), sea level rise, risks to and management of infrastructure and impacts on biodiversity and ecosystems.***
- 140/18** ***Provide a report outlining progress against these actions by July, 2018.***

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

Against:
Councillors Gale Collins, Pilon, McLachlan and Best

3.1 Deferred Item - Ethical Investments

Moved: Councillor MacGregor

Seconded: Councillor Mehrtens

- 1 That Council note the deferred Ethical Investments report which is Attachment 1 to this report.
- 2 That Council authorise the investment in Green Bonds within the existing guidelines of the Policy for Investment Management when Council has funds available for investment and financial institutions with appropriate credit ratings are offering Green Bonds.

Amendment Moved: Councillor Best

Amendment Seconded: Councillor Pilon

- 1 That Council note the deferred Ethical Investments report which is Attachment 1 to this report.
- 2 That Council authorise the investment in Green Bonds within the existing guidelines of the Policy for Investment Management when Council has funds available for investment and financial institutions with appropriate credit ratings are offering Green Bonds.
- 3 That staff report to Council all green bond purchase options prior to taking up any bonds.

For:

Councillors Holstein, Gale Collins, Pilon,
McLachlan, Burke and Best

Against:

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

The Amendment was put to the vote and declared LOST.

Resolved

141/18 That Council note the deferred Ethical Investments report which is Attachment 1 to this report.

142/18 That Council authorise the investment in Green Bonds within the existing guidelines of the Policy for Investment Management when Council has funds available for investment and financial institutions with appropriate credit ratings are offering Green Bonds.

A division was called by Councillor Vincent and Hogan.

For:

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

Against:

**Councillors Pilon, McLachlan, Burke and
Best**

3.2 2017-18 Community Support Grant Program

Councillor Hogan declared a significant non-pecuniary interest in the matter as her employer, San Remo Neighbourhood Centre, provides programs at the Entrance Neighbourhood Centre and monitors its volunteers. Councillor Hogan stated that she would leave the Chamber during consideration of this matter. This item was resolved by the exception method.

Moved: Councillor Matthews
Seconded: Councillor MacGregor

Resolved

143/18 That Council allocate \$10,434 for the Community Support Grant Program from the 2017-18 grants budget as outlined in the 2017-18 Community Support Grant Program - Recommended for funding (Attachment 1).

144/18 That Council decline applications as outlined in the 2017-18 Community Support Grant Program - Not recommended for funding (Attachment 2).

For:
Unanimous

3.3 Renaming the New Regional Sporting and Recreation Complex Situated at Tuggerah

Moved: Councillor Matthews
Seconded: Councillor MacGregor

Resolved

145/18 That Council adopts the name change to 'Central Coast Regional Sporting and Recreation Complex'.

For:
Unanimous

4.1 Mangrove Mountain and Spencer Advisory Committee

Moved: Councillor Matthews
Seconded: Councillor MacGregor

Resolved

146/18 That Council note the meeting record that is attached to this report.

For:
Unanimous

4.2 Gosford City Centre - Bonus Incentives Provision

Mayor Smith declared a less than significant non-pecuniary interest in the matter as she is a former voluntary CEO and board member of the Community Environment Network which may have made some submissions related to this item. Mayor Smith chose to remain in the Chamber and participate in discussion and voting as she believes the conflict to be minor.

Moved: Mayor Smith

Seconded: Councillor MacGregor

Resolved

That Council:

- 147/18 Receive and note the status report on "Gosford City Centre Bonus Incentive Provisions."**
- 148/18 Note the work of the former Gosford City Council in providing incentive mechanisms including 30% bonus incentive for height and floor space ratio and a reduction in required Developer Contributions, and the resultant "landbanking" that has stalled development in the Gosford CBD**
- 149/18 Note the current planning controls in Gosford City Centre allow heights up to 72 m building height (approx 20 storeys) in some areas**
- 150/18 Note the significant investment of Council and other Stakeholders in promoting development and revitalisation of Gosford City Centre including**
- a Commitment of funds to Regional Performing Arts and Conference Centre**
 - b Commitment of funds to the Gosford Regional Library**
 - c Recent investment in upgrading infrastructure in the Gosford CBD for increased development**
 - d Investment by University of Newcastle in the expansion of Gosford Hospital**
 - e Investment by Federal Government in establishing ATO and Finance operations in Gosford CBD**
- 151/18 Request the Acting Chief Executive Officer:**
- a prepare the following reports:**
 - b Sustainability initiatives incorporated into the Gosford City Centre planning instruments including, but not limited to, initiatives and benchmarks related to water, energy, waste and open space.**
 - ii. Traffic, Transport and Parking strategy for the Gosford City Centre.**
 - iii. Proposed City Activation initiatives incorporating the use of public spaces and Council assets.**

- c Provide a detailed overview of planning in the Gosford City Centre as part of the upcoming Councillor workshop on the Urban Design Implementation Framework**
- d Investigate mechanisms available to encourage approved developments to proceed in a timely manner.**

For:

Unanimous

4.3 Permanent Protection of Porters Creek Wetland

Mayor Smith declared a less than significant non-pecuniary interest in the matter as she is a former voluntary CEO and board member of the Community Environment Network which may have made some submissions related to this item. Mayor Smith chose to remain in the Chamber and participate in discussion and voting as she believes the conflict to be minor.

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as she is in contact with a Gliding of Australia member. Councillor Gale Collins chose to remain in the Chamber and participate in discussion and voting as the member is not involved in any way with the Airport.

Moved: Mayor Smith

Seconded: Councillor MacGregor

Resolved

152/18 That Council request that the Acting Chief Executive Officer

- a arrange for a meeting (attended by the Mayor, the Acting Chief Executive Officer, Director Assets Infrastructure and Business and Director Environment and Planning) to meet with staff from the Office of Environment and Heritage, Department of Planning and other relevant stakeholders to identify mechanisms to permanently protect Porters Creek Wetland; and**
- b report the outcomes of these investigations to Council no later than the Ordinary Meeting of 23 April, 2018**

For:

Unanimous

6.1 Deferred Item - Notice of Motion - Curbside Waste

Moved: Councillor Vincent
Seconded: Councillor Mehrtens

Resolved

153/18 That Council note with concern the increasing number and large amounts of green and household waste which are left on local curb side streets for months on end.

154/18 That Council request the Acting Chief Executive Officer to convene a Councillor briefing and then provide a report to Council outlining feasible policy, infringement and contractual options that Council can implement to reduce the amount of waste that is left on local curb sides and streets.

For:
Unanimous

6.2 Deferred Item - Notice of Motion – Graffiti

Moved: Councillor Vincent
Seconded: Councillor Hogan

Resolved

155/18 That Council note with concern the increasing amount of graffiti that is present on local buildings, fences and infrastructure.

156/18 That Council request the Acting Chief Executive Officer to convene a Councillor briefing and then provide a report to Council outlining feasible policy, infringement and community programs that Council can implement, facilitate or support to reduce the amount of graffiti in local town centres and residential suburbs.

For:
Unanimous

6.3 Notice of Motion - Woy Woy Rail Underpass at Woy Woy Road

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as her husband is a member of the Peninsular Chamber of Commerce. Councillor Gale Collins chose to remain in the Chamber and participate in discussion and voting as the matter does not impact her decisions on advocating for infrastructure.

Councillor Mehrtens declared a less than significant non-pecuniary interest in the matter as his employer will be the recipient of a letter referred to in the motion. Councillor Mehrtens chose to remain in the Chamber and participate in discussion and voting as the matter is not significant enough to cause concern for his employer, and his vote and consideration will be for the community.

Moved: Councillor Holstein
Seconded: Councillor Mehrtens

- 1 That Council prepare a position statement of benefit and need for the works for the presentations to the Government and opposition.
- 2 That Council make representation to the NSW Government, Premier, Transport Minister, Roads Minister and Parliamentary Secretary of the Central Coast, to recommitment funding to the Woy Woy rail underpass at Woy Woy Road.
- 3 That Council make representation to the Leader of the NSW State opposition, respective shadow ministers and Gosford State member to seek a funding commitment if they win the next state election.

Amendment Moved: Councillor Gale Collins
Amendment Seconded: Councillor Burke

- 1 That Council prepare a position statement of benefit for Rawson Road Woy Woy underpass.
- 2 That Council staff meet with transport for NSW to investigate the real cost of the project and request funding for a business case for the Rawson Road underpass.
- 3 That Council be briefed on the costing of a business case for the underpass and consider to contribute financially to the business case cost.

For:
Councillors Gale Collins, Pilon and Burke

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

The Amendment was put to the vote and declared LOST.

Resolved

- 157/18 That Council prepare a position statement of benefit and need for the works for the presentations to the Government and opposition.**

158/18 *That Council make representation to the NSW Government, Premier, Transport Minister, Roads Minister and Parliamentary Secretary of the Central Coast, to recommitment funding to the Woy Woy rail underpass at Woy Woy Road.*

159/18 *That Council make representation to the Leader of the NSW State opposition, respective shadow ministers and Gosford State member to seek a funding commitment if they win the next state election.*

For:

Unanimous

6.4 Notice of Motion - Central Coast Pathways Sub Committee

Mr Frank Attard addressed Council at 7.05pm

Mr Garry Blaschke addressed Council at 7.10pm

Moved: **Councillor Gale Collins**

Seconded: **Councillor Vincent**

Resolved

160/18 *That Council finalise the Central Coast Region Wide Strategy for Pedestrian Access and Mobility Plan (PAMP) and Bike Plan, and form a Pedestrian Access and Mobility Advisory Committee to address the all inclusion needs for our seniors, families and people with a disability on the Central Coast.*

For:

Unanimous

6.5 Notice of Motion - Affordable Housing

Councillor Mehrtens declared a less than significant non-pecuniary interest in the matter as his employer will be the recipient of a letter referred to in the motion. Councillor Mehrtens chose to remain in the Chamber and participate in discussion and voting as the matters are not significant enough to cause concern for his employer, and his vote will be guided by community interest.

Moved: **Councillor Greenaway**

Seconded: **Councillor MacGregor**

Resolved

161/18 *That Council supports and recognises the need for social and affordable housing outcomes for the Central Coast and commits to work with the State Government to deliver same.*

162/18 *That Council writes to the Minister of Planning the Honourable Anthony Roberts MP, to seek a review of the SEPP to:*

- i) analyse the effectiveness of AH SEPP in meeting its objectives including the proportion of very low to moderate income earners occupying boarding houses;*
- ii) improve the design standards by including amenity provisions and amount of private living space.*
- ii) provide for this much needed type of housing but in a form that respects local character and the amenity of the whole community and allows us to plan infrastructure to support it. Public transport, parking on site (or alternatives such as Car share) and Density controls should be immediately amended / included in the review so that parking provisions in the AH SEPP reflect the locality, zoning, transport availability and proximity to services in the local area.*

163/18 *Council writes to the NSW Government Minister for Planning, and all Central Coast State MPs urging a moratorium and review of the State Environmental Planning Policy (Affordable Rental House) 2009, including insofar as it relates to boarding houses, with such review to consider the following changes:*

- i) limiting the zoning type in which boarding house developments can occur by reducing the distance they must be from transport hubs and B2 (Local Centre) and B4 (Mixed Use) zones, or by prohibiting boarding house development in certain residential zones*
- ii) increasing the number of car spaces per boarding house room*

For:

Unanimous

Procedural Motion – Deferral of Matters

Moved: *Mayor Smith*

Resolved

164/18 *That Council defer the remaining matters being 6.6 and 6.9 to the next Ordinary Meeting of Council being held 26 March 2018 in accordance with the adopted Code of Meeting Practice with the exception of the following items:*

- U2/18 – Regional Performing Arts and Conference Centre – Potential Alternative Sites**
- Questions on Notice**

For:

Unanimous

6.6 Notice of Motion - Shade Trees

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as the community may perceive that her former association with the Community Environment Network would have an impact as it may have made a submission on trees. Councillor Greenaway chose to remain in the Chamber and participate in discussion and voting as she believes the conflict is so minor that it won't influence the exercising of her public duty.

This matter was deferred to the Ordinary Meeting of Council to be held 26 March 2018.

6.7 Notice of Motion - Renaming the Entrance Ocean Baths

Moved: Councillor Matthews
Seconded: Councillor MacGregor

Resolved

165/18 That Council rename The Entrance Ocean Baths to 'The Grant McBride Baths'.

For:
Unanimous

6.8 Notice of Motion - Carters Road, Lake Munmorah

Ms Jenny Denniss addressed Council at 7.55pm

Moved: Councillor Hogan
Seconded: Councillor Vincent

Resolved

166/18 That Council notes that the ongoing traffic issues at Carters Road pose a real threat to pedestrian and motorists safety.

167/18 That Council notes that these safety concerns require urgent attention.

168/18 That Council prioritise Carters Road when applying for funding for large infrastructure Projects.

169/18 That in the interim, Council commits to funding a feasibility study which investigates the costs of options to address Carters Rd ongoing issues in the 2018/19 budget which includes but is not limited to:

a The construction of a through road from Carters Road to Tall Timbers Road

- b The construction of a through road from Carters Road to Scaysbrook Ave, Chain Valley Bay**
- c The construction of a through road from Carters Road to Chain Valley Bay North.**
- d Advise what stage the Lake Munmorah Masterplan is at, what is the timeframe for completion and when will it go on exhibition for community comment.**

For:

Unanimous

6.9 Notice of Motion - Copyright Policy

This matter was deferred to the Ordinary Meeting of Council to be held 26 March 2018.

7.1 Rescission Motion - Coastal Waterways In Crisis

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as her husband is a member of the Peninsular Chamber of Commerce. Councillor Gale Collins chose to remain in the Chamber and participate in discussion and voting as the matter does not impact her decision making capabilities.

Councillor Burke arrived at the Chamber at 7.27pm during consideration of this item.

Mr Matthew Wales addressed Council at 7.27pm.

Moved: Councillor Best

Seconded: Councillor Pilon

170/18 That the following resolution carried at the Ordinary Meeting of Council held on 26 February 2018 be rescinded:

1 That Council defer this matter pending a detailed briefing from staff covering concerns raised by Councillors including:

- Legal advice**
- The current dredging strategies and the recent history**
- An understanding of how the estuaries function**
- Cost implications of the various options**

A division was called by Councillors Burke and Best.

For:

Councillors Gale Collins, Pilon, McLachlan, Burke and Best

Against:

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

The motion was put to the vote and declared LOST. The motion was not rescinded and the original resolution of Council stands.

U2/18 Regional Performing Arts and Conference Centre - Potential Alternative Sites

The Mayor declared the matter was of great urgency.

***Moved: Mayor Smith
Seconded: Councillor Gale Collins***

Resolved

171/18 That Council consider a motion of urgency regarding potential alternative sites for the Regional Performing Arts and Conference Centre.

***For:
Unanimous***

Procedural Motion – Urgency Motion in Closed Session

***Moved: Mayor Smith
Seconded: Councillor Vincent***

Resolved

172/18 That Council consider this urgency motion in closed session.

<i>For:</i>	<i>Against:</i>
<i>Mayor Smith and Councillors Holstein, Mehrrens, Sundstrom, Gale Collins, Matthews, MacGregor, Pilon, McLachlan, Greenaway, Burke, Vincent and Hogan</i>	<i>Councillor Best</i>

Procedural Motion – Closed Session

***Moved: Councillor Burke
Seconded: Councillor Hogan***

Resolved

173/18 That the meeting move into Closed Session.

***For:
Unanimous***

At this stage of the meeting being 10.31pm the meeting moved into Closed 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 provisions:-

- 2(d)(i)(ii) *commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, or confer a commercial advantage on a competitor of the Council.*

Open Session

Moved: **Councillor Holstein**
Seconded: **Councillor Gale Collins**

Resolved

174/18 That the meeting move into Open Session.

For:
Unanimous

The meeting resumed in open session at 10.49pm and the Acting Chief Executive Officer reported on proceedings of the closed session of the ordinary meeting as follows:

Moved: **Councillor Holstein**
Seconded: **Councillor Mehrtens**

Resolved

175/18 That Council resolve that the following sites are alternate sites for the proposed Regional Performing Arts and Conference Centre (RPACC) as detailed in the Confidential Attachment 2:

Site 1, Site 2, Site 4, Site 5, Site 6, and Site 8 (including a small portion of the adjoining land).

176/18 That Council request that the Acting Chief Executive Officer urgently provide a cost analysis on each of the alternate sites in Resolution 1 above.

177/18 That Council resolve that the attachment 2 to this report remain confidential because that attachment includes commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it, or Confer a commercial advantage on a competitor of the Council.

178/18 That resolution 3 above does not prevent Council providing details of the sites referred to in resolution 1 in confidence to the NSW Government and Commonwealth Government for the purpose of informing their funding bodies.

For:
Unanimous

Questions on Notice

Q13/18 Dirt Road Dust Issues at Chain Valley Bay Councillor Doug Vincent

Residents at the intersection of Chain Valley Bay Road and Mulloway Road have reported dust issues from the adjoining dirt link road, which connects Chain Valley Bay Road with Kanangra Drive.

Could staff please advise if sealing the first 50m of this direct road could alleviate the dust problem.

Could staff also advise with government body would be responsible for the dirt link road.

Q14/18 Development Concerns at Moola Road Buff Point Councillor Doug Vincent

Whilst Council was in administration last year a development was passed by the administrator in Moola Road Buff Point for a 5 x 3 bedroom houses on one block of land, which attracted a lot of attention from the local community.

The main issues appeared to be:

- 1 Parking on the street*
- 2 Drainage and flooding at the end of the road*
- 3 Bin collections and bin spacing*

During the presentations by the public the administrator indicated the Council would look to address some of the issues raised by residents on the night. Could staff please provide an update on Council's efforts to address the issues raised, particularly regarding the street drainage and signage.

Q15/18 2015 Council Resolution - Airport Masterplan Councillor Louise Greenaway

Would staff please confirm which resolution of 2015 is the one that was relied on to engage consultants to prepare the reports in 2017 in the relation to the Airport Masterplan.

Q16/18 Pedestrian Pathway - Empire Bay Public School Councillor Rebecca Gale Collins

Could staff please provide advice in relation to the following inquiry:

President of Empire Bay Public School P and C has requested that Greenfield Road and Empire Bay Drive have a pedestrian pathway so that the students can walk safely to school.

Q17/18 Umina Beach Erosion
Councillor Rebecca Gale Collins

Could staff please provide advice in relation to the following inquiry:

Council's excavator at Umina Beach is causing further erosion. Instead of dragging sand off the beach, up to the dune which drops the beach profile, Council should be dragging sand off the dune to reshape the beach profile.

Q18/18 Council's Actions - Central Coast Regional Plan
Councillor Richard Mehrrens

In the Central Coast Regional Plan Implementation Plan document 2016-18 they list 110 actions to deliver the plan. 91 of those actions are identified as being Council's responsibility with 19 identified as being State Government or other. Has the State Government provided what resources are required to deliver on these 91 actions? And has the State Government provided any further resources to help Council complete those 91 actions?

Q19/18 Report on Gosford Parking Strategy Objectives
Councillor Chris Holstein

When can the Councillors expect a report on the Gosford parking strategy short and long term objectives?

The Meeting closed at 10.54pm.