



Central Coast Council

## Ordinary Council Meeting

Held in the Council Chamber  
2 Hely Street, Wyong

9 March 2021

# MINUTES

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### **Present**

Dick Persson AM

### **In Attendance**

Rik Hart	Acting Chief Executive Officer
Malcolm Ryan	Chief Operating Officer
Natalia Cowley	Acting Director Corporate Affairs
Boris Bolgoff	Director Infrastructure Services
Julie Vaughan	Director Connected and Recreation Communities
Scott Cox	Director Environment and Planning
Daniel Kemp	Acting Director Water and Sewer

### **Notes**

The Administrator, Dick Persson AM, declared the meeting open at 6.28pm 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 6.29pm and advised the meeting would resume following the conduct of the Open Forum.

The Open Forum commenced at 6.29pm with the speakers addressing the Council on each of the subjects below;

- Chantelle Baistow - Popular vote on de-amalgamation
- Wolfgang Koerner - Referendum questions
- Sue Bradley - Sustainable Community Garden known as SWAMP
- Grahame Crough - Sustainable Community Garden known as SWAMP

The Open Forum closed with the Ordinary Meeting resuming at 6.50pm.



**1.1 Disclosures of Interest**

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Time commenced: 6.51pm

Moved: Mr Persson AM

**51/21 Resolved**

*That Administrator and staff now disclose any conflicts of interest in matters under consideration by Council at this meeting.*

**1.2 Confirmation of Minutes of Previous Meeting**

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Time commenced: 6.51pm

Moved: Mr Persson AM

**52/21 Resolved**

*That Council confirm minutes of the Ordinary Meeting of Council held on 23 February 2021 and of the Extraordinary Meeting of Council held on 25 February 2021.*

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

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Time commenced: 6.51pm

Moved: Mr Persson AM

**53/21 Resolved**

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

**2.1 Request for Memorial Plaque**

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Time commenced: 6.52pm

Moved: Mr Persson AM

**54/21 Resolved**

*That Council approve the application by Mrs Dowling for a memorial plaque to be installed in memory of her late husband, Mr Robert Dowling.*

**3.1 Adoption of Gifts and Benefits Policy**

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Time commenced: 6.53pm

Moved: Mr Persson AM

**55/21 Resolved**

- 1 *That the draft Gifts and Benefits Policy that is Attachment 1 to this report be adopted.*
- 2 *That Council write to each submission maker thanking them for their submission and advising of the outcome.*

**3.2 Adoption of Lobbying Policy**

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Time commenced: 6.53pm

Moved: Mr Persson AM

**56/21 Resolved**

- 1 *That the draft Lobbying Policy that is Attachment 1 to this report be adopted.*
- 2 *That Council write to the submission maker thanking them for their submission and notifying them of the outcome.*

**3.3 Adoption of Draft Code of Meeting Practice for the purpose of public exhibition**

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Time commenced: 6.54pm

Mr Lachlan Smith, addressed the meeting at 6.55pm.

Moved: Mr Persson AM

**57/21 Resolved**

- 1 *That in accordance with section 361 of the Local Government Act that a draft Code of Meeting Practice as attached be placed on public exhibition for a period of not less than 28 days, with submissions accepted for a period of not less than 42 days with the following amendment:*
  - *Removal of provision for the conduct of Council Meetings at Gosford Administration Building*
- 2 *That in accordance with section 362 of the Local Government Act a further report be provided to Council following the conduct of the public exhibition period as a late report*

*to the Council Meeting of 27 April 2021.*

- 3 *That commencing as soon as administratively practicable, the Agenda Paper for Council Meetings be distributed by 5pm three business days before the meeting and that the impacts of this process be reported to Council as part of the consideration of submissions.*

**3.4 Meeting Record of the Tourism Advisory Committee Meeting held 15 December 2020**

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Time commenced: 7.04pm

Moved: Mr Persson AM

**58/21 Resolved**

*That Council endorse the Tourism Advisory Committee's request that the outcomes of the Waterway Activation Study, RV Feasibility Study, and Eco and Rural Tourism Study to incorporate priority actions in the new Destination Management Plan to be developed for 2022-2025 noting that this will be the subject of a future report to Council.*

**3.5 Outcome of Forensic Audit**

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Time commenced: 7.04pm

Mr Kevin Brooks, addressed the meeting at 7.05pm.

Moved: Mr Persson AM

**59/21 Resolved**

- 1 *That Council receive the "Clayton Utz Legal and Financial Forensic Review closeout document" attached to this report.*
- 2 *That Council note that the reporting requirements in accordance with resolution 1081/20 have now been met.*
- 3 *That Council note that it will continue to receive a monthly report to a Council meeting detailing the financial position of Council at month end (being the Investment Report) as required under the Local Government Act 1993.*

**4.1 Biodiversity Stewardship Agreement for Council reserve at Glenning Valley**

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Time commenced: 7.24pm

Moved: Mr Persson AM

**60/21 Resolved**

*That, in accordance with resolution 1004/18 of 12 November 2018, Council note this report and endorse the biodiversity stewardship agreement between the Biodiversity Conservation Trust and Council for R0345 Bomaderry Crescent Bushland and R0346 Bundeena Road Bushland, Glenning Valley and application to the Department of Planning, Industry and Environment (NSW) to transfer Biodiversity Offsets Scheme credits generated by the biodiversity stewardship agreement to Transport for NSW in return for \$1,523,973.*

**4.2 Central Coast Local Environmental Plan - Inclusion of Council owned Deferred Matters Land**

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Time commenced: 7.25pm

Mr Gary Chestnut, addressed the meeting at 7.25pm.

Mr Chris Smith, addressed the meeting at 7.32pm.

Ms Barbara Wills, addressed the meeting at 7.36pm.

Moved: Mr Persson AM

**61/21 Resolved**

1 *Further to Council's resolution of 14 December 2020 to adopt the Central Coast Local Environmental Plan and Development Control Plan, that the following be included:*

- a) *That all Council owned COSS land listed in Attachment 1 be zoned to E2 Environmental Conservation.*
- b) *That all Council owned land listed in Attachment 2 be zoned as per the recommendations in Attachment 2.*

2 *That Council notify The Department of Planning, Industry & Environment (DPIE) of this decision and submit the draft CCLEP and supporting information to DPIE for approval and that public notification procedures for the draft CCDCP be undertaken.*

**4.3 Project Update for Wamberal Beach Terminal Protection and Sand Nourishment - Investigation and Concept Design**

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Time commenced: 7.46pm

Mr Mark Ellis, addressed the meeting at 7.46pm.

Moved: Mr Persson AM

**62/21 Resolved**

*That Council receive the report on Project Update for Wamberal Beach Terminal Protection and Sand Nourishment - Investigation and Concept Design.*

**4.4 Adoption of Killarney Vale Long Jetty Catchments Floodplain Risk Management Study and Plan**

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Time commenced: 7.54pm

Moved: Mr Persson AM

**63/21 Resolved**

*That Council adopt the draft Killarney Vale/Long Jetty Catchments Floodplain Risk Management Study and Plan (Links to Report – [Link 1](#), [Link 2](#)) amended as follows:*

- a) *Inclusion of Chapter 10 titled 'Options for Managing the Potential Future Flood Risk.'*
- b) *Inclusion of the flood modification option in Table 24 of roadworks and the installation of kerb and gutter along Elsiemer Street and Pacific Street, Long Jetty as well as progressively across both catchments as funding allows.*
- c) *Amendment of Table 1 such that the implementation responsibility for FM1 & FM2 (works on Wyong Road) be RMS/Council and the implementation responsibility for FM4 (works adjoining Central Coast Highway) be Reef Resort Owner/RMS/Council.*

**4.5 Adoption of Wallarah Creek Catchments Floodplain Risk Management Study and Plan**

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Time commenced: 7.55pm

Moved: Mr Persson AM

**64/21 Resolved**

*That Council adopt the draft Wallarah Creek Catchment Floodplain Risk Management Study and Plan (Links to Report – [Link 1](#), [Link 2](#), [Link 3](#)) amended as follows:*

- a) *Inclusion in Section 9.5 of a recommendation that Council pursue the preparation of a management plan for the sewerage system as per the recommendations detailed in the 'Tuggerah Lakes Floodplain Risk Management Study 2014'.*
- b) *Inclusion in Section 9.6.2 of a recommendation that future upgrade of Birdwood Drive, Blue Haven provide an opportunity to upgrade the local stormwater system and install kerb and guttering.*
- c) *Amendment of Table 1 such that the implementation responsibility for FM1 (Doyalson Link Road Basin) be shared between RMS and Council.*

**4.6 Activities of the Development Assessment and Environment and Certification Units - October to December 2020 Quarter 2**

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Time commenced: 7.55pm

Moved: Mr Persson AM

**65/21 Resolved**

*That Council notes the report on Activities of the Development Assessment and Environment and Certification Units - October to December 2020 - Quarter 2.*

**The Meeting** closed at 7.57 pm.