



## Central Coast Council

### Minutes of the Ordinary Meeting of Council

Held in the Council Chamber  
49 Mann Street, Gosford  
on 13 August 2018  
Commencing at 6.30pm

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#### **Present**

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

#### **In Attendance**

Gary Murphy (Chief Executive Officer), Boris Bolgoff (Acting Director Assets, Infrastructure and Business), Julie Vaughan (Director Connected Communities), Scott Cox (Director Environment and Planning) and Brian Glendenning (Executive Manager Governance).

The Mayor, Jane Smith, declared the meeting open at 6.30pm 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.

At the commencement of the ordinary meeting report no's 5.1, 5.3, 6.2, 8.1, 8.2, 8.6 and 9.1 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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**2.2 Mayoral Minute - Review of Arrangements for Council Community Facilities**

Councillor Gale Collins declared a pecuniary interest in the matter as she is the Director of Coast Community Connections which leases a Central Coast Council hall. This item was deferred to the Ordinary Meeting being held on 24 September 2018.

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter by virtue of her membership association with community groups. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting as the conflict will not affect her ability to carry out her public duty. This item was deferred to the Ordinary Meeting being held on 24 September 2018.

Councillor Hogan declared a less than significant pecuniary interest in the matter as the organisation she works for, the San Remo Neighbourhood Centre, is a tenant of several Council community buildings and associated parklands. As the Manager of the centre she is privy to budgets and expenditure so therefore declared a pecuniary interest and will leave the chamber. This item was deferred to the Ordinary Meeting being held on 24 September 2018.

**4.1 Acquisition of Land at Blue Bay and The Entrance for Road Widening**

Councillor McLachlan declared a less than significant non-pecuniary interest in the matter as he knows some property owners affected. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict does not impede his ability to carry out his duties. This item was resolved by the exception method.

**5.1 Climate Change Report**

Councillor Best declared a less than significant non-pecuniary interest in the matter as he lives in an area that may be affected by this policy. Councillor Best chose to remain in the chamber and participate in discussion and voting as the conflict does not impede his ability to carry out his duties.

Councillor Matthews declared a pecuniary interest in the matter as her property insurance premiums maybe affected by this policy . Councillor Matthews left the chamber at 6.24pm, returning at 7.00pm and was absent for the vote.

Councillor McLachlan declared a less than significant non-pecuniary interest in the matter as he may be one of 20,000 tenants affected. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict does not impede his ability to carry out his duties.

Councillor Pilon declared a less than significant non-pecuniary interest in the matter as the report may affect her property. Councillor Pilon chose to remain in the Chamber and participate in discussion and voting as the conflict will not affect her ability to carry out her public duty.

### **5.3 Sport Central Coast Group**

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as her children may use Council sporting facilities. Councillor Gale Collins chose to remain in the Chamber and participate in discussion and voting.

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as her children participate in club and representative sport. Councillor Greenaway chose to remain in the Chamber and participate in discussion and voting as the conflict will not affect her ability to carry out her public duty.

Councillor MacGregor declared a less than significant non-pecuniary interest in the matter as he has played club sport in the past and plans to continue to do so into the future but does not believe that this causes a significant or pecuniary conflict of interest. Councillor MacGregor chose to remain in the Chamber and participate in discussion and voting as the conflict will not affect his ability to carry out his public duty.

Councillor Vincent declared a less than significant non-pecuniary interest in the matter as his children participate in club and representative sport. Councillor Vincent chose to remain in the Chamber and participate in discussion.

### **5.7 Meeting Record of Crown Land Negotiation Program Committee held on 19 July 2018**

Mayor Smith declared a less than significant non-pecuniary interest in the matter. Mayor Smith chose to remain in the Chamber and participate in discussion and voting as the Marine Discovery Centre was not specifically discussed so conflict did not affect her ability to carry out her public duty,

### **6.1 Response to Notice of Motion - Position of Council Employment**

Councillor Best declared a pecuniary interest in the matter as he is the General Manager of Central Coast Group Training (CCGT) that employs apprentices in Council. This item has been deferred to the next meeting.

### **6.2 Integrated Seniors Living Accommodation, New Registered Club and Retail Tenancies at Woy Woy**

Councillor Burke declared a pecuniary interest in the matter as a JRPP committee member. Councillor Burke left the chamber at 7.53pm, returning at 8.04pm and was absent for the vote.

Councillor Holstein declared a significant non-pecuniary interest in the matter as one of applicants is the landlord for a family member's business. Councillor Holstein left the chamber at 7.53pm, returning at 8.04pm and was absent for the vote.

Councillor MacGregor declared a pecuniary interest in the matter as he gets paid for attending JRPP meetings. Councillor MacGregor left the chamber at 7.53pm, returning at 8.04pm and was absent for the vote.

### **6.3 Grant Funding Update as at July 2018**

Councillor Marquart declared a pecuniary interest in the matter as the company that he is the Managing Director of has had involvement in initial design points and could have involvement in the further design and construction of the Central Coast Regional Sporting and Recreation Complex. This item was resolved by the exception method.

### **8.2 Notice of Motion - Recognition of former Wyong Mayor, Tony Sheridan, OAM**

Councillor Best declared a less than significant non-pecuniary interest in the matter as he supports the former Mayor and voted for them to gain the Office of Mayor. Councillor Best chose to remain in the chamber and participate in discussion and voting as the conflict does not impede his ability to carry out his duties.

### **8.3 Notice of Motion - Assessment of Pollution Risk from PFAS, ash dams and air pollution**

Councillor Vincent declared a pecuniary interest in the matter as he is an employee at a local power station. This item has been deferred to the next meeting.

### **8.4 Notice of Motion - DA 44/2018 - 6, 8 and 10 Dunleigh Street, Toukley**

Councillor Burke declared a pecuniary interest in the matter as a JRPP committee member. This item has been deferred to the next meeting.

Councillor MacGregor declared a pecuniary interest in the matter as he gets paid for attending JRPP meetings. This item has been deferred to the next meeting.

### **8.5 Notice of Motion - Local Employment**

Councillor Best declared a pecuniary interest in the matter as he is the General Manager of Central Coast Group Training (CCGT) that provides apprentices to Council. This item has been deferred to the meeting being held on 10 September 2018.

### **8.6 Notice of Motion - Davistown Wetlands Acquisition**

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as she is acquainted with some Davistown land owners. Councillor Gale Collins chose to remain in the Chamber and participate in discussion and voting as the acquaintance does not impact her view on progress on the Central Coast.

Councillor Holstein declared a significant non-pecuniary interest in the matter as the owner of the land is the landlord of a family members business. Councillor Holstein left the chamber at 9.17pm, returning at 10.06pm and was absent for the vote.

### 10.1 Further Legal Advice - Wallarah 2 Coal Mine

Councillor Best declared a pecuniary interest in the matter as he is the General Manager of Central Coast Group Training (CCGT) that provides apprentices through Wallarah 2 youth employment programs. This item has been deferred to the next meeting.

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as she is acquainted with some people working within the industry. Councillor Gale Collins chose to remain in the Chamber and participate in discussion as the acquaintance does not impact her view on progress on the Central Coast. This item has been deferred to the next meeting.

**Moved:** Mayor Smith  
**Seconded:** Councillor Pilon

#### **Resolved**

**743/18 That Council receive the report on Disclosure of Interest and note advice of disclosures.**

**For:**  
**Unanimous**

### Procedural Motion – Address by Invited Speakers

**Moved:** Councillor Marquart  
**Seconded:** Councillor Matthews

#### **Resolved**

**744/18 That Council invite the following speakers to address Council;**

<b>SPEAKERS</b>	<b>REPORT</b>
Richard Weller <b>For</b> the recommendation	Item 5.1 - Climate Change Report
Dr Heomz-Joachin (Jo) Muller <b>For</b> the recommendation	Item 5.1 - Climate Change Report
Gregory Olsen <b>For</b> the recommendation	Item 5.1 - Climate Change Report
Riley Sohier <b>Against</b> the recommendation	Item 5.3 - Sport Central Coast Group
Ian Robilliard <b>For</b> the recommendation	Item 5.3 - Sport Central Coast Group

SPEAKERS	REPORT
Mardi Love <b>For</b> the recommendation	Item 5.3 - Sport Central Coast Group
Ross Cochrane <b>For</b> the recommendation	Item 6.2 - Integrated Seniors Living Accommodation, New Registered Club and Retail Tenancies at Woy Woy
John Millard <b>For</b> the recommendation	Item 8.1 Notice of Motion – Success of Amalgamation
John Millard <b>For</b> the recommendation	Item 8.2 Notice of Motion – Recognition of former Wyong Mayor, Tony Sheridan, OAM
Jo-Anne Lloyd <b>For</b> the recommendation	Item 8.6 - Notice of Motion – Davistown Wetlands Acquisition
Paul Jones <b>For</b> the recommendation	Item 9.1 - Rescission Motion - Open Pile Burning Policy - Mr Jones did not address the meeting

**For:**  
**Unanimous**

**Procedural Motion – Suspension of Standing Orders**

**Moved:**            **Councillor Vincent**  
**Seconded:**      **Councillor Hogan**

**Resolved**

**745/18      That Council suspend standing orders and consider items 5.1, 5.3, 6.2, 8.1, 8.2, 8.6 and 9.1 after each speaker address and then the remaining items in agenda sequence.**

**For:**  
**Unanimous**

**1.2 Confirmation of Minutes of Previous Meetings**

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**Moved:** *Councillor MacGregor*

**Seconded:** *Councillor Hogan*

**Resolved**

**746/18** *That Council confirm the minutes of the Ordinary Meeting of the Council held on 23 July 2018.*

**For:**

**Unanimous**

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

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**Moved:** *Mayor Smith*

**Seconded:** *Councillor MacGregor*

**Resolved**

**747/18** *That the Council resolve that the following matter be dealt with in closed session, pursuant to s. 10A(2)(g) of the Local Government Act 1993 for the following reasons:*

**Item: 10.1**

**Title: Further Legal Advice – Wallarah 2 Coal Mine**

**Reason for considering in closed session:**

**2(g) – advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.**

**For:**

**Unanimous**

**Note: This item has been deferred to the next meeting.**

**Procedural Motion – Exception**

**Moved:** *Councillor Vincent*

**Seconded:** *Councillor MacGregor*

**Resolved**

**748/18** *That with the exception of the following reports, Council adopt the recommendations contained in the remaining reports:*

## Minutes of the Ordinary Meeting of Council 13 August 2018 contd

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Item 2.3 - Mayoral Minute - CEO Performance Review Process
Item 3.1 - Amendment of Policy for the Determination of Development Applications Subject to Public Objection
Item 4.2 - Classification of Land, Lots 159 and 160 DP 1242686 at Forresters Beach
Item 5.4 - Local Government NSW Annual Conference - Attendance and Voting
Item 5.7 - Meeting Record of Crown Land Negotiation Program Committee held on 19 July 2018

**749/18** *That Council adopt the following items en-masse and in accordance with the report recommendations:*

Item 2.1 - Mayoral Minute - Edogawa Sister City - Mayoral and Dignitary Visit
Item 4.1 - Acquisition of Land at Blue Bay and The Entrance for Road Widening
Item 5.5 - Meeting Record of Catchments and Coast Committee - Tuggerah Lakes held on 27 June 2018
Item 5.6 - Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 28 June 2018
Item 5.8 - Revised Terms of Reference - Status of Women Advisory Group
Item 5.9 - Central Coast Youth Action Team (Y4Y)
Item 6.3 - Grant Funding Update as at July 2018

**For:**  
**Unanimous**

### Procedural Motion – Defer Items

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

### Resolved

**750/18** *That Council defer matters 5.2, 6.1, 8.3, 8.4 and 10.1 to the next Ordinary Meeting of Council being held 27 August 2018 in accordance with the adopted Code of Meeting Practice.*

Item 5.2 - Miscellaneous Amendment to GLEP2014 and WLEP2013
Item 6.1 - Response to Notice of Motion - Position of Council Employment
Item 8.3 - Notice of Motion - Assessment of Pollution Risk from PFAS, ash dams and air pollution
Item 8.4 - Notice of Motion - DA 44/2018 - 6, 8 and 10 Dunleigh Street, Toukley
Item 10.1 - Further Legal Advice - Wallarah 2 Coal Mine

**For:**  
**Unanimous**



**Procedural Motion – Defer Items**

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

**Resolved**

**751/18** That Council defer Item 8.5 - Notice of Motion - Local Employment to the Ordinary Meeting of Council to be held on 10 September 2018.

**752/18** That Council defer Item 2.2 - Mayoral Minute - Review of Arrangements for Council Community Facilities to the Ordinary Meeting of Council to be held on 24 September 2018.

**For:**  
**Unanimous**

**Procedural Motion – Extend Meeting to Consider Items**

**Moved:** Councillor MacGregor  
**Seconded:** Councillor Sundstrom

**Resolved**

**753/18** That Council extend the Ordinary Meeting of Council to consider Items 2.3, 3.1, 4.2, 5.4 and 5.7.

**For:**  
**Unanimous**

**2.1 Mayoral Minute - Edogawa Sister City - Mayoral and Dignitary Visit**

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**Moved:** Councillor Vincent  
**Seconded:** Councillor MacGregor

**Resolved**

**754/18** That Council receive the report on Mayoral Minute - Edogawa Sister City - Mayoral and Dignitary Visit.

**755/18** That Council note that a letter has been sent to Mayor Tada in appreciation for the hospitality of Edogawa Council in hosting the delegation from the Central Coast.

**756/18** That Council invite a delegation from Edogawa to visit the Central Coast to

*coincide with the opening of the Japanese Tea House donated by the Urasenke Foundation, currently anticipated to occur in the first half of 2019.*

**757/18** *That Council allocate the balance of funds previously resolved by Council (\$5,483.42) towards the proposed delegation visit from Edogawa.*

**758/18** *That Council liaise with the Gosford Sister City Association, SOAP, Narara Valley High School and other stakeholders to identify opportunities for further cooperation and coordination of Sister City activities with Edogawa.*

**For:**

**Unanimous**

## **2.2 Mayoral Minute - Review of Arrangements for Council Community Facilities**

Councillor Gale Collins declared a pecuniary interest in the matter as she is the Director of Coast Community Connections which leases a Central Coast Council hall. This item was deferred to the Ordinary Meeting being held on 24 September 2018.

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as by virtue of her membership association with community groups. Councillor Greenaway chose to remain in the Chamber and participate in discussion and voting as the conflict will not affect her ability to carry out her public duty. This item was deferred to the Ordinary Meeting being held on 24 September 2018.

Councillor Hogan declared a less than significant pecuniary interest in the matter as the organisation she works for, the San Remo Neighbourhood Centre is a tenant of several Council community buildings and associated parklands. As the Manager of the Centre she is privy to budgets and expenditure so therefore declare a pecuniary interest and will leave the chamber. This item was deferred to the Ordinary Meeting being held on 24 September 2018.

**Moved:** **Councillor Matthews**

**Seconded:** **Councillor MacGregor**

**Resolved**

**759/18** *That Council defer this matter to the Ordinary Meeting of Council to be held on 24 September 2018.*

**For:**

**Unanimous**

**2.3 Mayoral Minute - CEO Performance Review Process**

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Moved: Mayor Smith  
Seconded: Councillor Holstein

- 1 That Council note that this process has been undertaken having given consideration to the Guidelines for the Appointment and Oversight of General Managers issued by the Department of Local Government (now Office of Local Government) July 2011 and provided as Attachment 1 to this report.
- 2 That in accordance with the Guidelines for the Appointment and Oversight of General Managers issued by the Department of Local Government (now Office of Local Government) Council delegates to the performance review panel the whole process of performance management.
- 3 That Council notes that all Councillors will be encouraged to provide input in the process at the following stages:
  - a Development of Key Performance Indicators (KPIs)
  - b Initial Review of Performance (estimated March, 2019)
  - c Annual Performance Review (estimated November, 2019)
- 4 That as recommended by the Guidelines for the Appointment and Oversight of General Managers issued by the Department of Local Government (now Office of Local Government) Council appoints the following Councillors to the performance review panel:
  - The Mayor, Councillor Smith
  - Councillor Holstein (Deputy Mayor)
  - Councillor Matthews
  - Councillor Greenaway
  - Councillor Hogan
  - Councillor Burke
- 5 That as recommended by the Guidelines for the Appointment and Oversight of General Managers issued by the Department of Local Government (now Office of Local Government) Council endorses the engagement of an external facilitator to assist with the process of performance appraisal and the development of a performance plan.

Amendment moved: Councillor Vincent  
Amendment Seconded: Councillor Best

- 1 That Council note that this process has been undertaken having given consideration to the Guidelines for the Appointment and Oversight of General Managers issued by the Department of Local Government (now Office of Local Government) July 2011 and provided as Attachment 1 to this report.
- 2 That in accordance with the Guidelines for the Appointment and Oversight of General Managers issued by the Department of Local Government (now Office of Local Government) Council delegates to the performance review panel the whole process of performance management.

- 3 *That Council notes that all Councillors will be encouraged to provide input in the process at the following stages:*
- a *Development of Key Performance Indicators (KPIs)*
  - b *Initial Review of Performance (estimated March, 2019)*
  - c *Annual Performance Review (estimated November, 2019)*
- 4 *That the review panel be open to the Councillors named below and any other Councillors interested in attending:*
- *The Mayor, Councillor Smith*
  - *Councillor Holstein (Deputy Mayor)*
  - *Councillor Matthews*
  - *Councillor Greenaway*
  - *Councillor Hogan*
  - *Councillor Burke*
  - *Councillor Vincent*
- 5 *That as recommended by the Guidelines for the Appointment and Oversight of General Managers issued by the Department of Local Government (now Office of Local Government) Council endorses the engagement of an external facilitator to assist with the process of performance appraisal and the development of a performance plan.*

*For the Amendment:*

*Councillors Marquart, Holstein, Mehrtens,  
Sundstrom, Gale Collins, Matthews, MacGregor,  
Pilon, McLachlan, Greenaway, Burke, Vincent,  
Hogan and Best*

*Abstain:*

*Mayor Smith*

***The amendment was put to the vote and CARRIED, thereby becoming the motion. The motion was then put.***

***Resolved***

- 760/18 That Council note that this process has been undertaken having given consideration to the Guidelines for the Appointment and Oversight of General Managers issued by the Department of Local Government (now Office of Local Government) July 2011 and provided as Attachment 1 to this report.***
- 761/18 That in accordance with the Guidelines for the Appointment and Oversight of General Managers issued by the Department of Local Government (now Office of Local Government) Council delegates to the performance review panel the whole process of performance management.***
- 762/18 That Council notes that all Councillors will be encouraged to provide input in the process at the following stages:***
- a Development of Key Performance Indicators (KPIs)***
  - b Initial Review of Performance (estimated March, 2019)***
  - c Annual Performance Review (estimated November, 2019)***

**763/18** *That the review panel be open to the Councillors named below and any other Councillors interested in attending:*

- *The Mayor, Councillor Smith*
- *Councillor Holstein (Deputy Mayor)*
- *Councillor Matthews*
- *Councillor Greenaway*
- *Councillor Hogan*
- *Councillor Burke*
- *Councillor Vincent*

**764/18** *That as recommended by the Guidelines for the Appointment and Oversight of General Managers issued by the Department of Local Government (now Office of Local Government) Council endorses the engagement of an external facilitator to assist with the process of performance appraisal and the development of a performance plan.*

**For:**  
*Councillors Marquart, Holstein, Mehrtens,  
Sundstrom, Gale Collins, Matthews,  
MacGregor, Pilon, McLachlan, Greenaway,  
Burke, Vincent, Hogan and Best*

**Abstain:**  
*Mayor Smith*

**3.1** **Amendment of Policy for the Determination of Development Applications Subject to Public Objection**

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**Moved:** *Councillor Sundstrom*  
**Seconded:** *Councillor MacGregor*

**Resolved**

**765/18** *That Council adopt the 'Policy for the Determination of Development Applications Subject to Public Objection' (as amended). Specific amendments to the policy include:*

- *Any application receiving 15 or more submissions by way of objection is to be reported to Council for determination.*
- *Any application receiving petitions of objection with 50 or more signatures requires the preparation of a Councillor Business Update.*
- *Any application receiving 10 to 14 submissions requires the preparation of a Councillor Business Update.*
- *Removal of the word "Significant" from the title of the Policy.*

**766/18** *That Council provide a public notice with regard to the adoption of the policy.*

- 767/18** *That Council advise those who made a submission of the decision.*
- 768/18** *That Council review its website with regards to its accessibility to development applications online, including the ability to download a list of development applications.*
- 769/18** *That Council provide a monthly Planning e-Newsletter (similar to the one produced by Lake Macquarie Council) whereby residents and organisations can register to receive it.*
- 770/18** *That Council receive a briefing on our current process regarding advertising DA's.*

**For:**  
*Mayor Smith, Councillor Mehrtens,  
Sundstrom, Matthews, MacGregor,  
Greenaway, Vincent, Hogan*

**Against:**  
*Councillors Marquart, Holstein,  
Gale Collins, Pilon, McLachlan,  
Burke and Best*

#### **4.1 Acquisition of Land at Blue Bay and The Entrance for Road Widening**

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Councillor McLachlan declared a less than significant non-pecuniary interest in the matter as he knows some property owners affected. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict does not impede his ability to carry out his duties. This item was resolved by the exception method.

**Moved:** *Councillor Vincent*  
**Seconded:** *Councillor MacGregor*

**Resolved**

- 771/18** *That Council acquire the following land as public road:*
- Part Lot 151 Section 3 DP 11935 at 39 Boomerang Road, Blue Bay  
Part Lot 169 Section 3 DP 11935 at 67 Warrigal Street, The Entrance*
- 772/18** *That Council proceed to compulsorily acquire the land in the event that negotiations with the property owners cannot be satisfactorily resolved.*
- 773/18** *That Council apply to the Minister for Local Government for the approval of the Minister and the consent of the Governor in order to proceed with the compulsory acquisition, pursuant to the provisions of the Land Acquisition (Just Terms Compensation) Act 1991.*

**For:**  
*Unanimous*

**4.2 Classification of Land, Lots 159 and 160 DP 1242686 at Forresters Beach**

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**Moved:** Councillor Vincent  
**Seconded:** Councillor MacGregor

**774/18** *That Council classify the land known as Lots 159 and 160 DP 1242686 at Mistview Circuit, Forresters Beach as Operational Land pursuant to the Local Government Act 1993.*

**775/18** *That Council note that:*

- a Nothing in the above resolution authorises the sale of the subject land (section 377(1)(h) of the Local Government Act 1993 provides that any sale of land can only be by resolution of Council).*
- b Section 31 (3) of the Local Government Act 1993 provides that Council must not resolve that land be classified as operational land if the resolution is inconsistent with the terms of any trust applying to the land.*

**For:**  
**Unanimous**

**5.1 Climate Change Report**

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Richard Weller addressed Council at 6.43pm

Dr Jo Muller addressed Council at 6.48pm

Gregory Olsen addressed Council at 6.51pm

Councillor Best declared a less than significant non-pecuniary interest in the matter as he lives in an area that may be affected by this policy. Councillor Best chose to remain in the chamber and participate in discussion and voting as the conflict does not impede his ability to carry out his duties.

Councillor Matthews declared a pecuniary interest in the matter as her property insurance premiums maybe affected by this policy. Councillor Matthews left the Chamber at 6.42pm during consideration of this item, returned at 7.00pm and was absent for the vote.

Councillor McLachlan declared a less than significant non-pecuniary interest in the matter as he may be one of 20,000 tenants affected. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict does not impede his ability to carry out his duties.

Councillor Pilon declared a less than significant non-pecuniary interest in the matter as the report may affect her property. Councillor Pilon chose to remain in the Chamber and participate in discussion and voting as the conflict will not affect her ability to carry out her public duty.

**Moved:** Mayor Smith  
**Seconded:** Councillor MacGregor

**Resolved**

- 776/18** That Council endorse the draft Climate Change Policy for the purpose of public exhibition with the addition of ESD (including 4 principles) as one of the Strategic Principles.
- 777/18** That Council exhibit the draft Climate Change Policy for a period of 28 days.
- 778/18** That Council conduct 2 workshops (one north and one south) as part of the community consultation
- 779/18** That Council consider a further report on the results of community consultation and internal stakeholder consultation.
- 780/18** That Council apply to join the Cities Power Partnership and that a briefing to the Council be provided on possible Council Pledge Actions under the Cities Power Partnership.
- 781/18** That Council request the Chief Executive Officer to write to the Climate Council of Australia confirming participation as a Power Partner in the Cities Power Partnership Program.

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

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

**5.2** **Miscellaneous Amendment to GLEP2014 and WLEP2013**

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

**Resolved**

- 782/18** That Council defer this matter to the next Ordinary Meeting of Council to be held 27 August 2018.

**For:**  
**Unanimous**



**5.3 Sport Central Coast Group**

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Riley Sohler addressed Council at 7.00pm

Ian Robilliard addressed Council at 7.07pm

Mardi Love addressed Council at 7.18pm

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as her children may use Council sporting facilities. Councillor Gale Collins chose to remain in the Chamber and participate in discussion and voting.

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as her children participate in club and representative sport. Councillor Greenaway chose to remain in the Chamber and participate in discussion and voting as the conflict will not affect her ability to carry out her public duty.

Councillor MacGregor declared a less than significant non-pecuniary interest in the matter as he has played club sport in the past and plans to continue to do so into the future but does not believe that this causes a significant or pecuniary conflict of interest. Councillor MacGregor chose to remain in the Chamber and participate in discussion and voting as the conflict will not affect his ability to carry out his public duty.

Councillor Vincent declared a less than significant non-pecuniary interest in the matter as his children participate in club and representative sport. Councillor Vincent chose to remain in the Chamber and participate in discussion.

*Moved: Councillor MacGregor*

*Seconded: Councillor Matthews*

- 1 That Council note the formation of the Sport Central Coast Group by the NSW Office of Sport.*
- 2 That Council formally recognise Sport Central Coast Group as a representative body for Sport and Recreation.*
- 3 That Central Coast Council recognise the essential role that Central Coast Sports Council and Central Coast Sports Federation play in organising, co-ordinating and advocating essential aspects of sport on the Central Coast. These groups represent hundreds of affiliate clubs and organisations and tens of thousands of sportsmen and women on the Central Coast.*
- 4 That Council request that the CEO Mr Gary Murphy make available a staff member or representative to attend these meetings of the Central Coast Sports Council. This will ensure that there is ongoing genuine consultation, dialogue and improvements being made for local sports players, groups and facilities on the Central Coast.*
- 5 That Council request that Central Coast Sports Council be granted a permanent seat on the organisation of the Central Coast Sports Group, Office of Sport and Central Coast Sports Academy and any other relevant organisations as required.*

- 6 *That Council request the CEO Mr Gary Murphy provide further information about the entity as an incorporated association and Council's responsibilities/commitments and the estimated cost of providing administrative support.*

Amendment Moved: Councillor Holstein  
Amendment Seconded: Councillor Marquart

- 1 *That Council note the formation of the Sport Central Coast Group by the NSW Office of Sport.*
- 2 *That Council formally recognise Sport Central Coast Group as a representative body for Sport and Recreation.*

<i>For the Amendment:</i>	<i>Against the Amendment:</i>
<i>Councillors Marquart, Holstein, Gale Collins, Pilon, Burke and Best</i>	<i>Mayor Smith and Councillors Mehrtens, Sundstrom, Matthews, MacGregor, Greenaway, Vincent and Hogan</i>

*The amendment was put to the vote and declared LOST. The motion was then put.*

**Resolved**

- 783/18** ***That Council note the formation of the Sport Central Coast Group by the NSW Office of Sport.***
- 784/18** ***That Council formally recognise Sport Central Coast Group as a representative body for Sport and Recreation.***
- 785/18** ***That Central Coast Council recognise the essential role that Central Coast Sports Council and Central Coast Sports Federation play in organising, co-ordinating and advocating essential aspects of sport on the Central Coast. These groups represent hundreds of affiliate clubs and organisations and tens of thousands of sportsmen and women on the Central Coast.***
- 786/18** ***That Council request that the CEO Mr Gary Murphy make available a staff member or representative to attend these meetings of the Central Coast Sports Council. This will ensure that there is ongoing genuine consultation, dialogue and improvements being made for local sports players, groups and facilities on the Central Coast.***
- 787/18** ***That Council request that Central Coast Sports Council be granted a permanent seat on the organisation of the Central Coast Sports Group, Office of Sport and Central Coast Sports Academy and any other relevant organisations as required.***
- 788/18** ***That Council request the CEO Mr Gary Murphy provide further information about the entity as an incorporated association and Council's responsibilities/commitments and the estimated cost of providing administrative support.***

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

**Against:**  
**Councillors Marquart and Burke**

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**5.4 Local Government NSW Annual Conference - Attendance and Voting**

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**Moved: Councillor MacGregor**

**Seconded: Councillor Best**

**Resolved**

**789/18 That Council appoint the following seven voting delegates for voting on Policy Motions and for the election of Officer Bearers at the Local Government NSW Annual Conference 2018:**

- a Mayor Smith**
- b Clr Sundstrom**
- c Clr Gale Collins**
- d Clr MacGregor**
- e Clr McLachlan**
- f Clr Burke**
- g Clr Vincent**

**790/18 That Council request the Chief Executive Officer notify Local Government NSW of those appointments no later than 5.00pm on Tuesday 2 October 2018.**

**791/18 That Council submit for inclusion on the Conference Business Paper and advise Local Government NSW accordingly of the following motions:**

- That the National General Assembly call on the State Governments to return to the councils all waste levy revenues collected to fund their councils' waste and recycling initiatives;**
- For example, in 2016/17 the NSW State Government raised \$659m from local councils through their waste levy returning only 18% (\$118m) to local communities for waste management initiatives.**
- Furthermore, the States undertake a thorough review of the classification of councils for the purpose of raising the levy.**
- That we advocate Councillors be given equivalent of parliamentary privilege for comments and statements made inside the Council chambers.**

**792/18 That Council resolve that the 22 October 2018 Ordinary Meeting to be held at Wyong be rescheduled to Monday 29 October 2018 at Wyong and give appropriate due notice.**

**For:**  
**Unanimous**

**5.5 Meeting Record of Catchments and Coast Committee - Tuggerah Lakes held on 27 June 2018**

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**Moved: Councillor Vincent**  
**Seconded: Councillor MacGregor**

**Resolved**

- 793/18 That Council note the Meeting Record of Catchments and Coast Committee – Tuggerah Lakes held on 27 June 2018 that is Attachment 1 to this report.**
- 794/18 That Council adopt the Terms of Reference of the Catchments and Coast Committee - Tuggerah Lakes, as set out in Attachment 2 to this report.**
- 795/18 That Council appoint Councillor Doug Vincent as the Chairperson for the Catchments and Coast Committee - Tuggerah Lakes.**

**For:**  
**Unanimous**

**5.6 Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 28 June 2018**

---

**Moved: Councillor Vincent**  
**Seconded: Councillor MacGregor**

**Resolved**

- 796/18 That Council note the Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 28 June 2018 that is Attachment 1 to this report.**
- 797/18 That Council adopt the Terms of Reference for the Gosford CBD and Waterfront Advisory Committee, as set out in Attachment 2 to this report.**
- 798/18 That Council appoint the Mayor as the Chairperson for the Gosford CBD and Waterfront Advisory Committee.**

**For:**  
**Unanimous**

**5.7 Meeting Record of Crown Land Negotiation Program Committee held on 19 July 2018**

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Mayor Smith declared a less than significant non-pecuniary interest in the matter as her. Mayor Smith chose to remain in the Chamber and participate in discussion and voting as the conflict will not affect her ability to carry out her public duty.

Councillor Hogan left the chamber at 10.59pm, returning at 11.05pm and was absent for the vote.

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

**Resolved**

**799/18 That Council receive and note the Meeting Record of the Crown Land Negotiation Program Committee meeting held on 19 July 2018 and set out in Attachment 1 to this report.**

**800/18 That Council adopt the Terms of Reference of the Crown Land Negotiation Program Committee as set out in Attachment 2 to this report.**

**801/18 The Council endorse the "Central Coast Council Principles for Claiming Interests in Crown Land" as amended and recommended by the Crown Land Negotiation Program Committee on 19 July 2018 and set out in Attachment 3 to this report.**

**802/18 That Council note the agreed clarifications to the endorsement and approval stages for the Comprehensive Crown Land Negotiation Program as set out in the Meeting Record of the Crown Land Negotiation Program Committee that is Attachment 1 to this report.**

**For:**  
**Unanimous**

**5.8 Revised Terms of Reference - Status of Women Advisory Group**

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**Moved:** Councillor Vincent  
**Seconded:** Councillor MacGregor

**Resolved**

**803/18 That Council note the minutes of the Status of Women Advisory Group of July 11 2018 (Attachment 1).**

**804/18 That Council update the Terms of reference as detailed in Attachment 3.**

**For:**  
**Unanimous**

**5.9 Central Coast Youth Action Team (Y4Y)**

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**Moved:** Councillor Vincent  
**Seconded:** Councillor MacGregor

**Resolved**

**805/18 That Council receive and note the report on Central Coast Youth Action Team (Y4Y).**

**806/18 That Council receive and note the Terms of Reference for the Central Coast Youth Action Team, Y4Y, as provided in this report (Attachment 1).**

**For:**  
**Unanimous**

**6.1 Response to Notice of Motion - Position of Council Employment**

---

Councillor Best declared a pecuniary interest in the matter as he is the General Manager of CCTG that employs apprentices in Council. This item was deferred to the next meeting.

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

**Resolved**

**807/18 That Council defer this matter to the next Ordinary Meeting of Council to be held 27 August 2018.**

**For:**  
**Unanimous**

**6.2 Integrated Seniors Living Accommodation, New Registered Club and Retail Tenancies at Woy Woy**

---

Ross Cochrane addressed Council at 7.53pm

Councillor Burke declared a pecuniary interest in the matter as he is a JRPP committee member. Councillor Burke left the chamber at 7.53pm, returning at 8.04pm and was absent for the vote.

Councillor Holstein declared a significant non-pecuniary interest in the matter as one of applicants is the landlord for family members business. Councillor Holstein left the chamber at 7.53pm, returning at 8.04pm and was absent for the vote.

Councillor MacGregor declared a pecuniary interest in the matter as he gets paid for attending JRPP meetings. Councillor MacGregor left the chamber at 7.53pm, returning at 8.04pm and was absent for the vote.

**Moved:** Councillor Mehrtens  
**Seconded:** Councillor Sundstrom

**Resolved**

**808/18** That Council receive and note the report on DA 53119/2017 – Proposed Integrated Seniors Living Accommodation; New Registered Club; and Retail Tenancies at 184-186 Brick Wharf Road and No. 1 North Burge Road, Woy Woy.

**809/18** That Council make submission to the Joint Regional Planning Panel supporting the staff recommendation to the Joint Regional Planning Panel to refuse.

**For:**  
**Unanimous**

**6.3 Grant Funding Update as at July 2018**

---

Councillor Marquart declared a pecuniary interest in the matter as the company that he is the Managing Director of has had involvement in initial design points and could have involvement in the further design and construction of the Central Coast Regional Sporting and Recreation Complex. This item was resolved by the exception method.

**Moved:** Councillor Vincent  
**Seconded:** Councillor MacGregor

**Resolved**

**810/18** That Council receive the report on Grant Funding Update as at July 2018.

**811/18** That Council resolve, for the purposes of s.11 (3) of the Local Government Act 1993, that the Attachment 3 to this report remain confidential because the attachment includes commercial information of a confidential nature.

**For:**  
**Unanimous**

**8.1 Notice of Motion - Success of Amalgamation**

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John Millard addressed Council at 8.04pm

**Moved:** Councillor Best  
**Seconded:** Councillor Marquart

**1** That Council recognises the extensive work currently being carried out and managed by staff on all levels around delivering the effective integration of our amalgamated Council.

- 2 *That Council seeks to support staff and better understand the challenges faced through receiving regular reports and formal briefings from staff.*
- 3 *That Council recognises the importance of supporting the amalgamation with a view to achieving an optimum outcome for our 330,000 residents and ratepayers.*
- 4 *That Council also recognises the importance of supporting staff, and indeed morale, in this changing work environment. Further, Council notes that the amnesty on staff redundancies set by the State Government will expire on the 12 May 2019.*

*Amendment Moved: Councillor Sundstrom*

*Amendment Seconded: Councillor Vincent*

- 1 *That Council recognises*
  1. *The worthy efforts made by the staff in the task of amalgamating the former Gosford City and Wyong Shire Councils.*
  2. *That it is the thoughts, ambitions and the direction of the community that we are elected to enact.*
- 2 *That Council therefore request the CEO to:-*
  1. *Require staff to bring forward reports as follows:-*
    - (A) *A report on the "Online Questionnaire For The Inquiry into Local Government" that was conducted by the former Gosford City Council and surveys undertaken by the former Wyong Shire Council prior to amalgamation.*
    - (B) *A realistic estimate of the costs involved in amalgamating the two former Councils and the projected time period for completion of amalgamation.*
    - (C) *A report on the progress of all the various aspects of the amalgamation.*
  2. *That Council request the CEO to bring a report back regarding a*
    - (A) *Conducting a community survey (formulated with input from Councillors and staff) to assess current community views of the of the amalgamation of Gosford and Wyong Councils and*
    - (B) *An estimate of cost and process regarding a proposal for a poll to be held at an upcoming election (either Federal or State) to gauge the community support or rejection of the continuation, or the reversal of, the amalgamation.*

*For the Amendment:  
Mayor Smith and Councillors Holstein,  
Mehrtens, Sundstrom, Matthews, MacGregor,  
Burke, Vincent and Hogan*

*Against the Amendment:  
Councillors Marquart, Gale Collins, Pilon,  
McLachlan, and Best*

*Abstain: Councillor Greenaway*



*The amendment was put to the vote and CARRIED, thereby becoming the motion. The motion was then put.*

**Resolved**

**812/18 That Council recognises**

- 1 The worthy efforts made by the staff in the task of amalgamating the former Gosford City and Wyong Shire Councils.**
- 2 That it is the thoughts, ambitions and the direction of the community that we are elected to enact.**

**813/18 That Council therefore request the CEO to:-**

**1 Require staff to bring forward reports as follows:-**

- (A) A report on the "Online Questionnaire For The Inquiry into Local Government" that was conducted by the former Gosford City Council and surveys undertaken by the former Wyong Shire Council prior to amalgamation.**
- (B) A realistic estimate of the costs involved in amalgamating the two former Councils and the projected time period for completion of amalgamation.**
- (C) A report on the progress of all the various aspects of the amalgamation.**

**2 That Council request the CEO to bring a report back regarding a;**

- (A) Conducting a community survey (formulated with input from Councillors and staff) to assess current community views of the of the amalgamation of Gosford and Wyong Councils and**
- (B) An estimate of cost and process regarding a proposal for a poll to be held at an upcoming election (either Federal or State) to gauge the community support or rejection of the continuation, or the reversal of, the amalgamation.**

**For:**

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

**Against:**

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

**8.2 NOTICE of Motion - Recognition of former Wyong Mayor, Tony Sheridan,  
OAM**

---

John Millard addressed Council at 8.50pm

Councillor Best declared a less than significant non-pecuniary interest in the matter as he supports the former Mayor and voted for them to gain the Office of Mayor. Councillor Best chose to remain in the chamber and participate in discussion and voting as the conflict does not impede his ability to carry out his duties.

Moved: Councillor Vincent  
Seconded: Councillor Matthews

- 1 That Council names the walkway from The Entrance waterfront to the Surf Club, "The Tony Sheridan Walk".
- 2 In addition, that Council nominates the walkway name to the geographic names board for permanent inclusion on maps.

Amendment moved: Councillor Best  
Amendment seconded: Councillor Marquart

- 1 That Council recognises the outstanding contribution of both Mr Sheridan and Mr Eaton as both were long serving veteran Councillors for 25+ years. Both are emeritus Mayors (multiple terms) both are OAM's, both have championed major civic and community projects.
- 2 That Council now name the Entrance Waterfront to Entrance Surf Club 'Tony Sheridan Walk' and name the Entrance Cycleway from North Entrance to Norah Head 'Eaton Cycleway'.
- 3 That the Mayor conducts suitable fitting name ceremonies with the recipients and the community.
- 4 That subject to agreement of the geographic names board that these names be formally acknowledged.

For:  
Councillors Marquart, Pilon, McLachlan and Best

Against:  
Mayor Smith and Councillors Holstein, Mehrstens, Sundstrom, Matthews, MacGregor, Burke, Vincent and Hogan

Abstain: Councillors Gale Collins and Greenaway

The amendment was put to the vote and declared LOST. The motion was then put.

**Resolved**

**814/18 That Council names the walkway from The Entrance waterfront to the Surf Club, "The Tony Sheridan Walk".**

**815/18** *In addition, Council nominates the walkway name to the geographic names board for permanent inclusion on maps.*

**For:**  
**Mayor Smith and Councillors Holstein, Mehrtens, Sundstrom, Matthews, MacGregor, Burke, Vincent, Hogan and Best**

**Abstain:**  
**Councillors Marquart, Gale Collins, Pilon, McLachlan and Greenaway**

Councillor Matthews tabled Item D13305289 – Letter from John Dawson dated 9 August 2018 in relation to this item.

**8.3 Notice of Motion - Assessment of Pollution Risk from PFAS, ash dams and air pollution**

---

Councillor Vincent declared a pecuniary interest in the matter as he is an employee at a local power station. This item was deferred to the next meeting.

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

**Resolved**

**816/18** *That Council defer this matter to the next Ordinary Meeting of Council to be held 27 August 2018.*

**For:**  
**Unanimous**

**8.4 Notice of Motion - DA 44/2018 - 6, 8 and 10 Dunleigh Street, Toukley**

---

Councillor Burke declared a pecuniary interest in the matter as he is a JRPP committee member. This item was deferred to the next meeting.

Councillor MacGregor declared a pecuniary interest in the matter as he gets paid for attending JRPP meetings. This item was deferred to the next meeting.

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

**Resolved**

**817/18** *That Council defer this matter to the next Ordinary Meeting of Council to be held 27 August 2018.*

**For:**  
**Unanimous**

## **8.5 Notice of Motion - Local Employment**

---

Councillor Best declared a pecuniary interest in the matter as he is the General Manager of CCTG that provides apprentices to Council. This item was deferred to the meeting being held on 10 September 2018.

**Moved:** Councillor Matthews

**Seconded:** Councillor MacGregor

**Resolved**

**818/18 That Council defer this matter to the next Ordinary Meeting of Council to be held 10 September 2018.**

**For:**

**Unanimous**

The meeting was adjourned at 9.17pm and resumed at 9.34pm.

## **8.6 Notice of Motion - Davistown Wetlands Acquisition**

---

Jenny McCulla addressed Council at 9.35pm

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as she is acquainted with some Davistown land owners. Councillor Gale Collins chose to remain in the Chamber and participate in discussion and voting as the acquaintance does not impact her view on progress on the Central Coast.

Councillor Holstein declared a significant non-pecuniary interest in the matter as the owner of the land is the landlord for family members business. Councillor Holstein left the chamber at 9.17pm, returning at 10.06pm and was absent for the vote.

**Moved:** Councillor Marquart

**Seconded:** Councillor Best

1 *That Council note that funds are held by Council for the purpose of wetlands acquisition in the Davistown area.*

2 *That Council request the CEO to;*

1. *Identify lands and confirm the intent that are relevant to the acquisition funds known as the Davistown wetland acquisition funds.*
2. *Report on the existing legislation and constraints that provide protection to the current environmental and community values of that land*
3. *Bring a report back to Council at the last meeting in November ranking land for long term acquisition in order to prioritise lands for potential purchase.*
4. *Arrange a site visit for interested Councillors.*

Amendment Moved: Councillor Sundstrom  
Amendment Seconded: Councillor MacGregor

- 1 That this Council recognises the importance of and the need to protect environmental land such as the Davistown Wetlands.
- 2 That this Council also recognise that lands being in public hands does not necessarily protect those lands from development and destruction - for example see the rail facility being constructed at Kangy Angy and the sale of lands by the NSW State government (to a developer) that formed part of the Mambo Wetlands in Port Stephens NSW.
- 3 That staff prepare and present a report on the history of the legal ownership (post colonisation) of Davistown Wetland and :-
  - a any funds that Council may hold that relate to the sales of council owned lands, the acquisition of land in Davistown or are restricted in some way to be quarantined for use only the suburb of Davistown.
  - b information reports on
    - i The various way that protection of environmental lands can be achieved through either zoning, declaration as a reserve or national park or any other method. The intent being to uncover the most secure ways to lock up environmental lands such as these for their preservation for future generations.
    - ii How the current zoning protects the lands in question.
    - iii The history of the recent losses of environmental lands such as the Mambo Wetlands and the site of the Kangy Angy facility both of which were in public ownership.

For the Amendment:  
Councillors Mehrrens, Sundstrom, Matthews,  
MacGregor, Greenaway, Vincent and Hogan

Against the Amendment:  
Mayor Smith and Councillors Marquart, Gale  
Collins, Pilon, McLachlan, Burke and Best

The amendment was LOST on the casting vote of the Mayor. The motion was then put.

**Resolved**

**819/18 That Council note that funds are held by Council for the purpose of wetlands acquisition in the Davistown area.**

**820/18 That Council request the CEO to;**

- 1 Identify lands and confirm the intent that are relevant to the acquisition funds known as the Davistown wetland acquisition funds.**
- 2 Report on the existing legislation and constraints that provide**

*protection to the current environmental and community values of that land.*

- 3** *Bring a report back to Council at the last meeting in November ranking land for long term acquisition in order to prioritise lands for potential purchase.*
- 4** *Arrange a site visit for interested Councillors.*

**For:**

**Unanimous**

### **9.1 Rescission Motion - Open Pile Burning Policy**

---

**Moved:** Councillor Best

**Seconded:** Councillor Gale Collins

***That Council rescind the following resolution carried at the Ordinary Meeting of Council held on 9 July 2018:***

**641/18** ***That Council adopt the Draft Open Pile Burning Policy specifically amended as follows:***

- a** *Identify that the Policy is a self-approval process.*
- b** *Delete a 'class of persons'.*
- c** *Include RU1 Primary Production and R5 Large Lot Residential.*
- d** *Include RU5 Rural Village as a prescribed zone.*
- e** *Reflect legislative changes to meet the NSW Government's reforms*
- f** *Increase the size of vegetation diameter from 150mm to 300mm.*
- g** *Increase the size of open burn piles from 2m to 4m.*
- h** *Clarify notification requirements.*
- i** *Prohibit non-vegetative waste, ecological burns or Aboriginal cultural burns.*
- j** *Exempt burning for agricultural operations.*
- k** *Exempt burning for recreational purposes.*
- l** *Include Fire Permit requirements.*
- m** *Include Council's compliance and enforcement provisions,*
- n** *Contact details for authorised regulatory authorities other than Council*
- o** *Exclude environmental zones*

**642/18** ***That the Chief Executive Officer note that if the draft Central Coast Open Pile Burning Policy is adopted by Council it will be necessary to seek the following from the Environmental Protection Authority before that Policy can be implemented:***

- a** ***The listing of the Central Coast Council as an approval authority***

*for the burning of vegetation under Part 2 of Schedule 8 under the Protection of the Environment Operations (Clean Air) Regulation 201*

- b Request the removal of the former Gosford City Council from Part 1 of Schedule 8 under the Protection of the Environment Operations (Clean Air) Regulation 2010.*
- c Request the removal of the former Wyong Shire Council from Part 2 and 3 of Schedule 8 under the Protection of the Environment Operations (Clean Air) Regulation 2010.*

**643/18** *That Council advise all those who made a public submission of the decision.*

**644/18** *That Council undertake a community education program for open pile burning in collaboration with NSW Rural Fire Service.*

**645/18** *That Council review the Central Coast Open Pile Burning Policy within two years.*

**646/18** *That Council report data regarding open pile burning and also permits issued on a six monthly basis.*

**For the Rescission:**  
**Unanimous**

**Moved:** Councillor Best  
**Seconded:** Councillor Gale Collins

**Resolved**

**821/18** *That Council thanks staff and indeed the Rural Fire Service (RFS) for their partnership and significant contribution around developing this important Council policy and notes the extensive community consultation engaged in by Staff.*

**822/18** *That Council review the policy (and associated procedures), in consultation with RFS, to amend it so that it is not applicable to Environmental Zones.*

**823/18** *That a further briefing be held with Councillors before the draft Policy is re-exhibited.*

**For:**  
**Unanimous**

**10.1 Further Legal Advice - Wallarah 2 Coal Mine**

---

Councillor Best declared a pecuniary interest in the matter as he is the General Manager of CCTG that provides apprentices through Wallarah2 youth employment programs. This item was deferred to the next meeting.

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as she is acquainted with some people working within the industry. Councillor Gale Collins chose to remain in the Chamber and participate in discussion as the acquaintance does not impact her view on progress on the Central Coast. This item was deferred to the next meeting.

**Moved: Councillor Matthews**

**Seconded: Councillor MacGregor**

**Resolved**

**824/18 That Council defer this matter to the next Ordinary Meeting of Council to be held 27 August 2018.**

**For:**

**Unanimous**

**Procedural Motion – Questions on Notice**

**Moved: Mayor Smith**

**Seconded: Councillor MacGregor**

**Resolved**

**825/18 That Council extend the meeting to consider Questions on Notice the time being 11.01pm.**

**For:**

**Unanimous**

**Q130/18 QON - GCC Planning Investigations  
Councillor Troy Marquart**

*It is my understanding that the former Gosford Council completed planning investigations in regards to the broader Erina Town Centre and Erina Valley Precinct 3 in 2012. Can you please confirm if this is correct? Please confirm the current status of this particular planning project? Please confirm budget allocated to this planning and/or costs spent to this date.*



**Q131/18 QON - Plastiphalt Roads**  
**Councillor Richard Mehrrens**

*Sutherland Shire Council has become the first in NSW to trial a "Plastiphalt" road, made out of plastic bags and glass. The 250m trial stretch of road will contain 176,000 plastic bags, 55,440 glass bottles and toner from 3960 used printer cartridges mixed with asphalt. Has Central Coast Council looked at trialling "Plastiphalt" or similar products in future roadworks to help address ongoing issues with waste management, supplement recycling efforts, and save money when conducting roadworks?*

**Q132/18 QON - Springfield Pond**  
**Councillor Jeff Sundstrom**

*Council is aware of the Salvinia infestation of the Springfield Pond. Actions that have been taken so far include the introduction of a particular weevil. Residents inform me that this has been less than successful. What further actions are planned or possible to combat this infestation?*

**Q133/18 QON - Position on Round Up**  
**Councillor Jeff Sundstrom**

*With reference to the recent decision in the courts in the USA regarding the effects of glyphosate; What is the council policy on the use of this product?*

**Q134/18 QON - Street Closure Woy Woy**  
**Councillor Rebecca Gale Collins**

*Can Council investigate closing off Mutu Street entry via Ocean Beach Road in Woy Woy so it becomes a cul-de-sac (entry from Rawson Road only) to alleviate traffic issues?*

**Q135/18 QON - Coal Alliance**  
**Councillor Rebecca Gale Collins**

*Can Council ensure the \$200,000 given to the Australian Coal Alliance appears below the line - not in the operational budget?*

**Q136/18 QON - Road Works - Pacific Highway, Tuggerah**  
**Councillor Kyle MacGregor**

*Can Council staff confirm if they are aware when roadworks will commence on the upgrade of the Pacific Highway from Johnsons Road Tuggerah to the Wattanobi roundabout including the Wyong Road bridge section and is Council aware of the progress of the review of the Pacific Highway Plan review and its impact on works proceeding?*

**Q137/18 QON - De-Amalgamation Options**  
**Councillor Kyle MacGregor**

*Can Council staff advise potential mechanisms or options available to Central Coast Council to de-amalgamate including but not limited to a plebiscite, referendum or other legislatively relevant mechanisms to achieve this outcome that the vast multitude of the community clearly desire?*

**Q138/18 QON - Costing for De-Merger**  
**Councillor Bruce McLachlan**

*Can Council give us the costing of what a de-merger will actually cost?*

**Q139/18 QON - Proactive Release Airport Documents on Website**  
**Councillor Louise Greenaway**

*One of the documents currently listed on Council's website in relation to the Warnervale Airport proactive release is the Warnervale Airport Opportunities Feasibility Study. Council's website states that the report can only be viewed in person at council, and not online due to "Copyright restrictions". I understand that Council is the copyright holder. This is confusing to me and to members of the community. Could staff please advise how Council can decline to release a document on the basis that council itself holds copyright when it is undertaking a process of proactive release*

**Q140/18 QON - Open Space Staff - Positive Feedback and Thanks**  
**Councillor Greg Best**

*I would appreciate if you could pass on to our outdoor staff those involved in the care maintenance and management of our open space parks, recreation, bbq, amenities areas as the feedback I have received and personally noticed is that this important area of the business is been exceedingly well managed. Would you pass on my thanks and indeed councils for a job well done, thank you?*

**Q141/18 QON - Rigs on the Horizon - Progress Update**  
**Councillor Greg Best**

*Council, a few months ago, supported a Motion titled "Riggs on The Horizon" about oil and gas exploration off Norah Head. I would appreciate a report on any progress to date and included in the report a copy of the correspondence requested to be sent to the Federal Government.*

**Procedural Motion**

**Moved:**            **Councillor MacGregor**

**Seconded:**       **Councillor Greenaway**

**Resolved**

**826/18      That Councillor Hogan be granted leave of absence from 21 August 2018 to 9 September 2018.**

**For:**

**Unanimous**

Councillor Marquart left the chambers at 11.04pm and did not return.

Councillor Best left chambers at 11.09pm and did not return.

**The Meeting** closed at 11.11pm.