



Central  
Coast  
Council

Welcome to Central Coast Council

Central Coast Council  
Business Paper  
**ORDINARY COUNCIL MEETING**  
**10 September 2018**



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# Meeting Notice

**The Ordinary Council Meeting  
of Central Coast Council  
will be held in the Council Chamber,  
Level 1, 49 Mann Street, Gosford on  
Monday 10 September 2018 at 6.30 pm,  
for the transaction of the business listed below:**

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Gary Murphy  
**Chief Executive Officer**

**Item No:** 1.1  
**Title:** Disclosure of Interest  
**Department:** Governance

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13307164

Chapter 14 of the *Local Government Act 1993* ("LG Act") regulates the way in which the councillors and relevant staff of Council conduct themselves to ensure that there is no conflict between their private interests and their public functions.

Section 451 of the LG Act states:

- (1) A councillor or a member of a council committee who has a pecuniary interest in any matter with which the council is concerned and who is present at a meeting of the council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable.*
- (2) The councillor or member must not be present at, or in sight of, the meeting of the council or committee:*
  - (a) at any time during which the matter is being considered or discussed by the council or committee, or*
  - (b) at any time during which the council or committee is voting on any question in relation to the matter.*
- (3) For the removal of doubt, a councillor or a member of a council committee is not prevented by this section from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or member has an interest in the matter of a kind referred to in section 448.*
- (4) Subsections (1) and (2) do not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting, if:*
  - (a) the matter is a proposal relating to:*
    - (i) the making of a principal environmental planning instrument applying to the whole or a significant part of the council's area, or*
    - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant part of the council's area, and*
  - (a1) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person*



## 1.1 Disclosure of Interest (contd)

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*(whose interests are relevant under section 443) in that person's principal place of residence, and*

*(b) the councillor made a special disclosure under this section in relation to the interest before the commencement of the meeting.*

*(5) The special disclosure of the pecuniary interest must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and must:*

*(a) be in the form prescribed by the regulations, and*

*(b) contain the information required by the regulations.*

Further, the Code of Conduct adopted by Council applies to all councillors and staff. The Code relevantly provides that if a councillor or staff have a non-pecuniary conflict of interest, the nature of the conflict must be disclosed as well as providing for a number of ways in which a non-pecuniary conflicts of interests might be managed.

### **Recommendation**

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

### **Attachments**

Nil

**Item No:** 1.2  
**Title:** Confirmation of Minutes of Previous Meetings  
**Department:** Governance

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13307179



### **Summary**

Confirmation of minutes of the Ordinary Meeting of the Council held on 27 August 2018.

A motion or discussion with respect to the Minutes is not order except with regard to their accuracy as a true record of the proceedings.

### **Recommendation**

***That Council confirm the minutes of the Ordinary Meeting of the Council held on 27 August 2018.***

### **Attachments**

**1** Minutes - 27 August 2018      D13311751



## Central Coast Council

### Minutes of the Ordinary Meeting of Council

Held in the Council Chamber  
2 Hely Street, Wyong  
on 27 August 2018  
Commencing at 6.30PM

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#### Present

Mayor Jane Smith and Councillors Doug Vincent, Chris Burke, Louise Greenaway, Kyle McGregor, Bruce McLachlan, Jilly Pilon, Lisa Matthews, Jeff Sundstrom, Rebecca Gale Collins, 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.

#### Apologies/Leave of Absence

Councillor Best and Councillor Holstein.

Council, at its meeting held 13 August 2018 resolved:

821/18      *That Councillor Hogan be granted leave of absence from 21 August 2018 to 9 September 2018.*

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**1.1 Disclosure of Interest**

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**2.1 Deferred Item - Mayoral Minute - Review of 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 10 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 10 September 2018.

**4.1 Deferred Item - Miscellaneous Amendment to GLEP2014 and WLEP2013**

Councillor McLachlan declared a less than significant non pecuniary interest in the matter as the owner is a former client but no longer has any business interests. Councillor McLachlan chose to remain in the chamber.

**7.1 Deferred Item - 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. Councillor Vincent left the chamber at 7.53pm, returning at 7.55pm and not participate in discussion and voting.

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

Councillor Burke declared a pecuniary interest in the matter as a Joint Regional Planning Panel (JRPP) committee member. Councillor Burke left the chamber at 7.55pm, returning at 8.01pm and did not participate in discussion and voting.

Councillor MacGregor declared a pecuniary interest in the matter as he gets paid for attending Joint Regional Planning Panel (JRPP) meetings. Councillor MacGregor left the chamber at 7.55pm, returning at 8.01pm and did not participate in discussion and voting.

**7.6 Notice of Motion - Public Workshops on Sea Level Rise and Planned Retreat**

Councillor Matthews declared a pecuniary interest in the matter as she declared in the last meeting on the climate change policy. This motion talks about that matter. Councillor Matthews left the chamber at 9.02pm, returning at 9.27pm and did not participate in discussion and voting.

**7.7 Notice of Motion - Reclassification**

Mayor Smith declared a less than significant non-pecuniary interest in the matter as she was a former voluntary Chief Executive Officer/Board member of the Community Environment Network (CEN).

CEN may have made submissions related to this matter.

Mayor Smith chose to remain in the Chamber and participate in discussion and voting as the potential conflict is minor and will not affect consideration or decision making on this matter.

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as she assisted the Community Environment Network (CEN) with a submission against the reclassification of many parcels of land, wrote submissions and media releases on behalf of the Bateau Bay/Shelley Beach Progress Association and wrote an online article for a site now known as the Parents' Voice. 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.

### **8.1 Deferred Item - Further Legal Advice - Wallarah 2 Coal Mine**

Mayor Smith declared a less than significant non-pecuniary interest in the matter as she was a former voluntary Chief Executive Officer/Board member of the Community Environment Network (CEN). CEN may have made submissions related to this matter. Mayor Smith chose to remain in the Chamber and participate in discussion and voting as the potential conflict is minor and will not affect consideration or decision making on this matter.

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 and voting as the acquaintance does not impact her view on progress on the Central Coast.

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as she has worn the 'Water Not Coal' t-shirt and attended meetings in opposition to Wallarah2 and further, despite having a law degree and practicing for some years, I no longer have a practicing certificate and will be receiving and considering the legal advice on this matter. Councillor Greenaway chose to remain in the Chamber and participate in discussion and voting as the conflict is minor, or only perceived, and will not affect her ability to carry out her public duties.

### **8.2 Further Legal Advice - Commercial Dispute**

Mayor Smith declared a less than significant non-pecuniary interest in the matter as she was a former voluntary Chief Executive Officer/Board member of the Community Environment Network (CEN). CEN may have made submissions related to this matter. Mayor Smith chose to remain in the Chamber and participate in discussion and voting as the potential conflict is minor and will not affect consideration or decision making on this matter.

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as despite having a law degree and practicing for some years, I no longer have a practicing certificate and will be receiving and considering the legal advice on this matter. Councillor Greenaway chose to remain in the Chamber and participate in discussion and voting as the conflict is minor (mainly perceived) and will not affect her ability to carry out her public duties.



**Moved:** Councillor MacGregor  
**Seconded:** Councillor Gale Collins

**Resolved**

**822/18** That Council receive the report on Disclosure of Interest and note advice of disclosures.

**For:**  
**Unanimous**

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**1.2 Confirmation of Minutes of Previous Meetings**

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**Moved:** Councillor Mehrtens  
**Seconded:** Councillor MacGregor

**Resolved**

**823/18** That Council confirm the amended minutes of the Ordinary Meeting of the Council held on 13 August 2018 with the following items corrected within the minutes;

- **Disclosure of Interest (8.2 – Notice of Motion – Recognition of former Wyong Mayor, Tony Sheridan OAM)**
- **Disclosure of Interest (5.3 - Sport Central Coast Group)**
- **Item 2.1 – Mayoral Minute - Edogawa Sister City - Mayoral and Dignitary Visit - Deferred to the Ordinary Meeting of 24 September 2018**
- **Item 5.1 – Climate Change Report**
- **Amendment to Resolution - Item 6.2 – Integrated Seniors Living Accommodation,  
New Registered Club and Retail Tenancies at Woy Woy**
- **Item 9.1 – Rescission Motion – Open Pile Burning Policy**

**For:**  
**Unanimous**

**Procedural Motion - Urgency Motion**

**Moved:** Councillor Mehrtens  
**Seconded:** Councillor Vincent

**Resolved**

**824/18** That Council consider a motion of urgency regarding 8.3 – Mangrove Mountain Landfill Site and Related Proceedings noting that it is a Confidential Item.

**For:**  
**Unanimous**

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

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**Moved:** Mayor Smith  
**Seconded:** Councillor Sundstrom

**Resolved**

**825/18** That the Council resolve that the following matters be dealt with in closed session, pursuant to s. 10A(2)(g) of the Local Government Act 1993 for the following reasons:

**Item: 8.1**

**Title:** *Deferred Item - 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.*

**Item: 8.2**

**Title:** *Further Legal Advice – Commercial Dispute*

**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.*

**Item: 8.3**

**Title:** *Legal Advices – Mangrove Mountain Landfill Site and Related Proceedings*

**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:**  
Mayor Smith and Councillors Vincent,  
Burke, Greenaway, MacGregor,  
Matthews, Sundstrom, Gale Collins,  
Marquart and Mehrrens

**Abstain:**  
Councillors McLachlan and Pilon

**Procedural Motion – Exception**

**Moved:** Councillor Pilon  
**Seconded:** Councillor Matthews

**Resolved**

**826/18** That with the exception of the following reports, Council adopt the recommendations contained in the remaining reports:

Item 3.1 - Strategic Biodiversity Certification Project
Item 4.1 - Deferred Item - Miscellaneous Amendment to GLEP2014 and WLEP2013
Item 4.2 - Extraordinary Meeting of Council on 3 September 2018
Item 4.4 - Comparison of Delegations for Chief Executive Officer
Item 4.5 - Approval of 2017-18 capital projects to be continued in 2018-19
Item 4.6 - Amendments to the Councillor Expenses and Facilities Policy
Item 4.7 – Amended Item - Community Grants and Sponsorship Program Review
Item 5.3 - Investment Report for July 2018
Item 5.4 - Response to Notice of Motion - Gwandalan Playground
Item 7.1 - Deferred Item - Notice of Motion - Assessment of Pollution Risk from PFAS, ash dams and air pollution
Item 7.2 - Deferred Item - Notice of Motion - DA 44/2018 - 6, 8 and 10 Dunleigh Street, Toukley
Item 7.3 - Notice of Motion - Parking Fines
Item 7.4 - Notice of Motion - Central Coast Drought Assistance and Central Coast Water Security
Item 7.5 - Notice of Motion - Renaming Wards and Improving Communications
Item 7.6 - Notice of Motion - Public Workshops on Sea Level Rise and Planned Retreat
Item 7.7 - Notice of Motion - Reclassification
Item 7.8 - Notice of Motion - Council After Hours Call Centre Relocated to Central Coast
Item 8.1 - Deferred Item - Further Legal Advice - Wallarah 2 Coal Mine
Item 8.2 - Further Legal Advice - Commercial Dispute
Item 8.3 – Legal Advice – Mangrove Mountain Landfill Site and Related Proceedings

**827/18      That Council adopt the following items en-masse and in accordance with the report recommendations:**

Item 2.2 – Additional Item – Mayoral Minute – Gosford DCP Exhibition
Item 4.3 - Adoption of additional 2018-19 Fees and Charges
Item 5.1 - Deferred Item - Response to Notice of Motion - Position of Council Employment
Item 5.2 - Activities of the Development Assessment and Environment and Certification Units - April to June 2018 Quarter 4

## **2.2      Additional Item – Mayoral Minute – Gosford DCP Exhibition**

**Moved:              Councillor Pilon**

**Seconded:        Councillor Matthews**

**Resolved**

**828/18      That Council request that:**

- 1      The Department of Planning and Environment extend the public exhibition period on the draft Gosford City Centre Development Control Plan 2018 until Thursday, 18 October, 2018**

- 2     *The Department of Planning and Environment conduct two community consultation workshops to outline the proposed changes in the draft Development Control Plan***
- 3     *The Chief Executive Officer write to the Minister for Planning with the request outlined in 1 and 2 above.***

**For:**

**Unanimous**

### **3.1       Strategic Biodiversity Certification Project**

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**Moved:           Mayor Smith**

**Seconded:       Councillor Sundstrom**

**Resolved**

**829/18     *That Council note the request from the Coordinator General for the Central Coast for Council to support and participate in the Strategic Biodiversity Certification Project.***

**830/18     *That Council provide in principle support for the Strategic Biodiversity Certification Project.***

**831/18     *That Council request the Chief Executive Officer to write to the Coordinator General for the Central Coast, advising of the Council's in principle support and participation in the Strategic Biodiversity Certification Project.***

**832/18     *That Council request the Chief Executive Officer provide an initial briefing then quarterly reports on the progress of the project including activities and key decision points.***

**For:**

**Mayor Smith and Councillors Vincent,  
Burke, Greenaway, McLachlan, Pilon,  
Matthews, Sundstrom, Gale Collins,  
Marquart and Mehrtens**

**Abstain:**

**Councillor MacGregor**

### **4.1       Deferred Item - Miscellaneous Amendment to GLEP2014 and WLEP2013**

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Councillor McLachlan declared a less than significant non pecuniary interest in the matter as the owner is a former client but no longer has any business interests. Councillor McLachlan chose to remain in the chamber.

**Moved:           Councillor Gale Collins**

**Seconded:       Councillor Marquart**

**Resolved**

- 833/18** That Council note the deferred Miscellaneous Amendment to GLEP2014 and WLEP2013 report which is Attachment 1 to this report.
- 834/18** That Council prepare a planning proposal to amend Gosford Local Environmental Plan 2014 and Wyong Local Environmental Plan 2013 to address minor issues and correct anomalies, pursuant to Section 3.33 of the Environmental Planning and Assessment Act, 1979.
- 835/18** That Council include in the planning proposal the recommended amendments to Gosford Local Environmental Plan 2014 and Wyong Local Environmental Plan 2013, as outlined in the report to Council of 26 March 2018, subject to the following changes:
- A new clause to specify a minimum lot size for dual occupancy development in Wyong Local Environmental Plan 2013.
  - Removal of the proposed listing of Glover's Lane as part of the Lakeside Plaza Key Site in Wyong Local Environmental Plan 2013.
  - Removal of the proposed amendment to update the property addresses in Schedule 5 – Environmental Heritage of Gosford Local Environmental Plan 2014.
  - Remove Clause 6.3 from Gosford Local Environmental Plan 2014 and Wyong Local Environmental Plan 2013
- 836/18** That Council forward the planning proposal to the NSW Minister for Planning requesting a Gateway Determination, as well as requesting delegation for Council to finalise and make the draft Local Environmental Plans, pursuant to Section 3.34 of the Environmental Planning and Assessment Act, 1979.
- 837/18** That Council undertake community and public authority consultation, in accordance with the Gateway Determination requirements, pursuant to Schedule 1 cl 4 and Section 3.35 of the Environmental Planning and Assessment Act, 1979.
- 838/18** That Council consider a further report on results of the agency and community consultation.

**For:**

**Mayor Smith and Councillors Vincent, Burke, Greenaway, Pilon, Matthews, Sundstrom, Gale Collins, Marquart and Mehrtens**

**Against:**

**Councillor MacGregor**

**Abstain:**

**Councillor McLachlan**



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**4.2 Extraordinary Meeting of Council on 3 September 2018**

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

**Resolved**

- 839/18** That Council note that the review of the structure has commenced and Councillors have received two briefings to date.
- 840/18** That Council request the Chief Executive Officer bring a report on the review of the structure to the Ordinary Meeting being held on 10 September 2018.
- 841/18** That Council defer the report on the Gosford Regional Library and RPACC to the Ordinary Meeting being held on 10 September 2018.

**For:**  
**Unanimous**

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**4.3 Adoption of additional 2018-19 Fees and Charges**

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**Moved:** Councillor Pilon  
**Seconded:** Councillor Matthews

**Resolved**

- 842/18** That Council note that proposed further and amended Fees and Charges for 2018-19 were publicly exhibited from Thursday 5 July 2018 to Thursday 2 August 2018 in accordance with ss. 610F and 705 of the Local Government Act 1993.
- 843/18** That Council further note that there were no submissions received by Council during the public exhibition of the proposed further and amended Fees and Charges for the 2018-19 financial year.
- 844/18** That Council determine, pursuant to s. 610F of the Local Government Act 1993, to approve the exhibited proposed further and amended Fees and Charges for 2018-19.

**For:**  
**Unanimous**

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**4.4 Comparison of Delegations for Chief Executive Officer**

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**Moved:** Mayor Smith

**Seconded:** Councillor Mehrtens

**Resolved**

**845/18 That Council receive the report on Comparison of Delegations for Chief Executive Officer.**

**846/18 That Council give further consideration to delegations as part of the Chief Executive Officer's performance review process.**

**For:**

**Unanimous**

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**4.5 Approval of 2017-18 capital projects to be continued in 2018-19**

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**Moved:** Councillor Vincent

**Seconded:** Councillor MacGregor

**Resolved**

**847/18 That Council approve the proposed capital projects to be continued in 2018-19 as detailed in this report.**

**848/18 That Council approve a \$14.8 million increase to the 2018-19 capital budget to accommodate projects continuing from 2017-18 as detailed in attachment 1 to this report.**

**849/18 That Council approve a \$926,650 increase to the 2018-19 capital budget to accommodate grant funded projects as detailed in attachment 1 to this report.**

**For:**

**Unanimous**

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**4.6 Amendments to the Councillor Expenses and Facilities Policy**

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**Moved:** Councillor Mehrtens

**Seconded:** Councillor Sundstrom

*That Council adopt the amended Councillor Expenses and Facilities Policy set out in Attachment 1 to this report.*

*Amendment Moved:* Councillor Greenaway

*Amendment Seconded:* Councillor Burke

**1 That Council adopt the amended Councillor Expenses and Facilities Policy set out in Attachment 1 to this report.**

- 2 That Council amend Clause 87 to provide administrative and secretarial support to Councillors to assist them with their civic duties.

**For:**  
Councillors MacGregor, Greenaway and Burke

**Against:**  
Mayor Smith and Councillors Vincent, Pilon, Matthews, Marquart and Mehrstens

**Abstain:**  
Councillors Sundstrom and Gale Collins

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

**Moved:** Councillor Mehrstens  
**Seconded:** Councillor Sundstrom

#### **Resolved**

**850/18 That Council adopt the amended Councillor Expenses and Facilities Policy set out in Attachment 1 to this report.**

**851/18 That Council request the Chief Executive Officer review support provided to Councillors in light of results of the current Councillor survey and briefing feedback.**

**For:**  
Mayor Smith and Councillors Vincent, Burke, Pilon, Matthews, McLachlan, Sundstrom, Gale Collins, Marquart and Mehrstens

**Abstain:**  
Councillors Gale Collins and Greenaway

#### **4.7 Community Grants and Sponsorship Program Review**

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

#### **Resolved**

**852/18 That Council receives the Community Grants and Sponsorship Program Review Report.**

**853/18 That Council endorse the recommended changes to the Community Grants and Sponsorship Programs.**

**854/18 That Council endorse the recommended changes to the Policy for Community Grants and Policy for Sponsorship Management to reflect the recommended Program changes.**

**855/18 That Council implement Budget Option A, that an increase of \$300,000 be allocated to the Community Infrastructure Fund.**

- 856/18**     *That Council review the relevant policies and guides regarding sustainable events and amend the policy for community grants to include reference to Council's sustainable events policy and guide.*

**For:**

**Unanimous**

**5.1            Deferred Item - Response to Notice of Motion - Position of Council Employment**

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**Moved:**            **Councillor Pilon**

**Seconded:**        **Councillor Matthews**

**Resolved**

- 857/18**     *That Council note the deferred Response to Notice of Motion – Position of Council Employment report which is Attachment 1 to this report.*

- 858/18**     *That Council receive the report on Deferred Item - Response to Notice of Motion - Position of Council Employment.*

**For:**

**Unanimous**

**5.2            Activities of the Development Assessment and Environment and Certification Units - April to June 2018 Quarter 4**

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**Moved:**            **Councillor Pilon**

**Seconded:**        **Councillor Matthews**

**Resolved**

- 859/18**     *That Council receive the report on Activities of the Development Assessment and Environment and Certification Units - April to June 2018 Quarter 4.*

**For:**

**Unanimous**

**5.3            Investment Report for July 2018**

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**Moved:**            **Councillor McLachlan**

**Seconded:**        **Councillor Marquart**

**Resolved**

- 860/18**     *That Council receive the Investment Report for July 2018.*

**For:**

**Unanimous**

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**5.4 Response to Notice of Motion - Gwandalan Playground**

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**Moved:** Councillor Vincent

**Seconded:** Mayor Smith

**Resolved**

**861/18 That Council receive the report on Response to Notice of Motion – Gwandalan Playground.**

**For:**

**Unanimous**

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

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Councillor Vincent declared a pecuniary interest in the matter as he is an employee at a local power station. Councillor Vincent left the chamber at 7.53pm, returning at 7.55pm and did not participate in discussion and voting.

**Moved:** Mayor Smith

**Seconded:** Councillor MacGregor

**Resolved**

**862/18 That Council note the deferred Notice of Motion – Assessment of Pollution Risk from PFAS, ash dams and air pollution report which is Attachment 1 to this report.**

**863/18 That Council request the Chief Executive Officer to provide a report and briefing to Councillors by the end of November 2018 on the following:**

- a. Current knowledge and status of existing or potential impacts of pollutants of PFAS, ash dams, and power stations on the Central Coast**
- b. Current monitoring activities (including sites) undertaken by Council and other agencies or organisations**
- c. Current responsibilities and management actions of relevant agencies, Council and other stakeholders in relation to these pollutants**
- d. Any proposed actions from relevant agencies regarding monitoring and management of risk from these pollutants or sources**
- e. Recommendations regarding Council's role, if any, in monitoring and management of risks from these pollutants, including the value of a community consultative committee and willingness of stakeholder organisations to participate in such a committee.**

**For:**

**Unanimous**



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

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Councillor Burke declared a pecuniary interest in the matter as a JRPP committee member. Councillor Burke left the chamber at 7.55pm, returning at 8.01pm and did not participate in discussion and voting.

Councillor MacGregor declared a pecuniary interest in the matter as he gets paid for attending JRPP meetings. Councillor MacGregor left the chamber at 7.55pm, returning at 8.01pm and did not participate in discussion and voting.

**Moved:** Councillor Vincent  
**Seconded:** Councillor Mehrtens

**Resolved**

**864/18 That Council note the deferred Notice of Motion - DA 44/2018 – 6, 8 and 10 Dunleigh Street, Toukley report which is Attachment 1 to this report.**

**865/18 That Council request the Chief Executive Officer provide the assessment report for DA 44/2018, 6, 8 and 10 Dunleigh Street, Toukley to Council prior to being considered by the Hunter and Central Coast Joint Regional Planning Panel.**

**866/18 That Council then determine whether it will make a submission to the Hunter and Central Coast Joint Regional Planning Panel in relation to this Development Application.**

**For:**  
**Mayor Smith and Councillors Vincent, Greenaway, McLachlan, Matthews, Sundstrom, Marquart and Mehrtens**

**Against:**  
**Councillors Gale Collins and Pilon**

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**7.3 Notice of Motion - Parking Fines**

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**Moved:** Councillor Pilon  
**Seconded:** Councillor Gale Collins

**Resolved**

**867/18 That Council, upon legislation being adopted for the discretionary reduction in parking fines, a report be submitted to Council to consider the exercise or implementation of that discretion (if any).**

**For:**  
**Mayor Smith and Councillors Burke, McLachlan, MacGregor, Pilon, Matthews, Gale Collins, Marquart and Mehrtens**

**Against:**  
**Councillors Sundstrom and Vincent**  
**Abstain:**  
**Councillor Greenaway**

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**7.4 Notice of Motion - Central Coast Drought Assistance and Central Coast Water Security**

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Moved: Councillor Pilon

Seconded: Councillor Marquart

*That Council defer consideration of this item to the Ordinary Meeting being held on 10 September 2018.*

Amendment Moved: Councillor Greenaway

Amendment Seconded: Councillor MacGregor

- 1 *That Council request the Chief Executive Officer to report on what options, initiatives and general support Council and indeed the Central Coast Community could consider to provide much needed assistance to our New South Wales Farm Communities now ravaged by 100% drought.*
- 2 *That Council request the Chief Executive Officer to issue a media release encouraging the Central Coast community to support organisations that are seeking to assist in drought relief, such as;*
  - *Australian Red Cross*
  - *Rural Aid/Buy a Bale*
  - *Drought Angels*
  - *Aussie Helpers*
  - *Lions Need for Feed*
  - *Foundation for Rural and Regional Renewal*
  - *Salvation Army*

For:  
Mayor Smith and Councillors Mehrtens,  
Sundstrom, Matthews, MacGregor,  
McLachlan, Greenaway and Vincent

Against:  
Councillors Marquart, Gale Collins, Pilon  
and Burke

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

Moved: Councillor Greenaway

Seconded: Councillor MacGregor

**868/18** ***That Council request the Chief Executive Officer to report on what options, initiatives and general support Council and indeed the Central Coast Community could consider to provide much needed assistance to our New South Wales Farm Communities now ravaged by 100% drought.***

**869/18** ***That Council request the Chief Executive Officer to issue a media release encouraging the Central Coast community to support organisations that are seeking to assist in drought relief, such as;***

- **Australian Red Cross**
- **Rural Aid/Buy a Bale**
- **Drought Angels**
- **Aussie Helpers**
- **Lions Need for Feed**
- **Foundation for Rural and Regional Renewal**
- **Salvation Army**

**For:**

**Mayor Smith and Councillors Mehrstens,  
Sundstrom, Matthews, MacGregor,  
McLachlan, Greenaway, Burke and  
Vincent**

**Against:**

**Councillors Marquart, Gale Collins and  
Pilon**

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**7.5 Notice of Motion - Renaming Wards and Improving Communications**

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**Moved: Councillor Marquart**

**Seconded: Councillor Burke**

**Resolved**

**870/18 That Council recognises the community frustration and ambiguity that exists around the current ward names, that has created ongoing difficulty for our 330,000 residents and ratepayers in their efforts to effectively communicate with ward councillors and indeed staff.**

**871/18 That Council now investigate the necessary process to seek to rename the five electoral wards that make up the Central Coast Council Local Government Area prior to the 2020 Election.**

**872/18 That Council, subject to 2 above and a staff report, engage in a suitable Community Consultation Process.**

**For:**

**Mayor Smith and Councillors Vincent,  
Burke, McLachlan, MacGregor Matthews,  
Sundstrom, Gale Collins, Marquart and  
Mehrtens**

**Abstain:**

**Councillors Greenaway and Pilon**

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**7.6 Notice of Motion - Public Workshops on Sea Level Rise and Planned Retreat**

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Councillor Matthews declared a pecuniary interest in the matter as she declared in the last meeting on the climate change policy. This motion talks about that matter. Councillor Matthews left the chamber at 9.02pm, returning at 9.27pm and did not participate in discussion and voting.

Moved: Councillor Gale Collins

Seconded: Councillor Marquart

*That Council hold workshops for residents across all five wards, and use overlay maps to bring awareness on the suburbs impacted by sea level rise and planned retreat, as endorsed through the new Climate Change Policy.*

Amendment Moved: Mayor Smith

Amendment Seconded: Councillor MacGregor

*That Council increase the number of workshops to five, that being one in each ward, on the draft Climate Change Policy including addressing such issues as referenced in D10.*

For:

Mayor Smith and Councillors Marquart,  
Mehrtens, Sundstrom, Gale Collins,  
MacGregor, Pilon, Greenaway, Burke and  
Vincent

Against:

Councillor McLachlan

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

Moved: Mayor Smith

Seconded: Councillor MacGregor

**Resolved**

**873/18 That Council increase the number of workshops to 5, one in each ward, on the draft Climate Change Policy including addressing such issues as referenced in D10.**

For:

Mayor Smith and Councillors Marquart,  
Mehrtens, Sundstrom, Gale Collins,  
MacGregor, Pilon, Greenaway, Burke  
and Vincent

Against:

Councillors McLachlan

**7.7 Notice of Motion - Reclassification**

Mayor Smith declared a less than significant non-pecuniary interest in the matter as she was a former voluntary Chief Executive Officer/Board member of the Community Environment Network (CEN). CEN may have made submissions related to this matter. Mayor Smith chose to remain in the Chamber and participate in discussion and voting as the potential conflict is minor and will not affect consideration or decision making on this matter.

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as she assisted the Community Environment Network (CEN) with a submission against the reclassification of many parcels of land, wrote submissions and media releases on behalf of the Bateau Bay/Shelley Beach Progress Association, and wrote an online article for a site now known as the Parents' Voice. 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.

**Moved:** Councillor Greenaway

**Seconded:** Councillor MacGregor

**Resolved**

**874/18 That Council request the Chief Executive Officer give public notice in compliance with Section 34 of the Local Government Act of the proposal to reclassify the following properties from operational to community:**

**Chittaway Point Hall, 72-76 Geoffrey Rd, Chittaway Point**  
**Chittaway Bay Hall and oval 91 Chittaway Rd, Chittaway Bay**  
**1-3 Berkeley Road, Berkeley Vale**  
**36-38 Kitchener Road, Long Jetty**  
**1W Wolseley Avenue, Tacoma**  
**7W Sir Joseph Banks Drive, Bateau Bay**  
**19-21 and 29 Keren Avenue, Berkeley Vale**  
**2-18 Newbridge Road, Berkeley Vale**  
**38W Wombat Street and 19W Marlborough Place, Berkeley Vale**  
**151W – 153W Wyong Road, Berkeley Vale**  
**75 Panorama Avenue, Charmhaven**  
**2W Bundeena Road, Glenning Valley**  
**13W Palm Springs Avenue, Glenning Valley**  
**30W and 32 Sandra Street, Jilliby**  
**231 Hue Hue Road, Jilliby**  
**1W Merro Close, Lake Haven**  
**105W Woodbury Park Drive and 309 Old Maitland Road, Mardi**  
**60W Burns Road, Ourimbah**  
**40W Coachwood Drive, Ourimbah**  
**15W Footts Road, Ourimbah**  
**23 Shirley Street, Ourimbah**  
**1 Teralba Street and 1W Pacific Highway, Ourimbah**  
**50 Wilfred Barrett Drive, Norah Head**  
**10 Summerland Road, Summerland Point**  
**102W Yermaba Road, Summerland Point**  
**1W Wolseley Drive, Tacoma**



**8 Titania Avenue, Tuggerah**  
**7 Wyong Road, Tuggerah**  
**11W Molsten Avenue, Tumbi Umbi**  
**1W Britannia Drive, Watanobbi**  
**375 Pacific Highway, Wyong**  
**40 – 50 Pollock Avenue, Wyong**

**For:**  
**Mayor Smith and Councillors Mehrstens,**  
**Sundstrom, Matthews, MacGregor,**  
**Greenaway, Burke and Vincent**

**Against:**  
**Councillors Marquart, Pilon and**  
**McLachlan**

**Abstain:**  
**Councillor Gale Collins**

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**7.8 Notice of Motion - Council After Hours Call Centre Relocated to Central Coast**

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**Moved:** **Councillor Gale Collins**  
**Seconded:** **Councillor Burke**

**875/18 That Council request the Chief Executive Officer provide a report on the Central Coast Council after hours call centre operation including service level delivery, opportunities and potential cost implications of going to a local provider or in house.**

**For:**  
**Unanimous**

**Questions on Notice**

**Q142/18 QON – Cleaning Staff**  
**Councillor Richard Mehrstens**

*Does Council allow sub and pyramid contracting in their contracts? Are Council staff aware of the precarious situation of some cleaning staff who face sacking without cause or notice, and while ostensibly do work for Council such as city centre management, actually work for a company who is subcontracted by another company with little accountability for working conditions?*

**Q143/18 QON - Hawk Head Drive, Hardy's Bay - Asbestos**  
**Councillor Rebecca Gale Collins**

*Some residents in Hawke Head Drive, Hardys Bay are concerned about the Road Mill product used on the road. Can the planned air quality test include testing for asbestos?*

**Q144/18 QON - Warnervale Town Centre Plan**  
**Councillor Rebecca Gale Collins**

*Can I please have an update on the Warnervale Town Centre planning?*

**Q145/18 QON - Dying Trees - Warnervale**  
**Councillor Lisa Matthews**

*Could Council have a look at what is causing the die off of trees east of the rail line south of Warnies at Warnervale?*

**Q146/18 QON - Colorbond Fences - Jilliby**  
**Councillor Kyle MacGregor**

*How many Colorbond fences are council aware of in the suburb of Jilliby that are off the boundary fence, but are still on peoples properties and how many if any are intended to be removed at the behest of Central Coast Council?*

**Q147/18 QON - Skate Park Upgrades**  
**Councillor Kyle MacGregor**

*Does council currently have any plans to expand, upgrade or conduct any additional works or improvements at skate parks in the Central Coast Council area in addition to the potential upgrades at Umina that were mooted in a previous Council meeting?*

**Q148/18 QON - Asbestos Report**  
**Councillor Jilly Pilon**

*The asbestos report that came the other week that we deferred, which I thought was going to the next meeting, hasn't come back. Just to question if that is likely to come back to the next meeting*

**Q149/18 QON - State Government Grants**  
**Councillor Jilly Pilon**

*With State Government Grants currently available for large tourism projects, can Council staff and Councillors meet asap with Darren McLean from Pico Pty Ltd to be briefed on their experience in the tourism and leisure industry and discuss any potential projects for the Central Coast Region please?*

**Q150/18 QON - Litter Report**  
**Councillor Bruce McLachlan**

*I would like an update on the litter report which was passed early in our Council.*

**Response from Scott Cox, Director Environment and Planning:**  
*We are aiming for the last meeting in September.*

**Q151/18 QON - Risk Management Policies**  
**Councillor Louise Greenaway**

*In relation to Council's risk management there appears to be policies addressing infrastructure risk, risks to health and safety, financial risk, public liability and legal risk however I haven't been able to locate anything on reputational risk. Does council have a policy on rep risk?*

**Q152/18 QON - Section 94 Plans**  
**Councillor Louise Greenaway**

*Just regarding the Section 94 plans, they were originally estimated to be completed in April then there was to be presentation to Councillors on a draft development contribution plan in June with a report coming to Council in July and I don't think anything has come back, so I just wondered if we could have an update on when the likelihood is of those plans being finalised so we can take advantage of some of those contributions?*

**Q153/18 QON - Tuggerwong Bike Track Grant**  
**Councillor Chris Burke**

*Have we got any news on the grant application for the Tuggerwong bike track?*

**Q154/18 QON - Tuggerwong Hall  
Councillor Chris Burke**

*What is the classification of Tuggerwong Hall which is the double water front block at 326 Tuggerwong Road, Tuggerwong?*

**Q155/18 QON - Searchable PDF Business Paper  
Councillor Doug Vincent**

*Could council staff please work towards providing a business paper, amended items and attachments fully searchable, within the PDF format, to enable residents, businesses and Councillors to find all items when searching on the web and hub. For example, Item 4.5 - 2017-18 Capital Upgrades, cannot be fully searched as it has imbedded copied pictures*

**Q156/18 QON – Buy Local Policies  
Councillor Doug Vincent**

*Could staff please advise if the previous Wyong or Gosford Councils had buy local policies or weightings for local service providers. If previous policies existed, could staff please circulate to all Councillors for their review*

The meeting was adjourned at 10.16pm and resumed at 10.29pm.

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

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

**Resolved**

**876/18 That Council extend the Ordinary Meeting of Council to consider Confidential Items 8.1, 8.2, 8.3 in accordance with the adopted Code of Meeting Practice.**

**For:**  
**Unanimous**

**Procedural Motion – Closed Session**

**Moved:** Mayor Smith  
**Seconded:** Councillor Burke

**Resolved**

**877/18** That Council move into closed session to consider Confidential Items 8.1, 8.2 and 8.3.

**For:**  
**Unanimous**

At this stage of the meeting being 10.30pm the meeting moved into Confidential Session with the members of the press and public excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993 as the items listed come within the following provisions:-

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

**Procedural Motion – Open Session**

**Moved:** Councillor Macgregor  
**Seconded:** Councillor Mehrtens

**Resolved**

**878/18** That Council move into open session.

**For:**  
**Unanimous**

The meeting resumed in open session at 11.44pm and the Chief Executive Officer reported on proceedings of the confidential session of the ordinary meeting as follows:

**8.1 Deferred Item - Further Legal Advice - Wallarah 2 Coal Mine**

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

**Resolved**

**879/18** That Council note the deferred Further Legal Advice – Wallarah 2 Coal Mine report which is Attachment 1 to this report.

- 880/18**     *That Council receive and note the legal advices set out in the attached report and confidential attachment 1 to the report.*
- 881/18**     *That resolution of 492/18 of the ordinary meeting of the Council on 28 May 2018 be amended by deleting all words after "Incorporated".*
- 882/18**     *That Council resolve, pursuant to s. 11(3) of the Local Government Act 1993, that the attached report and confidential attachment 1 to the report remain confidential, on the basis that this report and that attachment contain legal advice from legal practitioners that are subject to client legal privilege.*
- 883/18**     *That Council note that this issue is of significant public interest as demonstrated by community submissions and representation through the decision making process.*

**For:**

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

**Against:**

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

## **8.2 Further Legal Advice - Commercial Dispute**

**Moved:**            **Mayor Smith**

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

**Resolved**

- 884/18**     *That the Council note that resolution 614/18 of 25 June 2018 was complied with.*
- 885/18**     *That the Council receive and note the confidential legal advice set out in this report.*
- 886/18**     *That the Council resolve to enter in to the draft 'Deed of Settlement and Release' that is confidential attachment 1 to this report.*
- 887/18**     *That the Council resolve, for the purposes of cl. 400(2) of the Local Government (General) Regulation 2005, that the seal of the Council be affixed to the draft 'Deed of Settlement and Release' that is confidential attachment 1 to this report and that the affixing of that seal be witnessed by the Mayor and another councillor.*
- 888/18**     *That Council resolve, pursuant to s. 11(3) of the Local Government Act 1993, that this report and confidential attachment 1 to this report remain confidential, for the following reasons:*
- (a) this report contains legal advice to the Council from legal practitioners that is subject to client legal privilege (s. 10A(2)(g) of the Local Government Act 1993); and**

- (b) attachment 1 includes commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it (s. 10A(2)(d)(i) of the Local Government Act 1993).**

*A division was called by Councillor Marquart.*

**For:**

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

**Against:**

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

### **8.3 Mangrove Mountain Landfill Site and Related Proceedings**

**Moved: Councillor MacGregor**

**Seconded: Councillor Mehrstens**

**Resolved**

**889/18 That Council receive and note the legal advices set out in confidential attachments 1, 2 and 3 to this report.**

**890/18 That Council resolve to endorse the recommendation set out in confidential attachment 1 to this report.**

**891/18 That Council request the Chief Executive Officer provide a further confidential report to the Council on the completion of the action set in in paragraph 3.1 of confidential attachment 1 to this report.**

**892/18 That Council resolve, pursuant to s. 11(3) of the Local Government Act 1993, that confidential attachments 1, 2 and 3 to this report remain confidential, on the basis that each of those attachments contain legal advice from legal practitioners that are subject to client legal privilege.**

**For:**

**Unanimous**

**The Meeting** closed at 11.49pm



**Item No:** 1.3  
**Title:** Notice of Intention to Deal with Matters in Confidential Session  
**Department:** Governance

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13307183

## Summary

It is necessary for the Council to adopt a resolution to formalise its intention to deal with certain matters in a closed and confidential Session. The report is incorporated in the "Confidential" business paper which has been circulated.

The *Local Government Act 1993* requires the Chief Executive Officer to identify those matters listed on the business paper which may be categorised as confidential in terms of section 10A of the *Local Government Act 1993*. It is then a matter for Council to determine whether those matters will indeed be categorised a confidential.

## Recommendation

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

## Context

Section 10A of the *Local Government Act 1993* (the Act) states that a Council may close to the public so much of its meeting as comprises:

- 2(a) *personnel matters concerning particular individuals (other than Councillors),*
- 2(b) *the personal hardship of any resident or ratepayer,*
- 2(c) *information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,*
- 2(d) *commercial information of a confidential nature that would, if disclosed:*
  - (i) *prejudice the commercial position of the person who supplied it, or*
  - (ii) *confer a commercial advantage on a competitor of the Council, or*
  - (iii) *reveal a trade secret,*
- 2(e) *information that would, if disclosed, prejudice the maintenance of law,*



- 2(f) matters affecting the security of the Council, Councillors, Council staff or Council property,*
- 2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,*
- 2(h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.*

Further, the Act provides that Council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public (section 10A(3))

As provided in the Office of Local Government Meetings Practice Note August 2009, it is a matter for the Council to decide whether a matter is to be discussed during the closed part of a meeting. The Council would be guided by whether the item is in a confidential business paper, however the Council can disagree with this assessment and discuss the matter in an open part of the meeting.

#### **Attachments**

*Nil.*



**Item No:** 2.1  
**Title:** Mayoral Minute - Central Coast Tourism Advisory Committee  
**Department:** Councillor

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-04 - D13320685

Author: Jane Smith, Mayor

***That Council request the Chief Executive Officer:***

- 1 Establish a Central Coast Tourism Advisory Committee***
- 2 Invite Councillors to indicate their interest in participating in the committee***
- 3 Report to Council at the first Ordinary meeting in November including a draft Terms of Reference and recommendations regarding the membership structure of the committee (ie. stakeholder representation)***

## **Background**

Tourism is an area that has the potential to provide economic growth and employment opportunities for the Central Coast. There are a number of different organisations and stakeholders involved in promoting and supporting tourism in the region. This motion seeks to increase collaboration and communication to maximise the benefits of tourism for the region.

The establishment of a Tourism Advisory Committee will provide opportunities to:

- Increase collaboration amongst all stakeholders in promoting and supporting sustainable tourism
- Improve two-way communication amongst stakeholders
- Draw on a broad range of expertise and experience from our tourism sector

## **Attachments**

*Nil.*

**Item No:** 3.1  
**Title:** CPA/293081 - Tender Sporting Facilities - Construction Don Small Oval Clubhouse  
**Department:** Assets, Infrastructure and Business

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10 September 2018 Ordinary Council Meeting

Trim Reference: CPA/293081 - D13273371

Author: Robert Laidlaw, Property Officer

Manager: David Norbury, Unit Manager, Leasing and Asset Management

Executive: Boris Bolgoff, Acting Director, Assets, Infrastructure and Business

## Report Purpose

To report on the assessment of tenders received for the design and construction of a replacement clubhouse at Don Small Oval, 1W Wolseley Avenue, Tacoma.

Contract Reference CPA/2938081.

## Summary

Following a fire which destroyed the clubhouse on Don Small Oval in May 2013, the club lodged a Development Application to rebuild. Council approved the DA with a significant number of conditions being imposed on the new building due to flooding and bushfire risks.

In October 2017, Council invited tenders, with four tenders being received. A review of these tenders by the Assessment Committee determined that one tender did not comply and the other three were in excess of available funding.

This tender is now outside the 120 day limitation and the supplementary grant funding Council applied for is not yet available.

It is recommended that Council reject all tenders.

## Recommendation

- 1 That Council reject all tenders received for Contract CPA/1028 – Construction of Don Small Oval clubhouse, in accordance with cl. 178(1)(a) of the Local Government (General) Regulation 2005 (“the LG Regulation”).**
- 2 That Council resolve for the purpose of cl.178(3) of the LG Regulation, cancel the contract.**

- 3     *That Council resolve, for the purpose of s.11(3) of the Local Government Act 1993, that attachment 1 remain confidential, because that attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.***

### **Context**

On 10 May 2013, the clubhouse on Don Small Oval was destroyed by fire. Staff met with a representative of Central Coast/Hunter AFL (the key users of the facility) on 17 June 2013, who indicated that the Club would like to rebuild a clubhouse using the insurance payout derived from the insurance of the damage building. Council had the building insured. The current users of the Don Small Oval grounds are Wyong Lakes AFL in the winter and cricket and six a side soccer during the summer period.

A Development Application was lodged, however the development approval contained a number of conditions which potentially increased construction costs beyond what was initially anticipated and included:

- Flood mitigation requirements
- Bush fire risk mitigation
- Acid sulphate soil constraints
- Environmental concerns

As a result, when tenders were invited, the tender values were substantially higher than the available funding.

### **Current Status/Tender Submissions**

The acceptance period of 120 days has expired and it is not considered viable to seek an extension.

### **Assessment Report**

Refer to Attachment 1 for a confidential tender assessment report.

### **Consultation**

Council has been in regular contact with representatives of the Wyong Lakes Club.

### **Relevant Legislation**

The tender has been conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* ("the Regulation") and Council's Procurement Policy.

Information provided by tenderers which is commercial-in-confidence has been protected and it is proposed that the information will not be disclosed in accordance with section 11(3) of the *Local Government Act 1993*.

Clause 178(3) of the *Local Government (General) Regulation 2005* states:

- (3) A council that decides not to accept any of the tenders for a proposed contract or receives no tenders for the proposed contract must, by resolution, do one of the following:
- (a) **postpone or cancel the proposal for the contract,**
  - (b) invite, in accordance with clause 167, 168 or 169, fresh tenders based on the same or different details,
  - (c) invite, in accordance with clause 168, fresh applications from persons interested in tendering for the proposed contract,
  - (d) invite, in accordance with clause 169, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract,
  - (e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender,
  - (f) carry out the requirements of the proposed contract itself.

### **Options**

1. Reject all tenders and cancel the proposal for the contract – **Recommended.**
2. Council provide additional funding from capital works budget to fund shortfall – **Not Recommended** due to competing higher priorities.

### **Financial Impact**

There is no financial implication if all tenders are rejected.

### **Link to Community Strategic Plan**

Theme 1: Belonging

**Goal A: Our community spirit is our strength**

A1: Work within our communities to connect people, build capacity and create local solutions and initiatives.

**Risk Management**

Under the Local Government Act, tenders are required to be resolved or extended within 120 days of the closing date and on this occasion this deadline has been significantly exceeded.

Council has a number of options available, including:

- (Part 2 Clause 13) – resolve to extend the tender period – all tenderers must be notified of the extension and there could be repercussions from unsuccessful tenderers.
- (Part 4 Clause 19 ) – resolve to accept a particular tender – in this instance, the tender period would need to be extended first. Again, there could be repercussions.
- Resolve to reject all tenders and advise tenderers accordingly. This is lowest risk option.

This site has severe constraints which have added to the costs and delayed the project.

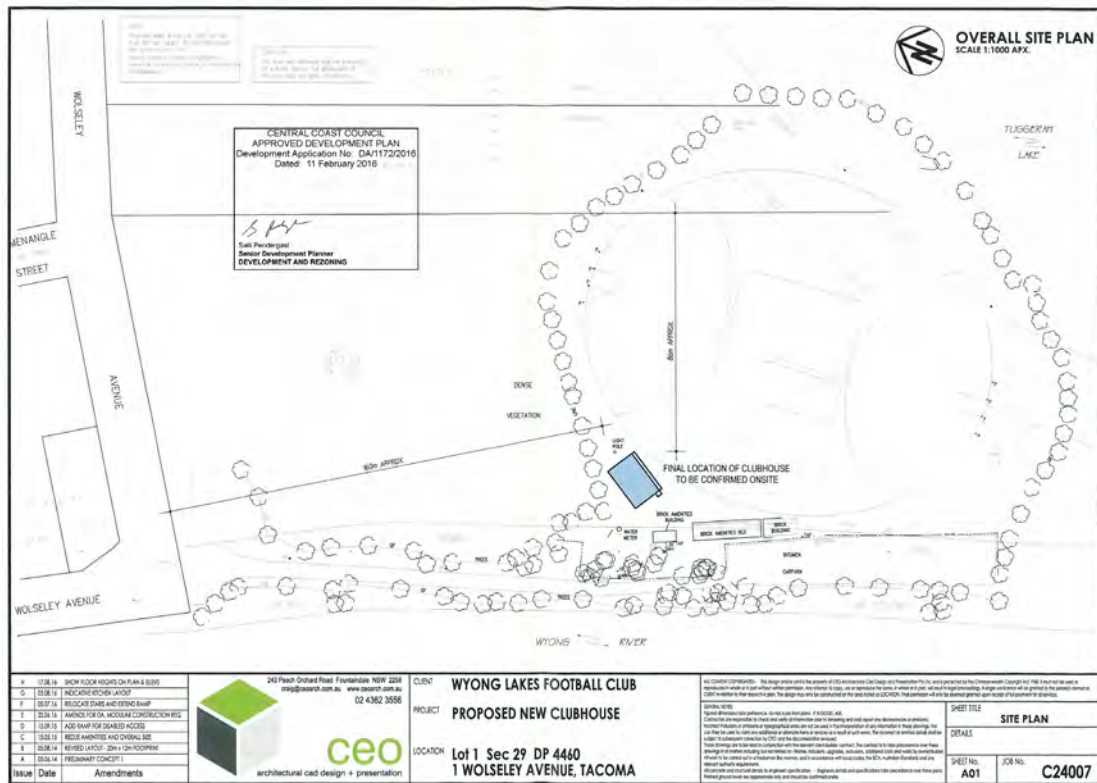
**Critical Dates or Timeframes**

Council has indicated to the Club that this matter will be put before the Council meeting of 10 September 2018 to reject all submissions allowing alternate options to be explored.



*Site Diagram - Don Small Oval prior to fire in 2013*

### 3.1 CPA/293081 - Tender Sporting Facilities - Construction Don Small Oval Clubhouse (contd)



Approved DA site plan

## Attachments

- 1 Don Small Oval Tender Evaluation Report - Confidential - D13301173



**Item No:** 3.2  
**Title:** CPA/1028 - Tender Evaluation - Construction of San Remo Boat Ramp, Car Park and Jetty  
**Department:** Assets, Infrastructure and Business

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-02 - D13252192

**Author:** Rachael McWilliam, Section Manager, Recreational Project Delivery and Design  
**Manager:** Brett Sherar, Acting Senior Manager, Property and Asset Management  
**Executive:** Boris Bolgoff, Acting Director, Assets, Infrastructure and Business

## Summary

Evaluation and decline of tenders for Contract CPA/1028 – Construction of San Remo Boat Ramp, Car Park and Jetty.

## Recommendation

- 1 That Council reject all tenders received for Contract CPA/1028 – Construction of San Remo Boat Ramp, Car Park and Jetty, in accordance with cl. 178(1)(b) of the Local Government (General) Regulation 2005("the LG Regulation").**
- 2 That Council invite, in accordance with clause 167, 168 or 169 of the LG Regulation, fresh tenders based on different details.**

## Background

Council invited tenders for the construction of the San Remo Boat Ramp, Car Park and Jetty at Highland Avenue San Remo.

Works included:

- Construction of a new single lane boat ramp
- Construction of a new jetty
- Extension of and line marking to existing carpark to accommodate trailer parking

This project has been identified as a priority project in the Aquatic Infrastructure Strategy due to the closure of the boat ramp at Emu Drive San Remo, and will provide boat launching access to Budgewoi Lake.

Council received an external quantity surveyors report which indicated that the allocated budget was sufficient to complete the work as designed.



### **Contract Plan**

The Contract Plan for this tender process was endorsed by the Section Manager, Contract Governance and approved by the Section Manager, Recreational Project Delivery and Design before the Request for Tender was issued.

### **Invitation to Tender**

The invitation to tender was advertised in the Sydney Morning Herald, and NSW eTendering on 13 March 2018 and the Central Coast Express Advocate on 15 March 2018.

The invitation documents called for lump sum tenders, based on detailed technical drawings and specification.

Tenders closed at Council's Chambers at 2.00pm on Tuesday 10 April 2018.

### **Tender Submissions**

The following tenders were received and are listed in alphabetical order:

- Hunter Wharf & Barge Pty Ltd
- Kerroc Constructions Pty Ltd

No late submissions were received.

### **Tender Evaluation**

Council's Tender process was undertaken, however due to the tender prices being substantially higher than the available budget and independent quantity surveyor's estimate, a tender evaluation did not proceed.

No preferred tenderer was identified.

Both of the proponents meet the mandatory requirements of the tender.

### **Financial Implications**

If Council is to proceed with the current tender, it would need to provide an increase to its capital budget of \$400,000.

This project is being fully funded by RMS Boating Now grant.

## **Link to Community Strategic Plan**

Theme 5: Liveable

### **Goal C: A growing and competitive region**

H4: Plan for adequate and sustainable infrastructure to meet future demand for transport, energy, telecommunications and a secure supply of drinking water.

## **Relevant Legislation**

The tender has been conducted in accordance with the *Local Government Act 1993*, the *Local Government (General) Regulation 2005* ("the Regulation") and Council's Procurement Policy.

Information provided by tenderers which is commercial-in-confidence has been protected and it is proposed that the information will not be disclosed in accordance with section 11(3) of the *Local Government Act 1993*.

Clause 178(3) of the *Local Government (General) Regulation 2005* states:

- (3) A council that decides not to accept any of the tenders for a proposed contract or receives no tenders for the proposed contract must, by resolution, do one of the following:
  - (a) postpone or cancel the proposal for the contract,
  - (b) invite, in accordance with clause 167, 168 or 169, fresh tenders based on the same or different details,**
  - (c) invite, in accordance with clause 168, fresh applications from persons interested in tendering for the proposed contract,
  - (d) invite, in accordance with clause 169, fresh applications from persons interested in tendering for contracts of the same kind as the proposed contract,
  - (e) enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender,
  - (f) carry out the requirements of the proposed contract itself.

### **Critical Dates / Time Frames**

The deadline for expenditure of the Boating Now grant has been extended to 31 January 2019.

A new design and construct tender process would be conducted based upon a concept design during September. Construction anticipated to commence in November 2018. Construction is expected to be completed in December, prior to the grant funding deadline.

### **Risk**

This contract has been assessed as a medium risk contract principally based on the environmental management requirements of the site. The key risks and mitigation measures have been addressed in the Contract Plan.

### **Regulatory Approvals**

The following regulatory approvals have been obtained for this Contract:

- Approval under Part 5 of the *Environmental Planning and Assessment Act 1979*
- Approval under Part 7 of the *Fisheries Management Act 1994*

### **Public Consultation**

No public consultation specific to this contract was necessary and none has occurred.

Consultation has been undertaken with the following relevant authorities:

- Department of Primary Industries - Fisheries
- Department of Transport – Roads and Maritime Services

### **Options/Alternatives**

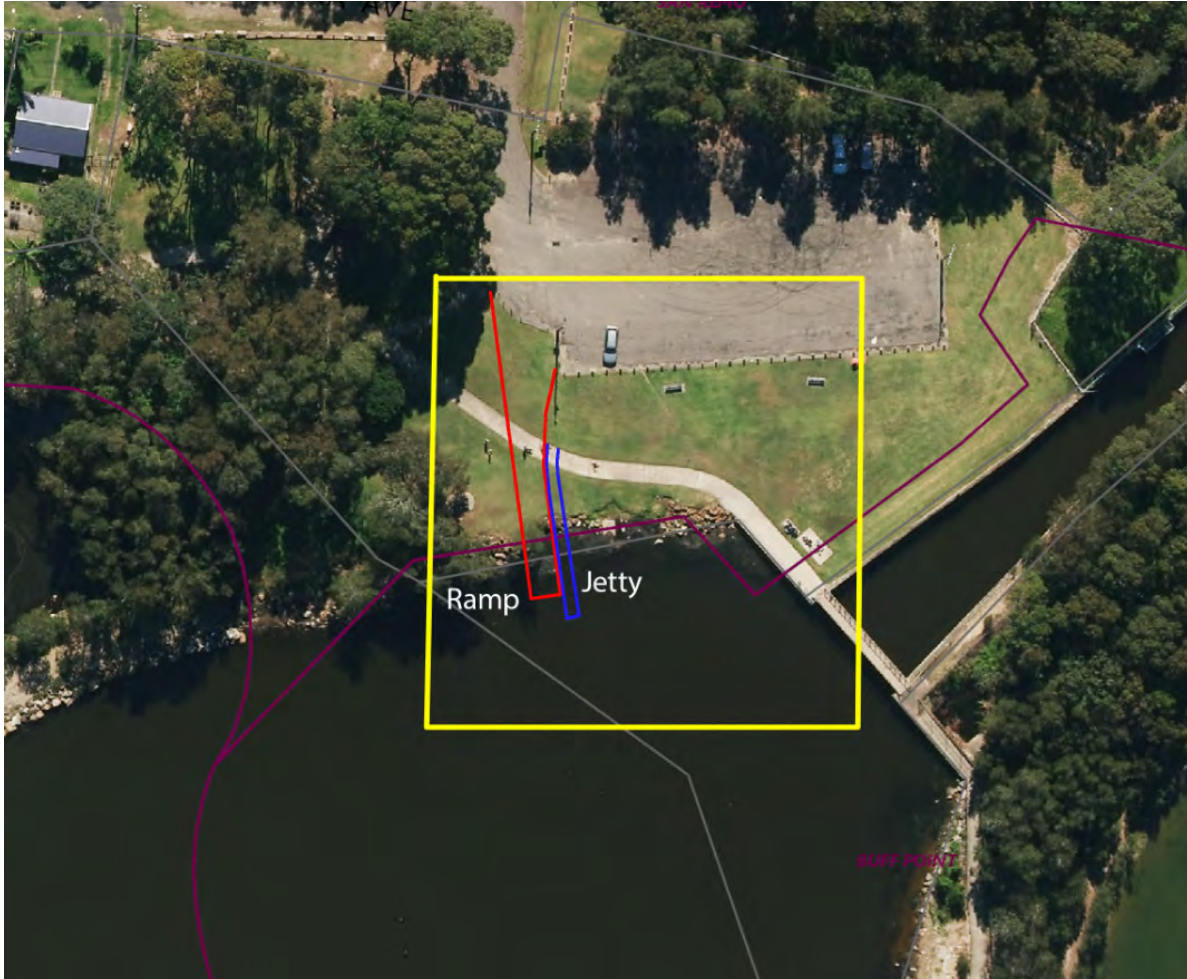
Council has the following options under s178 (3) of the 'Regulation':

1. Accept the lowest tender and fund the difference between the grant value and tender price – **Not Recommended due to the difference from tender price to budget**
2. That Council resolve to reject all tenders, and (for the purpose of cl.178(3) (b) above) invite fresh tenders, fresh tenders based on a different specification that aligns with available budget. - **Recommended**

**3.2 CPA/1028 - Tender Evaluation - Construction of San Remo Boat Ramp, Car Park and Jetty (contd)**

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3. Decline all tenders and enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender - **Not recommended due to the difference from tender price to budget**



*San Remo - Site of project.*

**Attachments**

*Nil.*

**Item No:** 4.1  
**Title:** Structure Review  
**Department:** People and Culture

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-04 - D13321831

Author: Kellie Reeves, Executive Manager, People and Culture

Executive: Gary Murphy, Chief Executive Officer

## Summary

The purpose of this report is for Council to meet its obligations under ss. 332 and 333 of the *Local Government Act 1993*.

## Recommendations

- 1 That the Council note that a review of the organisation structure of Council has been completed, in compliance with s. 333 of the Local Government Act 1993.**
- 2 That the Council resolve, pursuant to s. 332(1) of the Local Government Act 1993, that the organisation structure of Council (as it relates to senior staff positions) is, from 1 November 2018, to be amended as set out in Diagram Two of this report.**

## Background

The *Local Government Act 1993* (the Act) provides the legal framework for the system of local government for New South Wales and sets out the responsibilities and powers of councils, councillors and other persons and bodies that constitute the system of local government. Section 333 of the Act relates to the re-determination and review of structure and requires that *the Council must review, and may re-determine, the organisation structure within 12 months after any ordinary election of the council*.

It is identified in sub-section 332 (1) of the Act that it is specifically the senior staff positions within the structure that are determined by Council:

*A council must, after consulting the general manager, determine the following:*

- (a) the senior staff positions within the organisation structure of the council,*
- (b) the roles and reporting lines (for other senior staff) of holders of senior staff positions*

The Act also spells out the factors determining whether a position is in fact a senior staff position. This is found at sub-section 332 (2), which requires that:

*A council may not determine a position to be a senior staff position unless:*

- (a) the responsibilities, skills and accountabilities of the position are generally equivalent to those applicable to the Executive Band of the Local Government (State) Award, and*
- (b) the total remuneration package payable with respect to the position is equal to or greater than the minimum remuneration package (within the meaning of Part 3B of the Statutory and Other Offices Remuneration Act 1975 ) payable with respect to senior executives whose positions are graded Band 1 under the Government Sector Employment Act 2013 .*

The Executive Band skills descriptors of the *Local Government (State) Award 2017* are:

### *Executive Band 4*

*Authority and accountability: Accountable for the direction and control of the employer or a department or the like. Influence and commit the employer or a department or the like to long-term strategic directions. Lead policy development and implementation.*

*Judgement and problem solving: Positions solve problems through analytic reasoning and integration of wide-ranging and complex information, and have a high level of independence in determining direction and approach to issues.*

*Specialist knowledge and skills: The position requires the application of a range of specialist knowledge and skills, including relevant legislation and policies and other areas of precedent. Ability to provide authoritative advice to the employer.*

*Management skills: Application of corporate management skills in a diverse organisation to establish goals and objectives. Manage and control staff, budgets and work programs or major projects of the employer or a department or the like utilising leadership, evaluation and monitoring skills to facilitate achievement of objectives. Ability to generate innovative approaches to more effectively deploy resources, meet changing circumstances and improve service to the employer's clients.*

*Interpersonal skills: Positions use persuasive skills with external parties on major items of critical importance to the employer. They motivate managers and staff at all levels by leading and influencing others to achieve complex objectives. They influence the development of the employer.*

*Qualifications and experience: Positions will have a relevant degree or equivalent and management experience, combined with accredited management qualifications.*

All senior staff positions are appointed under a prescribed Standard Contract of Employment.

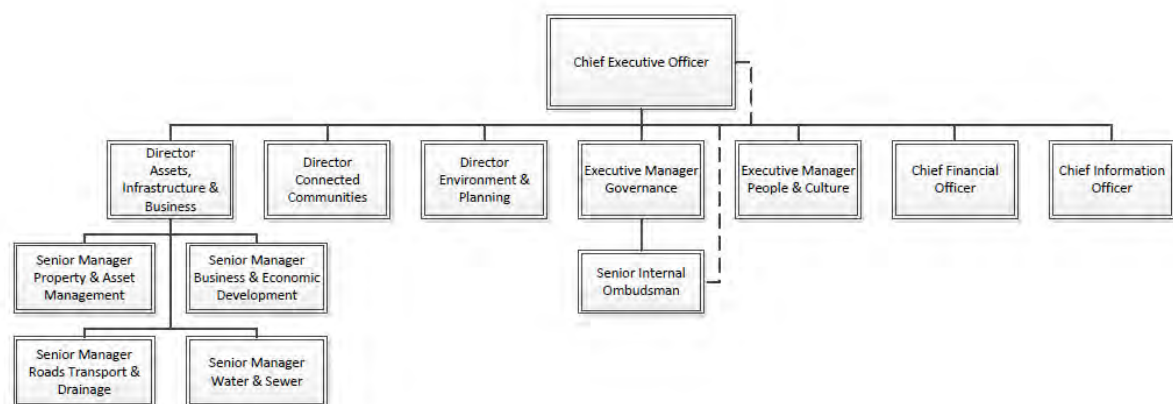
### Current senior staff structure

There are thirteen senior staff positions in the current Central Coast Council organisation structure, which are:

- Chief Executive Officer
- Director Assets Infrastructure and Business
- Director Environment and Planning
- Director Connected Communities
- Chief Financial Officer
- Chief Information Officer
- Executive Manager Governance
- Executive Manager People and Culture
- Senior Internal Ombudsman
- Senior Manager Roads Transport and Drainage
- Senior Manager Water and Sewer
- Senior Manager Property and Asset Management
- Senior Manager Business and Economic Development

The organisational chart below in Diagram One depicts the reporting lines of these positions.

Diagram One



### **Council review of the senior staff positions and reporting lines**

At the Ordinary Meeting of Council on Monday 27 August 2018 in item 4.2 it was noted that Council had commenced review of the structure as required by the Act. The relevant resolutions on this item were:

- 1 *That Council note that the review of the structure has commenced and Councillors have received two briefings to date.*
- 2 *That the Chief Executive Officer bring a report on the review of the structure to the Ordinary Meeting being held on 10 September 2018.*

With the election of the fifteen Councillors for Central Coast Council on 9<sup>th</sup> September 2017 the review of the structure is required to be completed by 10<sup>th</sup> September 2018: s. 36 of the *Interpretation Act 1987*.

Council has taken the following actions and has now completed the review required under section 333 of the Act:

- A Working Party was formed and met on a number of occasions with independent facilitation and expert advice on organisation structures within local government
- Assessment of alignment with the Central Coast Council Community Strategic Plan
- Staff feedback on structure received since amalgamation and in the recent employee survey was referenced
- Two briefings were held with Councillors

It is important to note that the review has focused on ensuring alignment to the Community Strategic Plan (CSP), in accordance with sub-section 332 (IB) of the Act which provides that:

*the positions within the organisation structure of the council are to be determined so as to give effect to the priorities set out in the strategic plans (including the community strategic plan) and delivery program of the council.*

It was identified that a clearer line of sight between the CSP and the senior staff structure was required for the two CSP themes of 'Smart' and 'Green'. The vision for the Central Coast is that we are a 'Smart' region; a growing and competitive region and a place of opportunity for people. The 'Green' vision is that we focus on environmental resources for the future with cherished and protected natural beauty.

Another key review finding was that a flattening of the leadership structure should occur in the Assets, Infrastructure and Business directorate to empower teams and allow for improved efficiency, performance and delivery of services to the community.



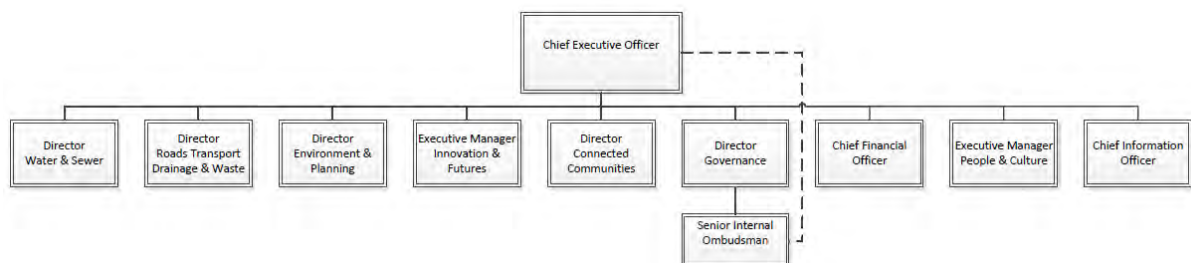
### Changes to the senior staff positions and reporting lines

The outcome of the Council's review of the senior staff positions and reporting lines is that amendments are proposed, including a proposed reduction of the number of senior staff positions to eleven. This sees a flattening of leadership structures in the former Assets, Infrastructure and Business directorate and an increased focus on the Community Strategic Plan themes of 'Smart' and 'Green'. The senior staff positions that are proposed are:

- Chief Executive Officer
- Director Connected Communities
- Director Environment and Planning
- Director Roads Transport Drainage and Waste
- Director Water and Sewer
- Director Governance
- Chief Financial Officer
- Chief Information Officer
- Executive Manager People and Culture
- Executive Manager Innovation and Futures
- Senior Internal Ombudsman

The organisational chart in Diagram Two below depicts the proposed organisation structure for senior staff positions and senior staff reporting lines for those positions.

Diagram Two



The proposed new department of 'Innovation and Futures' will ensure that Central Coast Council is clearly focusing on the future of the Coast with a 10+ year time horizon guiding their work. The Environment and Planning directorate is proposed to take an increased focus on environment.

It is recommended that the former Assets, Infrastructure and Business directorate be removed with two of its current departments now represented as directorates, and that the units in the remaining departments be shifted to align into other existing directorates. It is recommended that the amended senior staff structure is implemented on 1 November 2018.

### **Link to Community Strategic Plan**

Theme 4: Responsible

### **Goal G: Good governance and great partnerships**

G4: Serve the community by providing great customer experience, value for money and quality services.

### **Attachments**

*Nil.*

**Item No:** 4.2  
**Title:** Sister City Relationship - Review of Former Sister Cities  
**Department:** Connected Communities

10 September 2018 Ordinary Council Meeting

Trim Reference: F2004/07107 - D13259973

**Author:** Aliesha Gates, Community Development Worker  
**Manager:** Glenn Cannard, Unit Manager, Community Partnerships  
**Executive:** Julie Vaughan, Director, Connected Communities

## Summary

This report provides an overview of the current and former Sister City relationships of the former Gosford City and Wyong Shire Councils.

## Recommendation

- 1 That Council request the Chief Executive Officer negotiate and enter into a Memorandum of Understanding (MoU) with the Gosford Sister City Association to identify future roles and responsibilities in undertaking Sister City related projects.**
- 2 That Council request the Chief Executive Officer negotiate and enter into a partnership agreement with Walgett Shire Council to promote cultural and sporting exchanges.**
- 3 That Council request the Chief Executive Officer negotiate and enter into future partnership or friendship agreements with other Local Government Areas as appropriate provided a clear benefit and purpose is established.**

## Context

At its meeting held 26 February 2018, Council resolved as follows:

- 106/18 That Council requests the Acting Chief Executive Officer provide a further report to Council documenting a review and current status of all historical Sister City relationships of the former Gosford City and Wyong Shire Council's.*

Prior to amalgamation the former Gosford City Council had four Sister City Programs in place, Edogawa City (Japan), Nitra (Slovakia), Jinhua (China) and Walgett (NSW), however not all agreements were current. With the exception of Edogawa City and Walgett, the other agreements have been effectively dormant since 2013.

In the former Wyong Shire Council there were two Sister City initiatives, Tanabe (Japan) and Southland (New Zealand), however these were disbanded in 2009 following a Council resolution regarding the cost effectiveness and community benefit of the programs.

The former Wyong Shire Council's Sister City Programs were disbanded at its ordinary meeting on the 12 August 2009, when the former Council resolved as follows:

- 1 *That Council thinks the Mayors of Tanabe and Southland and their communities for their support of our Sister City Program.*
- 2 *That as Council now believes such programs funded by the ratepayer purse are not being recognized by the broader community as core to Council's service provision in particularly difficult economic times, Council now officially withdraw its support of the Sister City Programs.*
- 3 *That as this initiative has cost our ratepayers hundreds of thousands of dollars over the life of the program it is envisaged that in the event any future partnerships are established they must demonstrate a tangible benefit to our ratepayers in economic and employment terms.*

Both the former Wyong Shire Council and the former Gosford City Council had Sister City Committees prior to amalgamation.

The former Wyong Shire Council Committee was disbanded along with the Programs in 2009. The former Gosford City Council's Committee became an incorporated association in 2000 now known as the Gosford Sister City Association.

Historically the Gosford Sister City Association has been involved in various exchanges and promoting understanding, peace and acceptance through community events and activities, however the intersection of roles and responsibilities between Council and the Gosford Sister City Association has never been clearly defined nor formalized since their inception. It is the recommendation of this report that Council establishes a Memorandum of Understanding (MoU) with Gosford Sister City Association in order to clearly establish responsibilities and expectations for both the Association and Council for future collaboration.

### **Background**

#### *Overall Program Objectives*

The historical objectives of the Sister City relationships were based on the objectives of Sister Cities Australia. These include:

- Developing long-lasting, mutually beneficial friendships and exchange of ideas.
- Gaining a valuable understanding of international, national and/or state issues, cultures and traditions.

- Generating harmony, tolerance and goodwill.
- Promoting economic growth and an increase in tourism.
- Exchanging cultural and educational experiences and values.
- Exchanging technical assistance and advice to other cities.

Sister Cities Australia states that Sister City relationships 'aim to provide a forum for cultural, economic and educational interchange between communities and to encourage friendship, co-operation and understanding to improve peaceful co-existence worldwide'.

Historically both the former Council Sister City Committees had relationships with Sister City Australia.

Prior to amalgamation there was historically six formal Sister City agreements between the two former Councils. Two agreements belonged to the former Wyong Shire Council including Tanabe (Japan) and Southland (New Zealand) and four belonged to the former Gosford City Council including, Edogawa (Japan), Nitra (Slovakia), Jinhua (China) and Walgett (NSW).

The former Wyong Shire Council's Sister City relations were disbanded in 2009 following a Council resolution.

Details of both former Council's individual Sister City relationships are outlined below:

### *Tanabe, Japan*

Tanabe was a Sister City of the Former Wyong Shire Council. An agreement between Wyong and Tanabe was signed in 1993 and like all former Wyong Shire Council Sister City agreements was disbanded in 2009.

Historically the former Wyong Shire Council's involvement included an ambassador exchange, a three month staff exchange, scholarship programs, artwork exchange exhibitions between schools and school partnerships. The last exchange occurred in August 2008 before the Sister City relationships were disbanded.

### *Southland, New Zealand*

Southland was a Sister City of the former Wyong Shire Council. The agreement between Southland and Wyong was signed in 1995. In 2009 the relationship/agreement was disbanded as part of a resolution of the former Wyong Shire Council.

Historically the relationship between Southland and the former Wyong Shire Council involved ambassador programs, exchange programs and community partnership programs. The last recorded involvement from the former Wyong Shire Council was in 2008 as the agreement expired in 2009.

However there was a policy developed in support of a MoU signed on the 23 July 2015 by the Human Resources Manager of the former Wyong Shire Council and Southland District

Council in regards to a staff exchange. There has been no further activity within the staff exchange program since 2015.

### *Edogawa, Japan*

Edogawa was a Sister City relationship of the former Gosford City with the agreement signed in 1988. In 2017 Council agreed to resign the Sister City agreement making Edogawa the first Sister City of Central Coast Council. 2018 marks the 30th anniversary between Edogawa and the Central Coast and as a result a delegation of five was sent to Edogawa on May 15, 2018 for the official signing ceremony.

Historically the relationship has involved delegation trips, staff exchanges, youth exchanges and community partnership programs. The Commemorative Gardens, located within the Gosford Regional Gallery, were a gift to the Central Coast from the people of Edogawa. The Gardens were officially opened in 1994. Materials to establish the gardens were transported from Japan by Edogawa City and the total cost of Edogawa City's contribution to the Commemorative Garden to date is estimated at \$1M (AUD). Council recently resolved to accept a further donation of \$250,000 from Japan to construct a Japanese Tea House within the existing Commemorative Gardens footprint.

### *Nitra, Slovakia*

The Sister City agreement between the former Gosford City Council and Nitra was signed at the same time as Edogawa in 1988. Historically delegations between Nitra and Gosford were held at the same time as delegation trips between Edogawa and Gosford. The last recorded delegation visit was held in May 2012 when Councillors and the General Manager went to Edogawa, Jinhua and Nitra. The agreement between former Gosford City Council and Nitra officially expired in 2012.

There was a further Mayoral delegation from Nitra that visited Gosford in 2013 for the 25<sup>th</sup> Anniversary however there is no register of a new agreement being signed post 2012. In 2015 there are records stating the former Gosford City Council intended to visit in July of 2015, however the latter exchange did not take place due to the potential of amalgamation.

### *Jinhua, China*

Jinhua was a Sister City relationship of the former Gosford City Council. In contrast to other former Gosford City Council's Sister City agreements Jinhua and Gosford signed a friendly exchange agreement instead of a Sister City agreement. This alternative agreement was signed in 2000 and has no expiry date.

The only recorded historical involvement was Mayoral delegations visiting Jinhua with the last exchange occurring in 2012.

*Walgett, NSW*

Walgett Shire Council (the traditional land of the Gamilaraay people) was a Sister City of the former Gosford City Council and the agreement was signed in 2007 and was formally known as a rural/metropolitan Sister City agreement. The agreement has no expiry date.

Historically the relationship between the former Gosford City Council and Walgett Shire Council was mainly at a staff level, focused primarily around sport and cultural exchanges. Projects included skate workshops run at Lightning Ridge in 2011 in partnership with the former Gosford City Council's youth workers and Walgett Shire Council. As well as a short student cricket exchange in 2014 in partnership with Central Coast Cricket.

The most frequent connection between staff from the former Gosford City Council and Walgett Shire Council was a Cultural and Sport exchange program involving sending a Rugby League team (20 players) and two Netball teams, accompanied by teachers/parents and staff to participate in the Ricky Walford Cup and Jenny Wright Shield respectively. This was an annual program running from 2007 with sponsorship funding from the former Gosford City Council ceasing in 2016.

**Current Status**

At the 26 February 2018 meeting of Council, the Council resolved to (100/18) reaffirm its commitment to the sister city relationship with Edogawa City, and the Mayor re-signed the Sister City agreement with Edogawa on 17 May 2018.

Central Coast Council recently assisted with hosting the 2018 youth exchange from Edogawa City from 24 July 2018 through 2 August 2018. Council is also currently supporting Gosford Sister City Association with its 30th anniversary celebrations.

Council will also be developing an ongoing program, in partnership with Edogawa City, to utilize technology for future exchanges to reduce or negate the need for international travel.

Council staff are also continuing to develop a partnership program (based on potential cultural and sporting exchanges) with relevant stakeholders in the Walgett area as part of the Bridging the Gap suite of Indigenous community development programs. This approach builds upon the historical intent of the original 2007 agreement while ensuring any specific future program outcomes are aligned to Council's broader Indigenous community development objectives.

The above review indicates that apart from Edogawa City and Walgett, all former formal Sister City relationships were effectively dormant prior to amalgamation.

In addition to this analysis of historical Sister City arrangements Council has recently received communication from Warrumbungle Shire Council wishing to establish a friendship agreement between our two local government areas. While staff are still investigating aspects of this particular request Council acknowledges that informal friendship agreements of this nature should be considered provided a clear benefit and purpose is established.

### Consultation

In addition to information provided by the Gosford Sister City Association, consultation was undertaken with staff within the Governance and Business Services Unit and the Connected Communities Directorate within Council in relation to previous Sister City processes and programs in the preparation of this report.

### Options

- 1 Council continues the current Central Coast Sister City agreement with Edogawa City and develops relevant operational partnership projects with the Walgett area. This option would focus resources in order to strengthen our cultural and economic relationship with Edogawa City and Walgett and enhance broader community benefits.
- 2 Council continues the current Sister City agreement with Edogawa City and Walgett and investigates what is required to activate/renew the other dormant international Sister City relationships, including a review of the potential costs and benefits of these programs.

### Financial Impact

Within the 2018/19 operational budget \$25,000 has been allocated towards ongoing Edogawa Sister City initiatives, including the youth exchange and 30<sup>th</sup> Anniversary celebrations. An additional \$10,000 has been allocated to develop the cultural/sporting exchange program with the Walgett region.

It is advised that in circumstances where Council formally decides on any further delegation exchange, or direction is provided to re-activate any of the historical Sister City agreements, a separate budget is allocated as deemed appropriate.

### Social Impacts

The benefit of Sister City relationships can be measured in various ways – increases in trade and economic development opportunities, cultural exchange, enriched community understanding, enhanced tourism products and opportunities, and strengthened sporting partnerships.

These relationships also generate harmony, tolerance and goodwill as well as producing a valuable understanding of international, national or state issues, cultures and traditions.

Council has already committed to partnering with Edogawa City to better measure and articulate the broader community benefit that arises from this exchange program ongoing. If



other Sister City relationships are reaffirmed or created a stronger evaluation process will need to be initiated in order to measure community benefit and impact.

Council has already committed to partnering with Edogawa City to better measure and articulate the broader community benefit that arises from this exchange program ongoing. If other Sister City relationships are reaffirmed or created a stronger evaluation process will need to be initiated in order to measure community benefit and impact.

### **Environmental Considerations**

Nil impact.

### **Risk Management**

If Council resolves to pursue Sister City relationships in addition to Edogawa City it is imperative that robust evaluation and transparent process is followed in order for the broader community and economic benefits to be captured and articulated to the wider community.

### **Critical Dates or Timeframes**

Nil impact

### **Link to Community Strategic Plan**

Theme 1: Belonging

### **Goal B: Creativity connection and local identity**

A1: Work within our communities to connect people, build capacity and create local solutions and initiatives.

### **Attachments**

*Nil.*



**Item No:** 4.3  
**Title:** Request to Name Park - Corner Coburg and Wells Streets East Gosford  
**Department:** Assets, Infrastructure and Business

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13283827  
Author: Karen Tucker, Acting Unit Manager, Open Space and Recreation  
Manager: Brett Sherar, Acting Senior Manager, Property and Asset Management  
Executive: Boris Bolgoff, Acting Director, Assets, Infrastructure and Business

## Report Purpose

To seek Council's authorisation to submit an application to the Geographical Names Board to name the reserve on the corner of Coburg and Wells Streets, East Gosford as "East Gosford Community Reserve".

## Summary

Following Council's adoption of the *Policy for Memorials, Naming of Council Facilities and Donations of Park Furniture and Trees Policy* (Policy) in March 2018, an application has been received from the Friends of East Gosford Community Reserve to name the previously un-named reserve on the corner of Coburg and Wells Streets East Gosford as "East Gosford Community Reserve".

## Recommendation

***That Council requests that the Chief Executive Officer submit an application to the Geographical Names Board for the naming of the reserve on the corner of Coburg and Wells Streets, East Gosford to 'East Gosford Community Reserve'.***

## Context

The un-named reserve, which is the subject of this report, comprises the following title details:

Lot: 2 DP: 1027281 RE1 Public Recreation  
Lots 8, 9, 12, 13, 16, 17 and 18: DP: 135256 - RE1 Public Recreation  
(See Attachment 2 which provides a map of the reserve area)

Members of the East Gosford community have been working with Council's Landcare Group to clear, re-plant and generally improve the amenity of this reserve to bring it to a standard where visitors can now enjoy this space for recreational purposes. Attachment 1 provides a submission by the Friends of East Gosford Community Reserve to now have this area formally named.

### 4.3 Request to Name Park - Corner Coburg and Wells Streets East Gosford (contd)

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The application complies with the requirements outlined in the Policy.

#### **Assessment/Report/Proposal/Tender Evaluation**

Not applicable.

#### **Consultation**

During the recent period of administration, the Administrator prevented this land being sold by Council following community feedback that the land was valuable as a local reserve.

The Friends of East Gosford Community Reserve have been working under Council's Landcare Program as a Tidy Towns Group conducting bush regeneration and targeting environmental weed removal from the bushland. Since their formation in 2017 the group has met twice per month to remove environmental weeds and improved the biodiversity of this reserve.

During the recent 'Save East Gosford Reserve' campaign, hundreds of local residents protested the former Gosford Council's planned sale of the reserve. Their current Facebook page has over 550 members.

#### **Options**

##### **Option 1**

Approve the application to the Geographical Names Board for the naming of this reserve as East Gosford Community Reserve. - **Recommended** as this will identify the area of the reserve and acknowledge the work carried out by the community in this space.

##### **Option 2**

Not approve the application to name this reserve as East Gosford Community Reserve - **Not Recommended**.

#### **Financial Impact**

The purchase and installation of signage is estimated at \$600 and these funds are available in the 2018/19 operational budget.

#### **4.3 Request to Name Park - Corner Coburg and Wells Streets East Gosford (contd)**

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##### **Link to Community Strategic Plan**

Theme 1: Belonging

##### **Goal A: Our community spirit is our strength**

A4: Enhance community safety within neighbourhoods, public spaces and places.

##### **Critical Dates or Timeframes**

Not applicable.

##### **Attachments**

- |          |  |           |
|----------|--|-----------|
| <b>1</b> | East Gosford Community Reserve Naming Application and supporting documents | D13296344 |
| <b>2</b> | Map - Community Reserve - Corner Wells and Coburg Streets, East Gosford    | D13300535 |

Friends of East Gosford Community Reserve

July 10, 2018

Chief Executive Officer  
Central Coast Council  
Mann Street  
Gosford NSW 2250

Attention: Property and Asset Management Unit and Natural and Environmental Assets

Re: Application to name community reserve - East Gosford Community Reserve

Address: Unnamed reserve - R2307 Wells/Coburg Street Reserve - 75 Wells Street, East Gosford 2250 Lot 2 DP 1027281, 77 Wells Street, East Gosford 2250 Lot 18 DP 135256, 79 Wells Street, East Gosford 2250 Lot 17 DP 135256, 29 Waratah Street, East Gosford 2250 Lot 8, 9, 12, 13, 16 DP135256

Dear Sirs

Friends of East Gosford Community Reserve wish to request the formal naming of East Gosford Community Reserve. Please find below our answers as requested (in red) to process this application as per the document 'Policy for Memorials, Naming of Council Facilities and Donation of Park Furniture and Trees' as provided by Council. As requested the documentation and statutory declaration have been signed off by a Justice of the Peace.

APPLICATION FOR NAMING FACILITIES OWNED BY CENTRAL COAST COUNCIL

Name and address of the requester

Friends of East Gosford Community Reserve, [REDACTED]

Information to clearly identify the facility (see attachments)

The reserve address is: Unnamed reserve - R2307 Wells/Coburg Street Reserve  
75 Wells Street, East Gosford 2250 Lot 2 DP 1027281  
77 Wells Street, East Gosford 2250 Lot 18 DP 135256  
79 Wells Street, East Gosford 2250 Lot 17 DP 135256  
29 Waratah Street, East Gosford 2250 Lot 8, 9, 12, 13, 16 DP135256

I certify this is a true copy of the original document shown & reported to me as the original.  
Dated: 9/7/2018  
Justice of the Peace (JP)  
BRUCE WILLIAM JIMMS  
Reg'd No. 143462

The reserve is located on the corner of Wells and Coburg Streets, East Gosford. Attached please find an aerial photo of the reserve as well as a Preliminary Environmental Report dated November, 2015 which gives a description of the reserve including its flora and fauna.

Reason for the choice of facility, including discussing the origin and significance of the current name to the facility

In 2015 Gosford Council indicated that it was considering rezoning and selling-off the reserve for development. After a 15 month campaign by hundreds of local residents the Administrator ruled that the site remain as a community asset. Shortly after Friends of East Gosford Community Reserve was formed and Council approved a pilot program of bush care for the reserve with local residents supported by a Council staff member for twice monthly working bees. The reason for the preferred name of the reserve as East Gosford Community Reserve is that it clearly highlights its location, that it is a community asset and that it is a reserve. The reserve contains a wide diversity of flora and fauna (please see attached Environmental Report) which provides a truly rare opportunity to retain a patch of natural bushland within a medium density suburb.

The application must be supported in writing by a minimum of three third parties, one of which must be a local community group

1. Rotary Club of East Gosford Inc (East Gosford Community Garden) (attached)
2. Community Environment Network (CEN) (attached)
3. Australian Conservation Foundation, Central Coast branch (attached)

The document must be validated by Statutory Declaration and signed by a Justice of the Peace

Attached

Proposed use of Aboriginal names for a facility must demonstrate consultation with the Local Aboriginal Lands Council and Council's Indigenous Community Development Worker

Not applicable

In circumstances as determined by the Council's Property and Asset Management unit where an application to name or re-name a facility is potentially controversial or questionable, the application will be advertised for a period of 21 days to provide opportunity for community comment and feedback for consideration by Council.

It is the Friends of East Gosford Community Reserve's belief that the naming of the reserve is not 'potentially controversial or questionable' as the naming of the reserve has wide-spread resident support. During the Save East Gosford Reserve campaign hundreds of local residents protested the former Gosford Council's planned sell-off of the reserve. The current facebook page for the reserve has over 550 members.

Evaluation of the appropriateness of the name or re-naming of a facility will be made by Council's Property and Asset Management unit in close consultation with the relevant Council asset user(s) and Governance

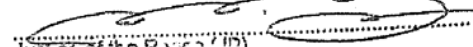
To be done by Council

All applications and any community feedback received will be given careful consideration by Council's Property and Asset Management unit prior to being presented to Council via a quarterly Council Report

To be done by Council

I verify this to be a true copy of the original document shown & reported to me as the original.

Dated: 9/12/2014

  
 JUSTICE OF THE PEACE (JP)  
 BRUCE WILLIAM DINNS Reg'd No. 143463

Naming of new facilities owned by Central Coast Council

The reserve is a community asset and is not owned by Central Coast Council.

East Gosford Community Reserve is a valued community asset and the reserve's naming will highlight its future community and environmental importance.

With thanks

Sue Chidgey

on behalf of the Friends of East Gosford Community Reserve

I certify this to be a true copy of the original  
document shown & reported to me as the original.  
Dated: 9/3/2018  
Justices of the Peace (JP)  
BRUCE WILLIAM DINING Regd No. 143463

## STATUTORY DECLARATION

DATED MONDAY, JULY 9, 2018

COPY

I, Susan Chidgey, hereby state that I am the individual making an application to Central Coast Council for the formal naming of East Gosford Community Reserve on behalf of Friends of East Gosford Community Reserve. The address details of the Reserve are as follows:

Unnamed reserve - R2307 Wells/Coburg Street Reserve  
 75 Wells Street, East Gosford 2250 Lot 2 DP 1027281  
 77 Wells Street, East Gosford 2250 Lot 18 DP 135256  
 79 Wells Street, East Gosford 2250 Lot 17 DP 135256  
 29 Waratah Street, East Gosford 2250 Lot 8, 9, 12, 13, 16 DP135256

I further state that the following documentation has been provided by the following organisations to support the application:

- Letter of Support from Rotary Club of East Gosford Incorporated
- Letter of Support from Community Environment Network
- Letter of Support from Australian Conservation Foundation, Central Coast Branch
- Preliminary Environment Report provided by Conacher Consulting Pty. Ltd.

*Susan Chidgey*  
 SUSAN CHIDGEY

*9/7/18*  
 Dated

WITNESS

*[Signature]*

Bruce William Binns  
 078 143484

( 9 - 7 - 2018 )

I certify this to be a true copy of the original document shown & reported to me as the original.  
 Dated: *9/7/18*  
 Justice of the Peace  
 BRUCE WILLIAM BINNS  
 Regd No. 143484



copy

**Community Environment Network Inc.***An alliance of community and environment groups from Lake Macquarie, Wyong and Gosford.*

28 May, 2018

CEO  
Central Coast Council  
PO Box 21  
Gosford 2250

**Letter of Support – Renaming of reserve at East Gosford**

Dear Sir,

The Community Environment Network (CEN) is an alliance of community and environment groups from the Central Coast and Lake Macquarie. Our aim is to work for ecologically sustainable development and against threats to it.

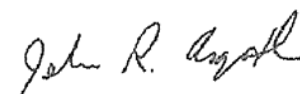
CEN is aware of the work of the Friends of East Gosford Community Reserve. For the past year Friends of East Gosford Community Reserve have done bush care within the reserve on the corner of Wells and Coburg Streets, East Gosford, with the support of a Council staff member. It is a truly beautiful reserve of around 2 acres and it contains a diverse range of flora and fauna.

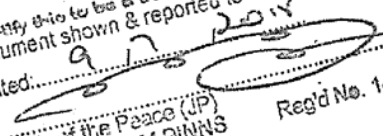
We commend the local community on their efforts to enhance this reserve for its environmental and recreation values for their community.

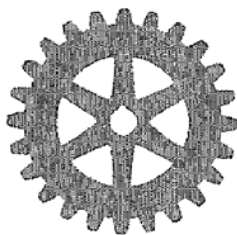
We strongly support the request from the Friends of East Gosford Community Reserve for this reserve to be formally named East Gosford Community Reserve.

We urge Council to consider this request favourably.

Yours sincerely,

  
John Asquith  
Chairman

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document shown & reported to me as the original.  
Dated: 9/7/2018  
  
Justice of the Peace (JP)  
BRUCE WILLIAM DINNS  
Reg'd No. 143469



## Rotary Club of East Gosford Incorporated

ABN 20 515 938 622  
"SERVICE ABOVE SELF"

P.O. Box 4008,  
East Gosford, N.S.W.  
2250 Australia.

16<sup>th</sup> May 2018

To Whom It May Concern

The Rotary Club of East Gosford supports the Friends of East Gosford Community Reserve in the process of applying for the East Gosford Reserve on the corner of Wells and Coburg Streets to be formally named

'East Gosford Community Reserve'.

We feel that this block of green space should be retained for the future of our community. The Reserve is a very important community environmental asset for the East Gosford district and as such it deserves a proper name.

We support this name.

Margaret Berger

Secretary

Rotary Club of East Gosford

I certify this to be a true copy of the original  
document shown & reported to me as the original  
Dated: 09/07/2018

Justice of the Peace (JP)  
BRUCE WILLIAM BINNS

Reg'd No. 143463



Australian  
Conservation  
Foundation

Central Coast branch  
PO Box 547  
Woy Woy NSW 2256

Ms Sue Chidgey  
14, Coburg St  
East Gosford  
NSW 2250

17<sup>TH</sup> May 2018

Dear Sue,

**Ref- East Gosford Reserve.**

On behalf of the Australian Conservation Foundation- Central Coast Branch (ACF-CC) I would like to support the Friends of the East Gosford Reserve to officially recognize the naming of the reserve on the corner of Wells St and Coburg St, East Gosford as "East Gosford Community Reserve", by the Central Coast Council.

Yours faithfully,

John Wiggin.  
Secretary of ACF-CC,

I certify this to be a true copy of the original  
document shown & reported to me as the original.  
Dated: 9 / 7 / 2018  
  
Justice of the Peace (JP)  
BRUCE WILLIAM BINNS  
Reg'd No. 143463



## PRELIMINARY ENVIRONMENTAL ISSUES REPORT

### COBURG STREET RESERVE

### EAST GOSFORD

I certify this to be a true copy of the original  
document shown & reported to me as the original.  
Dated: 21/11/2015  
Justice of the Peace (JP)  
BRUCE WILLIAM DINNS  
Reg'd No. 14340

NOVEMBER 2015  
REF: 5073

**PRELIMINARY ECOLOGICAL INVESTIGATION REPORT**

**COBURG STREET RESERVE  
EAST GOSFORD**

**NOVEMBER 2015**

I certify this to be a true copy of the original  
document shown & reported to me as the original.  
Dated: 9/17/2015  
Justice of the Peace (JP)  
BRUCE WILLIAM JAMES  
Reg'd No. 143403

**Conacher Consulting Pty Ltd**

**Environmental and Land Management Consultants**

PO Box 4082, East Gosford NSW

Phone: 02 4324 7888

conacherconsulting@gmail.com

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Conacher Consulting P.L. ABN 62 166 920 869

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3. ECOLOGICAL DETAILS.....	4
4. ENVIRONMENTAL PLANNING & ASSESSMENT MATTERS.....	5
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I certify this to be a true copy of the original document shown & reported to me as the original.

Dated: 21/7/2018

Justice of the Peace (JP)  
BRUCE WILLIAM DINNS

Reg'd No 14345

## 1. INTRODUCTION

Gosford City Council is proposing to change the classification of an urban natural area open space reserve from Community Land to Operational Land with the intent to rezone the land for residential development.

The Save East Gosford Reserve Community group has enlisted the expertise of Mr Phil Conacher from Conacher Consulting Pty Ltd to provide advice and environmental data to inform the Community group of the ecological value of the site.

This Report provides the results of preliminary site inspections and background document search e.g. for environmental information relevant to the reserve and its environs.

A summary of the information collated to date is provided in the following sections.

## 2. SITE DETAILS

**Location:** Corner of Wells St and Coburg Street, East Gosford (Refer to Figure 1).

**Area:** 2.06 ha (170m x 180m)

**Zoning:** Public Recreation RE1, previously zoned 6a open space

**Local Character Setting:** Natural Area Park in the developed Residential area.

**Topography:** Low gradient flats located between the foot slopes of the Mount Moat/Rumbalara Ridge and Erina Creek floodplain.

**Drainage:**

- Located in the Erina Creek catchment of the Brisbane Water coastal estuary.
- Dissected by an un-named watercourse which conveys runoff from the upper slopes and adjoining urban areas.
- Contains permanent, ponded water in a series of pools and riffles before being diverted via a drainage berm to the piped stormwater system.
- Parts of the site identified as being under the 1:100 year flood level.

## 3. ECOLOGICAL DETAILS

### 3.1 Vegetation Communities

- Isolated patch of Coastal Narrabeen Moist Forest and Narrabeen/Coastal Blackbutt Forest as mapped by Council.
- Understorey contains many wetland species and several rainforest species.
- Dominated by tall canopy of mixed eucalypt species with sub-canopy height containing tall shrubs and juvenile Eucalypts, Banksias and Wattles and Bottlebrush.

These vegetation communities are restricted to this site within the East Gosford/Springfield locality.

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Dated: 9 July 2018  
Justice of the Peace (JP)  
BRUCE WILLIAM DINNS  
Reg'd No. 143403

### 3.2 Significant Flora Species/Vegetation Communities

- Vegetation communities present are not replicated in similar situations in the East Gosford/Springfield locality.
- Four plant species identified as rainforest determinate species protected under Councils Rainforest Policy have been located on the site.
- One vulnerable species (TSC Act and EP+BC Act listed) *Melaleuca biconvxa* observed on-site.
- Vegetation community yet to be assessed to determine whether it is an endangered ecological community (TSC Act).
- Site contains habitat and species identified as significant habitats in Councils Biodiversity Strategy.

### 3.3 Fauna Habitats

Site contains a large variety of fauna habitats including:

- hollow bearing trees (old growth trees) for hollow nesting fauna
- ground hollow logs
- dense grass/shrub cover
- flowering trees, shrubs, ground vegetation
- fruiting and seed bearing trees
- ponded fresh water
- aquatic vegetation
- rock substrate and earthen banks in creek line
- deep, loose sandy soil for ground foraging fauna

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 Dated: 9/7/2014  
 Justice of the Peace (JP)  
 BRUCE WILLIAM JAMES  
 Reg'd No. 143463

### 3.4 Significant Fauna Species Observed

- Nesting migratory birds including Azure Kingfisher, Forest Kingfisher, Dollarbird and Channel-billed Cuckoo
- Grey headed Flying Fox (EP+BC Act and TSC Act listed)
- Several species of unidentified microbats

## 4. ENVIRONMENTAL PLANNING & ASSESSMENT MATTERS

The following federal, state and local government planning legislation is relevant to the proposal to re-clarify, rezone and develop the subject site. The specific matters relevant to the proposal and these legislative matters have not yet been investigated in detail.

Federal legislation:



- Environmental Protection and Biodiversity Conservation Act (relevant to Grey headed flying Fox and *Melaleuca biconvxa*)

State legislation:

- Coastal Protection Act
- Environmental Planning and Assessment Act
- Local Government Act
- National Parks and Wildlife Act
- Threatened Species Conservation Act
- Water Management Act

Council Policies:

- Access Through Open Space Areas Policy
- Biodiversity Management Policy
- Climate Change Policy
- Creeks, Rivers and Lagoons Setback Policy
- Environmental Policy
- Flood Management Policy
- Landscaped and Vegetation Management Policy
- Natural Open Space Reserved Policy

I declare this to be a true copy of the original document shown & reported to me as the original.  
 Dated: 9 July 2014  
 Justice of the Peace (JP)  
 BRUCE WILLIAM DINNS  
 Reg'd No. 143463

Council Plans and Strategies:

- Gosford Biodiversity Strategy (2008)
- Gosford Community Strategic Plan (2013)

## 5. CONCLUDING COMMENTS

It is my initial finding that the proposal and future development would be in breach of each of the above listed Council Policies and strategies.

It is noted that there does not appear to be a Draft Plan of Management prepared for the reserve. Council is required to prepare Draft Plans of Management for natural area reserves under the requirements and provisions of the Local Government Act.

Based on the outcomes of our preliminary threatened species database searches and document/legislation review it is my opinion that the site has significant environmental and ecological characteristics which would warrant its continued conservation, as required under the existing legislation and Council Policies.

Council Policies acknowledge that the site is protected under the provisions of State Environmental Planning Policy N°19- Bushland in Urban Areas. SEPP19 was introduced in 1986 via the EP+A Act to protect patches of urban bushland from development and inappropriate management. This three hectare patch of urban bushland is classified by Council as Community Land- Natural Area, and should be managed and maintained as such.

This site is a prime example of the types of bushland that are identified for protection by Council within the aims and objectives of SEPP19.

During the process of the preparation of the previous Gosford Local Environmental Plans over the last 25 years, the latest being 2014, this site has always been considered as suitable for retention as a natural area reserve within an urban environment. The current classification and zoning should remain without change.

However, if the site is proposed to be rezoned to allow for residential development SEPP19 (clause 10b) requires... "Council to give priority to retaining bushland, unless it is satisfied that significant environmental, economic or social benefits will arise which outweigh the value of the bushland."

From my preliminary investigations it is my opinion that future residential development of this urban bushland reserved would not achieve any environmental or social benefits.

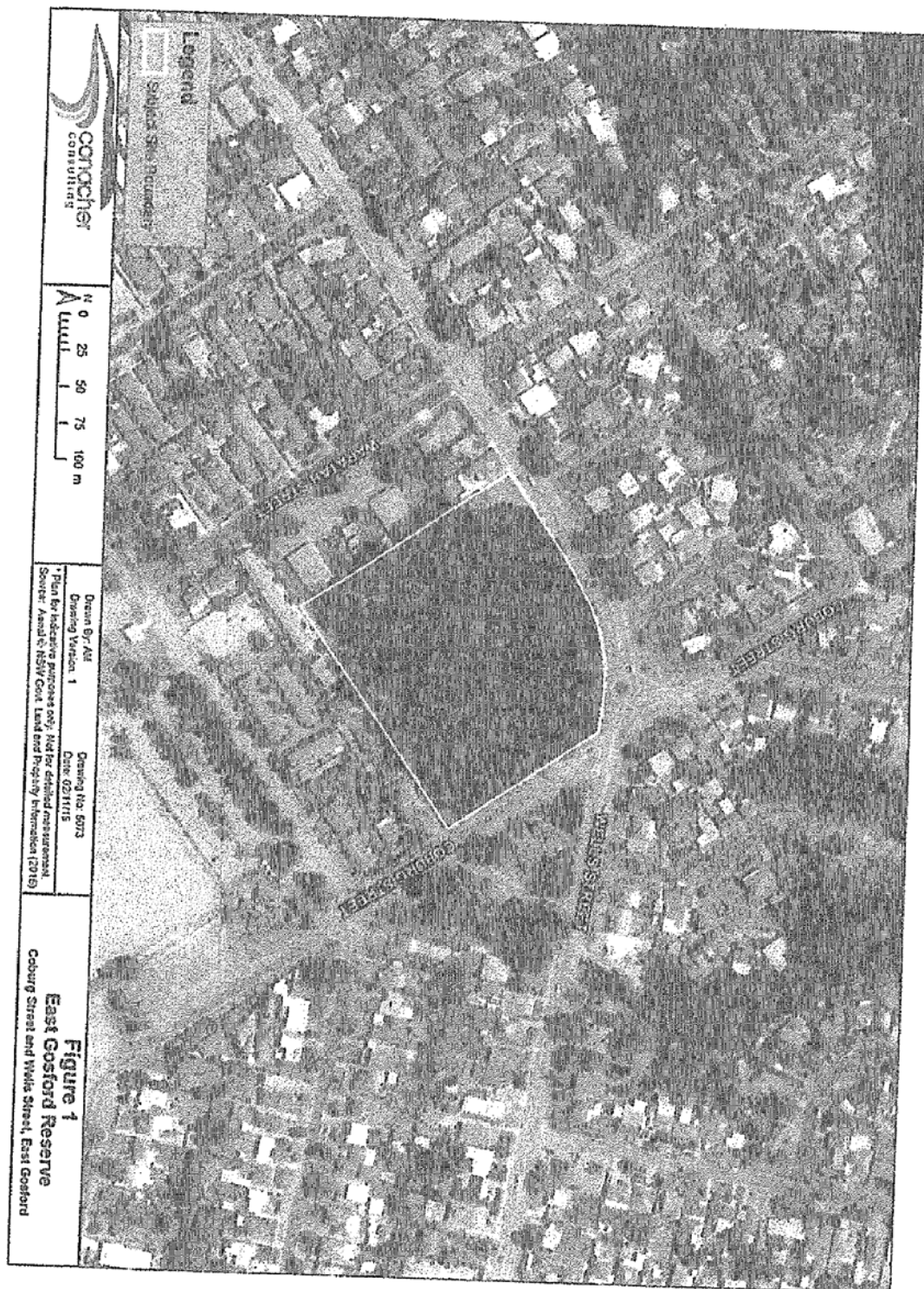
Preliminary Report prepared by:

P.A. Conacher

M.Nat.Res, B.Sc.(Hons), Dip.UrbReg Planning.

SEE AERIAL VIEW OF RESERVE ON NEXT PAGE.....

I certify this to be a true copy of the original document shown & reported to me as the original.  
Dated: 9/7/2017  
Justice of the Peace (JP)  
BRUCE WILLIAM JININS  
Page 16 of 16



I certify this to be a true copy of the original document shown & reported to me as the original.

Dated: 9.1.2018

Justices of the Peace (JP)  
BRUCE WILLIAM DINNS

Reg'd No. 14,346



## Community Reserve – Corner Wells and Coburg Streets, East Gosford

Lot: 2 DP: 1027281 RE1 Public Recreation

Lots 8, 9, 12, 13, 16, 17 and 18: DP: 135256 - RE1 Public Recreation



**Item No:** 4.4  
**Title:** Lifeguard Patrols at The Grant McBride Baths  
**Department:** Connected Communities

---



10 September 2018 Ordinary Council Meeting

Trim Reference: F2004/06262 - D13302569

Author: Phil Cantillon, Unit Manager Leisure and Lifestyle

Executive: Julie Vaughan, Director, Connected Communities

## Summary

At the Ordinary Council Meeting on 9 July 2018, Councillor Pilon raised the following Question on Notice:

*Q109/18 Given the level of community support for a year round life guard at The Grant McBride Baths, can you please provide a detailed information report regarding operational costs to Councillors via a Council Report?*

This report responds to that Question on Notice.

## Recommendation

***That Council request the Chief Executive Officer continue the current level of service at the Grant McBride Baths, with the Baths patrolled from September to April annually.***

## Context

The Grant McBride Baths (formerly The Entrance Ocean Baths) are patrolled currently by Council lifeguards seven days a week from September to April. This lifeguard patrol is part of Council's Beach Safety Team, which provides aquatic safety at fifteen beach locations from Umina Beach in the South to The Lakes in the North. The additional site of Budgewoi is patrolled by Council seven days a week throughout the summer holiday period, whilst Ficus Avenue (Avoca) is patrolled during the school holiday period Monday to Friday due to the large crowds. Council patrols these fifteen locations Monday to Friday, with Surf Life Saving completing volunteer patrols at the weekends and public holidays. Council also completes weekend and public holiday patrols at The Grant McBride Baths, and the additional site of Budgewoi, due to no surf club being attached to these sites. Each beach location has two lifeguards patrolling during off-peak periods, which can extend to four during the peak summer periods, due to the increase in crowds.

The lifeguard patrolled hours at The Grant McBride Baths are aligned to beach patrol hours which are 9am to 5pm (off peak – September to November and February to April) and 9am to 6pm (peak summer period in December and January). The one lifeguard is utilised at the Baths during off peak periods, and this increases to two lifeguards during the peak periods

and when high crowds are expected during hot days. Approximately 90,000 people use the Baths annually during the patrolled period. The lifeguards at the Baths work closely with other beach lifeguards at North Entrance and The Entrance in responding to emergency situations.

The Grant McBride Baths are unheated and the patronage drops off significantly during the colder months, and historically the patrol ceases in the autumn and winter periods, similar to the other beach patrol locations.

Council's swimming pools are operated all year round at Gosford Olympic Pool, Peninsula Leisure Centre and Toukley Aquatic Centre, due to them being heated and having sufficient learn to swim programs, recreational swimming and aquatic fitness class patronage, to justify the expenditure required. Wyong Pool is only operated from September to April, due to the pool being unheated and based on a lack of a demand during non-peak periods. These facilities provide a safe and heated swimming experience for the community all year round. Income is provided through the recreational use of the facilities through casual usage, bookings and memberships, and all facilities are subsidised by Council.

The cost to Council to operate The Grant McBride Baths from September to April is \$245,000 per year; this includes staffing costs, pool cleaning, general maintenance and utilities. The additional cost to Council to patrol the Baths all year round would be \$40,000 per year, based on an eight hour day, or \$27,000 per year on a reduced five hour day. These calculations include casual loading, pool cleaning, general maintenance and utilities, and are based on one lifeguard patrolling the Baths seven days a week.

The staffing ratio of one lifeguard during April to September would adhere to Practice Note 15 – Water Safety, which provides guidelines for Councils with a risk management approach to water safety. With operating one lifeguard, Council will ensure emergency support is available through the NSW Ambulance emergency services, and internally via the Beach Safety Team Leader and Beach Safety Officer. Royal Life Saving Society's Guidelines recommend a minimum ratio of one lifeguard for up to 100 people in the water (1:100) which will be fully met.

This would require an increase in staff allocation of a 0.4 Full Time Equivalent (FTE) position based on an eight hour day patrol and a 0.3 FTE based on a five hour day patrol.

#### **Current Status/Tender Submissions**

Nil.

#### **Assessment/Report/Proposal/Tender Evaluation**

Nil.

### **Consultation**

Nil.

### **Options**

- 1 To remain with the current level of service with the Baths patrolled from September to April annually. This is the preferred option.
- 2 To increase the level of service with the Baths patrolled all year round for eight (8) hours a day. This is not recommended.
- 3 To increase the level of service with the Baths patrolled all year round with a five (5) hour a day patrol from April to September. This is not recommended.

### **Financial Impact**

There is no financial impact with retaining the current level of service.

To increase the level of service with the Baths patrolled all year round at eight hours a day will require an additional operational budget of \$40,000 per year, which is currently unbudgeted.

To increase the level of service with the Baths patrolled all year round at five hours a day from April to September will require an additional operational budget of \$27,000 per year, which is currently not part of the adopted Operational Plan.

### **Link to Community Strategic Plan**

Theme 5: Liveable

### **Goal L: Healthy lifestyle for a growing community**

L1: promote healthy living and ensure sport, leisure, recreation and aquatic facilities and open spaces are well maintained and activated.

**Risk Management**

There is a low financial risk to Council from the specific request to increase the level of service at the Baths due to the low value in additional costs; however there could be an ongoing financial risk to Council with further community requests on extending beach patrol hours and locations if this increase in service is resolved.

There could be additional requests also to extend other community operating hours such as leisure centres, pools, libraries community centres, galleries and theatres.

**Critical Dates or Timeframes**

Any change in service levels would be operational from April 2019.

**Attachments**

*Nil.*



**Item No:** 4.5  
**Title:** Meeting Record of the Heritage Advisory Committee held on 4 July 2018  
**Department:** Governance

---



#### 10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13304156

Author: Kelly Drover, Advisory Group Support Officer

Manager: Matthew Prendergast, Unit Manager, Strategic Planning

Executive: Scott Cox, Director, Environment and Planning

### Report Purpose

To note the Meeting Record of the Heritage Advisory Committee held on 4 July 2018, and to adopt the Terms of Reference for the Committee.

### Recommendation

- 1 That Council note the Meeting Record of the Heritage Advisory Committee held on 4 July 2018 that is Attachment 1 to this report.**
- 2 That Council adopt the Terms of Reference for the Heritage Advisory Committee, as set out in Attachment 2 to this report.**
- 3 That Council appoint Councillor Jeff Sundstrom as the Chairperson for the Heritage Advisory Committee.**

### Background

The Heritage Advisory Committee held its inaugural meeting on Wednesday 4 July 2018. The Meeting Record of that meeting is Attachment 1 of this report.

At that meeting the Committee considered and adopted the Terms of Reference and recommended that Council appoint Councillor Jeff Sundstrom as Chairperson of the Committee.

The Heritage Advisory Committee Meeting Record is being reported to Council in accordance with the relevant Terms of Reference.

**Link to Community Strategic Plan**

Theme 4: Responsible

**Goal G: Good governance and great partnerships**

G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

**Attachments**

- |          |  |           |
|----------|--|-----------|
| <b>1</b> | Heritage Advisory Committee Meeting Record - 4 July 2018 | D13304141 |
| <b>2</b> | Terms of Reference - Heritage Advisory Committee         | D13304142 |

# Heritage Advisory Committee Meeting Record 4 July 2018



Central  
Coast  
Council

Location:	Central Coast Council Wyong Office Committee Room Level 2 2 Hely Street, Wyong	
Date:	4 July 2018	
Time	Started at: 4.01pm	Closed at: 5.36pm
Chair	Councillor Jeff Sundstrom	
File Ref	F2018/00102	

## Present

Councillor Jeff Sundstrom, Councillor Kyle MacGregor, Mayor Jane Smith, Councillor Louise Greenaway, Prue Wyllie, Sandra Hunt-Sharman, Margot Castles, Warren Andrews, Gary Dean, Joseph Murray, David Benwell, Verena Mauldon, Kreenah Yelds

Also present were:

Scott Cox – Director Environment and Planning (left 4.39pm), Matthew Prendergast – Unit Manager Strategic Planning, Rebecca Cardy – Heritage Officer, Scott Duncan – Section Manager Land Use and Policy, Glen Cannard – Unit Manager Community Partnerships, Kathy Bragg – Senior Governance Officer, Kelly Drover – Advisory Group Support Officer

## Item 1 Apologies

Councillor Doug Vincent, Walter Billington

## Item 2 Disclosure of Interest

Mayor Jane Smith declared a less than significant non pecuniary interest as she was a former board member of the Community Environment Network (CEN).



Councillor Louise Greenaway declared a less than significant non pecuniary interest as she was a former board member of the Community Environment Network (CEN).

Clr Sundstrom declared a less than significant non pecuniary interest as a Labour candidate for Terrigal.

### **Item 3                      Heritage Advisory Committee Terms of Reference**

The Advisory Group discussed the draft Terms of Reference.

The Advisory Group adopted the Terms of Reference.

**Action:** The adopted Terms of Reference be reported to Council as soon as practicable.

The Advisory Group discussed the election of a Chairperson.

**Action:** The Advisory Group recommends to Council that the Councillor Jeff Sundstrom be appointed as the Chair of the Heritage Advisory Committee.

### **Item 4                      Action Plan for the next 12 months**

<b>2<sup>nd</sup> Quarter – September</b>	<b>3<sup>rd</sup> Quarter - December</b>	<b>4<sup>th</sup> Quarter – March</b>
<ul style="list-style-type: none"> <li>• Australian Heritage Festival Planning</li> <li>• Heritage Strategy Overview</li> <li>• Tourism Opportunity Plan and Destination Management Plan Overview</li> <li>• 12 month Operational Plan items that involve the Heritage Advisory Group</li> <li>• Office of Environment and Heritage - 'Heritage Near Me' – App</li> </ul>	<ul style="list-style-type: none"> <li>• Incorporate history and heritage into the image of the Central Coast / Regional identity</li> <li>• Gosford Heritage Walk</li> <li>• Wyong Heritage Walk</li> <li>• Pilot Heritage App</li> <li>• Poppy Park Project</li> <li>• State Heritage listing nomination for Calga Aboriginal site Overview</li> </ul>	<ul style="list-style-type: none"> <li>• Funding opportunities</li> <li>• Invite Geoff Potter – Local History Librarian</li> <li>• How to promote history (history week, Heritage Festival)</li> <li>• Convict Trail presentation</li> </ul>

**Action:** Director Environment and Planning to provide the Committee further information on the funding status for Terrigal Boardwalk.

**Action:** Heritage Officer to provide the Advisory Group Support Officer with calendar of future events to be circulated to Committee members.

Heritage Advisory Committee Meeting Record  
4 July 2018



**Action:** Heritage Officer to provide the Advisory Group Support Officer with the former Gosford and Wyong Heritage Strategies to be circulated to Committee members.

**Action:** Unit Manager Community Partnerships to provide Destination Management Plan to Advisory Group Support Officer to be circulated to Committee Members.

**Action:** Heritage Officer to provide the Advisory Group Support Officer with an Overview of the Grants Program to be circulated to Committee Members.

**Action:** Committee Members to identify stories suitable for the Office of Environment and Heritage - 'Heritage Near Me' App and provide to the Advisory Group Support Officer.

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#### **Item 5                      Consideration of Late Application**

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**Action:** The Committee has not accepted any new members.

**Action:** The Advisory Group Support Officer will write to Richard Waterhouse inviting him to attend the Heritage Advisory Group meetings as a specialist.

**Action:** The Advisory Group Support Officer will write to Catherine Arguet inviting her to attend a future meeting of the Heritage Advisory Group to give a presentation on Art Deco.

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#### **Item 6                      Confirmation of Next Steps**

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Extraordinary meetings if required, to be held 1<sup>st</sup> Wednesday of the month.

The meeting closed at 5.36pm

**Next Meeting:**            **Wednesday 5<sup>th</sup> September, 2018**  
                                 **4pm – 6pm**  
                                 **Gosford Admin Building,**  
                                 **49 Mann Street, Gosford**  
                                 **Level 1 Committee Room**

## Terms of Reference – Heritage Advisory Committee

### 1. Role

Central Coast Council has an adopted Community Strategic Plan and Delivery Plan that will shape all activities and projects over the next four years. Council's Advisory Groups are an important mechanism for consultation, advice and feedback to Council staff on implementation and review of the Community Strategic Plan.

The role of the Heritage Advisory Group is to advise Council on all matters relating to Heritage in the Central Coast Council local government area.

### 2. Responsibilities

The Advisory Group is responsible for providing advice and feedback to Council on:

- Matters relating to natural, historic and Aboriginal cultural heritage
- Providing advice and monitoring the implementation of Council's heritage strategy in line with the NSW Office of Environment and Heritage guidelines

### 3. Membership, Chairperson and Voting

#### *Membership*

Councillors:	Mayor Smith	Voting Member
	Councillor Greenaway	Voting Member
	Councillor MacGregor	Voting Member
	Councillor Sundstrom (Chair)	Voting Member
	Councillor Vincent	Voting Member

Community Members:	Mr Warren Andrews	Voting Member
	Mr David Benwell	Voting Member
	Ms Walter Billington	Voting Member
	Ms Margot Castles	Voting Member
	Mr Gary Dean	Voting Member
	Ms Sandra Hunt-Sharman	Voting Member
	Ms Verena Mauldon	Voting Member
	Mr Joseph Murray	Voting Member
	Ms Prue Wylie	Voting Member
	Mr Kreenah Yelds	Voting Member

#### *Additional Representation:*

- Brisbane Water Historical Society INC
- Wyong District Museum and Historical Society
- Dharug and Lower Hawkesbury Historical Society
- Darkinjung Local Aboriginal Land Council



## Terms of Reference – Heritage Advisory Committee

- Local Historian
- Heritage Architect/Planner
- Archaeologist

Community representatives shall be appointed by resolution of Council following advertisement for nominations. Nominations are to be in writing and will circulate in full to Councillors for evaluation and consideration. The Advisory Group is not involved in the evaluation or selection process, it is a matter for Council.

The staff holding the following Central Coast Council positions may attend Advisory Group meetings:

- Unit Manager, Strategic Planning
- Unit Manager, Community Partnerships
- Section Manager, Land Use and Policy Planning
- Heritage Officer

Council officers will provide professional advice and administrative support. Employees of the Council are not subject to the direction of the Advisory Group or any members of it. Staff attendance is at the discretion of the Chief Executive Officer.

Non-staff members appointed to the Advisory Group are appointed for the remainder of the current Council term, although membership can be altered at anytime by a resolution of Council.

Membership can be withdrawn by resolution of Council.

If a member misses three consecutive meetings without apology, their membership may be withdrawn and their position deemed vacant.

### *Casual Vacancy*

A casual vacancy is caused by the resignation or death of a member or the withdrawal of membership. To fill a casual vacancy:

- The Advisory Group staff contact will report the vacancy to the Advisory Group and then to the next available Council meeting.
- If the member was nominated as a representative of an organisation, it will be recommended that the organisation be invited to nominate a replacement member.
- If the member was nominated as an individual, the original expressions of interest will be reviewed to identify an appropriate replacement member.
- Where there are no appropriate alternate nominations, expressions of interest will be called for to replace the member.
- Where the vacancy occurs within nine months of the end of the term of the Advisory Group the vacancy will not be filled.

## Terms of Reference – Heritage Advisory Committee

### *Chairperson*

The Chairperson is a Councillor. Where a Councillor is not present at the meeting a staff member will act as Chairperson.

The Chairperson is to have precedence at the meeting and shall determine the order of proceedings, generally as set out in the Agenda.

A staff member acting as a Chairperson of an Advisory Group does not become a formal member of the group by virtue of this position. It is not necessary that the Chairperson be a member of the Committee.

Where the Mayor is appointed to be a delegate to an Advisory Group it is not necessary that the Mayor be the Chairperson.

### *Convenor*

A Central Coast Council staff position shall be nominated as convenor by the Chief Executive Officer. They will be a staff member responsible for coordinating the preparation of agendas, invitations and minutes.

The Heritage Officer shall be the convenor of the Heritage Advisory Committee.

### *Voting*

No formal voting rules apply.

As the Advisory Group has an advisory role, its recommendations are to be made by consensus. Where consensus cannot be reached, a vote may be taken at the request of the Chair. The vote will be carried by a majority of voting members. The minutes would reflect this process.

Council is the decision making body and the Advisory Group provides recommendations for consideration.

The Advisory Group may agree to allow participation in meetings through conference calls and other technology.

As no formal voting rules apply, there is no proxy voting. The Quorum for a meeting is half the Advisory Group voting membership plus one, including a Councillor. However the Chairperson shall use their discretion to determine if a meeting should be postponed due to insufficient members being able to attend.

## 4. Meetings

- Meetings are held quarterly
- The Chairperson has the authority to call additional meetings
- The Agenda and meeting papers will be distributed to members at least three days prior to the meeting



## Terms of Reference – Heritage Advisory Committee

- Meetings will be recorded by the taking of minutes. The minutes are a record of agreed outcomes and do not record discussion.

Community representatives shall be appointed by resolution of Council following advertisement for nominations. Nominations are to be in writing and will be circulated in full to Councillors for evaluation and consideration. The Advisory Group is not involved in the consideration of membership.

### 5. Communications and reporting

The agendas and minutes of the Advisory Group will be stored as a permanent record of Council. All agendas and minutes will be published on Council's website.

Where the Advisory Group recommends an action that is outside the delegation of staff to determine a report will be provided to Council.

Staff will prepare the report that recommends that the Council note the minutes of the Advisory Group. Reporting of Advisory Group recommendations to Council will be reported as Committee Recommendations without change, noting that staff are encouraged to provide comment where appropriate. The Council may, at its discretion, resolve to adopt some or all of the Advisory Group's recommendations and advice and will provide the Group's recommendation to Council with the minutes of the relevant meeting. Staff will also provide professional commentary on the Group's recommendation and provide a staff recommendation which may or may not align to that of the Group.

Where the Advisory Group has not recommended an action the minutes will be reported to Council as an Information Report only.

### 6. Conduct

Members of the Advisory Group will be provided with Council's adopted Code of Conduct. Conduct of members is expected to be consistent with the principles outlined in the Code of Conduct.

Members of the Advisory Group are not permitted to speak to the media or make representations on social media on behalf of the Advisory Group or Council unless approved by Council.



**Item No:** 4.6  
**Title:** Meeting Record of the Employment and Economic Development Committee held on 5 July 2018  
**Department:** Governance

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13304364

Author: Kelly Drover, Advisory Group Support Officer

Manager: Jamie Barclay, Unit Manager, Economic Development and Project Delivery

Executive: Boris Bolgoff, Acting Director, Assets, Infrastructure and Business

## Report Purpose

To note the Meeting Record of the Employment and Economic Development Committee held on 5 July 2018, and consider the recommendations to Council from the Committee, including staff consideration of those recommendations.

## Recommendation

- 1 *That Council note the Meeting Record of the Employment and Economic Development Committee held on 5 July 2018 that is Attachment 1 to this report.***
- 2 *That Council adopt the Draft Terms of Reference of the Employment and Economic Development Committee, as set out in Attachment 2 to this report.***
- 3 *That Council appoint Mayor Jane Smith as the Chairperson for the Employment and Economic Development Committee.***

## Background

The Employment and Economic Development Committee held its inaugural meeting on Thursday, 5 July 2018. The Meeting Record of that meeting is Attachment 1 to this report.

At that meeting the Committee considered the items and made recommendations. The items have been reviewed by staff and the following is now provided to Council:

### **Committee Recommendation – Terms of Reference**

The Committee has recommended that the revised draft Terms of Reference, including the Advisory Group's recommendations, be reported to Council as soon as practicable.

The proposed changes to the Terms of Reference from the Advisory Group are included bold and italicised, as set out in Attachment 2 of this report.

**4.6 Meeting Record of the Employment and Economic Development  
Committee held on 5 July 2018 (contd)**

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**Staff Response**

Staff support the Committee's recommendation.

**Committee Recommendation to Council**

That Council adopt the Terms of Reference for the Employment and Economic Development Committee, as set out in Attachment 2 to this report.

**Link to Community Strategic Plan**

Theme 4: Responsible

**Goal G: Good governance and great partnerships**

G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

**Attachments**

- |          |  |           |
|----------|--|-----------|
| <b>1</b> | Employment and Economic Development Committee Meeting Record - 5 July 2018             | D13304153 |
| <b>2</b> | Draft Terms of Reference - Employment and Economic Development Committee Central Coast | D13304154 |

# Employment and Economic Development Committee Meeting Record 5 July 2018



Central  
Coast  
Council

Location:	Gosford Smart Work Hub Imperial Centre, 28 William Street GOSFORD	
Date:	5 July 2018	
Time	Started at: 4.02pm	Closed at: 5.15pm
Chair	Mayor Jane Smith	
File Ref	F2018/00100	

## Present

Mayor Jane Smith, Councillor Chris Holstein, Councillor Bruce McLachlan, Councillor Jeff Sundstrom, Councillor Jilly Pilon (arrived 4.05pm), Councillor Rebecca Gale Collins (arrived 4.06pm), Councillor Kyle MacGregor (arrived 4.18pm), William Adames, John Asquith, Michael Pilon, Mike Goodman

Also present were:

Jamie Barclay – Unit Manager Economic Development and Project Delivery, Andrew Pearce – Acting Senior Manager Business and Economic Development (on behalf of Acting Director Assets Infrastructure and Business), Kathy Bragg – Senior Governance Officer, Kelly Drover – Advisory Group Support Officer

## Item 1 Apologies

Brad Wilson, Boris Bolgoff – Acting Director Assets Infrastructure and Business

## Item 2 Disclosure of Interest

Councillor Sundstrom declared a less than significant non-pecuniary interest as a labour candidate for Terrigal.

Councillor McLachlan declared a less than significant non-pecuniary interest as a business owner on the Central Coast.

Mike Goodman declared a less than significant non-pecuniary interest as a Committee member on the Central Coast Industry Connect Advisory Committee.



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**Item 3                      Employment and Economic Development Committee Terms of Reference**

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The Advisory Group discussed the draft Terms of Reference.

The Advisory Group recommends to Council that the Terms of Reference be amended as follows (additions and changes in ***bold and italic***):

- The role of the Employment & Economic Development Committee – Central Coast is to advise Council on all matters relating to projects or proposals that contribute to the ***employment and*** economic development of the Central Coast.
- The Advisory Group is responsible for providing advice and feedback to Council on:  
Central Coast Council's major projects which contribute to ***employment and*** economic development, employment generation and suggesting new ideas for new projects.
- ***Director Assets Infrastructure and Business*** be included as a staff member who can attend the Advisory Group meetings.
- The following be included as additional representatives who can attend Advisory Group meetings as non-voting members:
  - ***NSW Business Chamber (Daniel Farmer)***
  - ***Department Premier and Cabinet (Peter Brown)***
  - ***Regional Development Australia (RDA) Central Coast***
- The following be included as Key Stakeholders:
  - ***Department of Ministry***
  - ***Coordinator General***
  - ***Central Coast Tourism***
  - ***Central Coast Industry Connect (Frank Sammut)***
  - ***Town Centre Committees (Gosford Business Improvement District, Greater Toukley Vision)***
  - ***Affinity***
  - ***TAFE/University***
  - ***Central Coast Local Health District***
  - ***Darkinjung***
  - ***RMS***
  - ***State Rail***
  - ***Local bus services***
  - ***Dean of Newcastle University (Ourimbah Campus)***





**Action:** The revised draft Terms of Reference, including the Advisory Group's recommendations, be reported to Council as soon as practicable.

The Advisory Group discussed the election of a Chairperson.

**Action:** The Advisory Group recommends to Council that the Mayor Jane Smith be appointed as the Chair of the Employment and Economic Development Committee.

#### Item 4 Action Plan for the next 12 months

*Clean Green Economic Driving Machine (Councillor McLachlan)*

Next Meeting (2 <sup>nd</sup> Quarter) September	3 <sup>rd</sup> Quarter - December	4 <sup>th</sup> Quarter – March
<ul style="list-style-type: none"> <li>• Presentation on REDES               <ul style="list-style-type: none"> <li>- Infrastructure priority list</li> <li>- Major projects</li> <li>- Key Strategic areas</li> </ul> </li> <li>• Former Wyong Employment Plan</li> <li>• Gosford Vision</li> <li>• DPC Employment and Economic Strategy</li> <li>• Economic Corridors</li> <li>• Key actions in Central Coast Regional Strategy</li> <li>• Key actions in Central Coast Council Community Strategic Plan               <ul style="list-style-type: none"> <li>- Including feedback from local businesses, their expectations and needs</li> </ul> </li> <li>• How do we measure economic development (quarterly update on measures)</li> <li>• Economic job creation in the North</li> <li>• Grant Opportunities</li> </ul>	<ul style="list-style-type: none"> <li>• Smart Cities initiatives (David Abrahams)</li> <li>• Unlocking Employment Lands</li> <li>• Aviation Hub (WEZ)</li> <li>• Operating Budget</li> <li>• Vision/Brand for Central Coast Employment               <ul style="list-style-type: none"> <li>- Defining Councils role</li> </ul> </li> <li>• Update on employment and economic development projects and proposals currently in the system               <ul style="list-style-type: none"> <li>- Quick wins that can be acted on straight away</li> </ul> </li> <li>• Clean Green Economic Development/Innovation Opportunities               <ul style="list-style-type: none"> <li>- Parking</li> <li>- Transport</li> <li>- Energy</li> <li>- Waste</li> </ul> </li> <li>• Sustainability Cluster (Frank Sammut to present)</li> <li>• Grant Opportunities</li> </ul>	<ul style="list-style-type: none"> <li>• Invite reps from 4 key Town Centres               <ul style="list-style-type: none"> <li>- The Entrance, Wyong, Toukley and Gosford</li> </ul> </li> <li>• Grant Opportunities</li> <li>• Overview of Councils Private/Public partnerships</li> <li>• Central Coast Research Foundation – Youth unemployment</li> <li>• Hunter Valley Research Foundation</li> <li>• Invite Central Coast Local Health District – Andrew Montague</li> <li>• ABR data for the Central Coast</li> <li>• Local Secondary Schools</li> <li>• Enabling infrastructure               <ul style="list-style-type: none"> <li>- Bus networks</li> <li>- Train networks</li> </ul> </li> </ul>

Employment and Economic Development Committee Meeting Record  
5 July 2018



**Action:** Unit Manager Economic Development and Project Delivery to give a presentation at the next Advisory Group meeting on REDES.

**Action:** John Asquith to provide the Advisory Group Support Officer with the article in Monday 2<sup>nd</sup> July Daily Telegraph on becoming owners of our own utilities, to then be circulated to Committee members.

**Action:** Advisory Group Support Officer to send link to ID Profile to Committee members.

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**Item 6                      Confirmation of Next Steps**

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**Action:** Mike Goodman to provide Advisory Group Support Officer with details of Central Coast Logistics Forum to be forwarded to Unit Manager Economic Development and Project Delivery.

Future meetings to be held 5pm – 7pm, Wednesdays, alternating between Gosford and Wyong.

The meeting closed at 5.15pm

**Next Meeting:**            **Wednesday 12 September 2018**  
                                 **Wyong Admin Building, Committee Room**  
                                 **5pm – 7pm**

## Draft Terms of Reference – Employment and Economic Development Committee – Central Coast

### 1. Role

Central Coast Council has an adopted Community Strategic Plan and Delivery Plan that will shape all activities and projects over the next four years. Council's Advisory Groups are an important mechanism for consultation, advice and feedback to Council staff on implementation and review of the Community Strategic Plan.

The role of the Employment & Economic Development Committee – Central Coast is to advise Council on all matters relating to projects or proposals that contribute to the **employment and** economic development of the Central Coast.

### 2. Responsibilities

The Advisory Group is responsible for providing advice and feedback to Council on:

- Central Coast Council's major projects which contribute to **employment and** economic development, employment generation and suggesting new ideas for new projects
- Planning and infrastructure which contributes to the Central Coasts economic development.
- Ensuring the employment and economic development of the Central Coast council aligns with the Central Coast Community Strategic plan
- Meeting with community groups, Central Coast business groups, and various levels of government to seek feedback and suggestions on how to enhance the local economy and provide a diversity of new employment opportunities

### 3. Membership, Chairperson and Voting

#### Membership

Councillors:	Mayor Smith ( <b>Chair</b> )	Voting Member
	Councillor Gale Collins	Voting Member
	Councillor Holstein	Voting Member
	Councillor MacGregor	Voting Member
	Councillor McLachlan	Voting Member
	Councillor Pilon	Voting Member
	Councillor Sundstrom	Voting Member
Community Members:	Mr William Adames	Voting Member
	Mr John Asquith	Voting Member
	Mr Mike Goodman	Voting Member
	Mr Michael Pilon	Voting Member
	Mr Brad Wilson	Voting Member



## Draft Terms of Reference – Employment and Economic Development Committee – Central Coast

Community representatives shall be appointed by resolution of Council following advertisement for nominations. Nominations are to be in writing and will circulate in full to Councillors for evaluation and consideration. The Advisory Group is not involved in the evaluation or selection process, it is a matter for Council.

### ***Additional Representation (non-voting):***

- ***NSW Business Chamber (Daniel Farmer)***
- ***Department Premier and Cabinet (Peter Brown)***
- ***Regional Development Australia (RDA) Central Coast***

### ***Key Stakeholders to be invited to future meetings:***

- ***Department of Ministry***
- ***Coordinator General***
- ***Central Coast Tourism***
- ***Central Coast Industry Connect (Frank Sammut)***
- ***Town Centre Committees (GBID, Greater Toukley Vision)***
- ***Affinity***
- ***TAFE/University***
- ***Central Coast Local Health District***
- ***Darkinjung***
- ***RMS***
- ***State Rail***
- ***Local bus services***
- ***Dean of Newcastle University (Ourimbah Campus)***

The staff holding the following Central Coast Council positions may attend Advisory Group meetings:

- Unit Manager Economic Development and Project Delivery
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Membership can be withdrawn by resolution of Council.

If a member misses three consecutive meetings without apology, their membership may be withdrawn and their position deemed vacant.

## Draft Terms of Reference – Employment and Economic Development Committee – Central Coast

### *Casual Vacancy*

A casual vacancy is caused by the resignation or death of a member or the withdrawal of membership. To fill a casual vacancy:

- The Advisory Group staff contact will report the vacancy to the Advisory Group and then to the next available Council meeting.
- If the member was nominated as a representative of an organisation, it will be recommended that the organisation be invited to nominate a replacement member.
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- Where there are no appropriate alternate nominations, expressions of interest will be called for to replace the member.
- Where the vacancy occurs within nine months of the end of the term of the Advisory Group the vacancy will not be filled.

### *Chairperson*

The Chairperson is a Councillor. Where a Councillor is not present at the meeting a staff member will act as Chairperson.

The Chairperson is to have precedence at the meeting and shall determine the order of proceedings, generally as set out in the Agenda.

A staff member acting as a Chairperson of an Advisory Group does not become a formal member of the group by virtue of this position. It is not necessary that the Chairperson be a member of the Committee.

Where the Mayor is appointed to be a delegate to an Advisory Group it is not necessary that the Mayor be the Chairperson.

### *Convenor*

A Central Coast Council staff position shall be nominated as convenor by the Chief Executive Officer. They will be a staff member responsible for coordinating the preparation of agendas, invitations and minutes.

The Unit Manager, Economic Development and Project Delivery shall be the convenor of the Employment and Economic Development Committee – Central Coast.

### *Voting*

No formal voting rules apply.

As the Advisory Group has an advisory role, its recommendations are to be made by consensus. Where consensus cannot be reached, a vote may be taken at the request of the Chair. The vote will be carried by a majority of voting members. The minutes would reflect this process.

## Draft Terms of Reference – Employment and Economic Development Committee – Central Coast

Council is the decision making body and the Advisory Group provides recommendations for consideration.

The Advisory Group may agree to allow participation in meetings through conference calls and other technology.

As no formal voting rules apply, there is no proxy voting. The Quorum for a meeting is half the Advisory Group voting membership plus one, including a Councillor. However the Chairperson shall use their discretion to determine if a meeting should be postponed due to insufficient members being able to attend.

### 4. Meetings

- Meetings are held quarterly
- The Chairperson has the authority to call additional meetings
- The Agenda and meeting papers will be distributed to members at least three days prior to the meeting
- Meetings will be recorded by the taking of minutes. The minutes are a record of agreed outcomes and do not record discussion.

Community representatives shall be appointed by resolution of Council following advertisement for nominations. Nominations are to be in writing and will be circulated in full to Councillors for evaluation and consideration. The Advisory Group is not involved in the consideration of membership.

### 5. Communications and reporting

The agendas and minutes of the Advisory Group will be stored as a permanent record of Council. All agendas and minutes will be published on Council's website.

Where the Advisory Group recommends an action that is outside the delegation of staff to determine a report will be provided to Council.

Staff will prepare the report that recommends that the Council note the minutes of the Advisory Group. Reporting of Advisory Group recommendations to Council will be reported as Committee Recommendations without change, noting that staff are encouraged to provide comment where appropriate. The Council may, at its discretion, resolve to adopt some or all of the Advisory Group's recommendations and advice and will provide the Group's recommendation to Council with the minutes of the relevant meeting. Staff will also provide professional commentary on the Group's recommendation and provide a staff recommendation which may or may not align to that of the Group.

Where the Advisory Group has not recommended an action the minutes will be reported to Council as an Information Report only.

## Draft Terms of Reference – Employment and Economic Development Committee – Central Coast

### 6. Conduct

Members of the Advisory Group will be provided with Council's adopted Code of Conduct. Conduct of members is expected to be consistent with the principles outlined in the Code of Conduct.

Members of the Advisory Group are not permitted to speak to the media or make representations on social media on behalf of the Advisory Group or Council unless approved by Council.

**Item No:** 4.7  
**Title:** Terms of Reference - Community Strategic Plan  
Community Reference Group (Implementation)  
**Department:** Connected Communities

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-04 - D13309614

Author: Anneke Polkamp, Unit Manager, Corporate Strategy and Performance

Executive: Julie Vaughan, Director, Connected Communities

## Summary

The Community Strategic Plan (CSP), One - Central Coast, was endorsed by Council on 25 June 2018 following public exhibition for 28 days. The CSP came into effect on 1 July 2018.

The CSP represents the highest level of strategic planning undertaken by a local council, and identifies the main priorities and aspirations of the community, providing a clear set of strategies to achieve this vision.

An external Community Reference Group was established as part of the development of the Community Strategic Plan.

This report recommends that Council consider the extension of the Community Reference Group until July 2019 to provide an ongoing advisory role and community perspective through the implementation of the CSP in year one.

## Recommendation

***That Council endorse the updated Terms of Reference for the Community Strategic Plan Community Reference Group (Attachment 1) and confirm existing members (subject to their approval), for year one implementation of the Community Strategic Plan.***

## Context

The CSP Community Reference Group was responsible during the development of the Community Strategic Plan, from August 2017 through May 2018, for:

- Advising and assisting Central Coast Council on effective methods of communication and engagement with the local community, business, and relevant government and non-government organisations to ensure the Community Strategic Plan implementation and reporting reflects community needs and aspirations.

#### **4.7 Terms of Reference - Community Strategic Plan Community Reference Group (Implementation) (contd)**

---

- Assisting Central Coast Council to engage with the wider community in the community strategic plan implementation process.
- Acting as advocates on behalf of the local community for the CSP implementation and review process.
- The review and provision of timely feedback on aspects in the development of the Community Strategic Plan as and when required.

The proposed CSP Community Reference Group (Implementation) will ensure:

- The members of the CRG, originally formed to participate in the development of the CSP, will be provided an opportunity to remain involved for the first year of implementation (to July 2019).
- The review and provision of timely feedback on aspects in the implementation of the Community Strategic Plan as and when required.
- The Reference Group will continue to be representative of the Central Coast community in terms of demographics, geographic location (by wards) and reflect the quadruple bottom line interests (social, economic, environment and leadership/governance).

Selection, termination and/or replacement of CRG membership will be at the absolute discretion of Council and relevant Central Coast Council staff will continue to support the activities of this Reference Group.

#### **Current Status**

The Expressions of Interest received for the Community Reference Group received between 12 May 2017 and 2 June 2017 would continue as per the criteria for original assessment, defined as 15-20 community members:

- Who are representative of the Central Coast community in relation to demographics.
- Who are representative of the Central Coast community geographically (across 5 wards).
- Whose member interests reflect a balance of Quadruple Bottom Line interests (Social, Economic, Environment, Governance).
- Who meet eligibility criteria - live or work on the Central Coast; be available to attend meetings and; acceptance of terms of reference.

### **Consultation**

The overall membership of CRG is balanced and representative of the Central Coast community and was achieved via an external EOI process.

### **Options**

- 1 Endorse the Terms of Reference for the Community Strategic Plan Community Reference Group (Implementation) (Attachment 1). This is the preferred option to ensure implementation and reporting on the Community Strategic Plan is appropriate, effective and meets the needs of the residents of the Central Coast.
- 2 Reject the Terms of Reference for the Community Strategic Plan Community Reference Group (Implementation).

### **Financial Impact**

Nil.

### **Link to Community Strategic Plan**

Theme 4: Responsible

### **Goal G: Good governance and great partnerships**

G1: Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

### **Risk Management**

Nil.

**Critical Dates or Timeframes**

The Reference Group shall meet three to four times per year.

**Attachments**

- |          |   |           |
|----------|---|-----------|
| <b>1</b> | Terms of Reference - Community Strategic Plan Implementation<br>Community Reference Group | D13303204 |
|----------|---|-----------|





Updated Terms of Reference for the:

Community Strategic Plan  
Community Reference Group July 2018 – July 2019

© Central Coast Council

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2 Hely Street Wyong  
PO Box 20 Wyong NSW 2259  
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**E** [ask@centralcoast.nsw.gov.au](mailto:ask@centralcoast.nsw.gov.au)

**W** [www.centralcoast.nsw.gov.au](http://www.centralcoast.nsw.gov.au)

**A. PURPOSE**

The purpose of the Community Strategic Plan (CSP) Community Reference Group (CRG) is to provide assistance in the implementation of the CSP including interagency collaboration and reviewing progress in delivering the outcomes of the CSP.

The contribution of the CRG members will ensure that ongoing implementation and reporting for the CSP is appropriate, effective and meets the needs of the residents of the Central Coast within legislative requirements.

**B. BACKGROUND**

The Local Government Act required all newly amalgamated Councils develop a Community Strategic Plan (CSP) for the future of the Region to guide local decision-making, based on significant community engagement, and to be completed by June 30 2018.

The Community Strategic Plan, *One - Central Coast*, was endorsed by Council on 25 June 2018, following public exhibition for 28 days. The CSP came into effect on 1 June 2018.

The Delivery Program and annual Operational Plan (DP/OP), supporting the CSP came into effect from the same date and contains the Council's projects, programs, capital works and budget allocation to support delivery of CSP outcomes.

The CSP represents the highest level of strategic planning undertaken by a local council, and identifies the main priorities and aspirations of the community, providing a clear set of strategies to achieve this vision. While the DP/OP contains all Council projects to be delivered in alignment with the CSP, Council is not solely responsible for the delivery of the strategies that the CSP identifies. Many stakeholders, including government and non-government agencies, community and business groups and individuals must play a role in order to ensure successful delivery of the broad ranging objectives and aspirations of the community contained within *One- Central Coast*.

**C. ROLE**

The role of the Community Strategic Plan Reference Group is to:

- C1 Provide a discussion and advisory forum for community representatives to assist in the implementation of the Community Strategic Plan, including inter-agency collaboration, assessing progress and advising on reporting methods.
- C2 The Reference Group has no authority to make decisions on behalf of the Council.
- C3 The Reference Group has no authority to direct Council staff.
- C4 The Reference Group has no authority to speak or comment on behalf of Council.

**D. RESPONSIBILITY**

The Central Coast Council Community Strategic Plan Reference Group is responsible for:

- D1 Advising and assisting Central Coast Council on effective methods of communication and engagement with the local community, business, and relevant government and non-government organisations to ensure the Community Strategic Plan implementation and reporting reflects community needs.

- D2 Assisting Central Coast Council to engage with the wider community in the community strategic plan implementation process.
- D3 Act as advocates on behalf of the local community for the CSP implementation and review process
- D4 The review and provision of timely feedback on aspects in the development of the Community Strategic Plan as and when required.
- D5 All CRG members agree to:
- a) Respect the role of the chair and follow his/her directions
  - b) Represent the views of the community
  - c) Respect the views and opinions of other CRG members
  - d) Notify the chair in advance if unable to attend a meeting or a change of circumstance occurs which may affect membership eligibility
  - e) NOT make written or vocal public statements purporting to represent the views of the CRG or that of Central Coast Council

**E. MEMBERSHIP**

The Community Strategic Plan Community Reference Group (Implementation) will comprise:

- E1 The members of the CRG formed to participate in the development of the CSP will be provided an opportunity to remain involved for the first year of implementation (to July 2019)
- E2 The Reference Group will continue to be representative of the Central Coast community in terms of demographics, geographic location (by wards) and reflect the quadruple bottom line interests (social, economic, environment and leadership/governance).
- E3 Selection, termination and / or replacement of CRG membership will be at the absolute discretion of Council.
- E4 Relevant Central Coast Council staff will be members of the Reference Group.

**F. ELIGIBILITY CRITERIA**

- F1 Must continue to live or work on the Central Coast.
- F2 Must be available to attend meetings as per schedule and location included in this document.
- F3 Must submit a signed revised Terms of Reference acceptance form by closing deadline and respond to this email in the affirmative to confirm continuing membership on the CRG for the next phase up to 1 July 2019 (CSP implementation and reporting).
- F4 Must accept and abide by Terms of Reference.
- F5 Should a member decide that they would like to run for Council, or as an elected member of State or Federal Government, they must advise Council staff as soon as possible and resign from the CRG with immediate effect.

**G. ATTENDANCE**

- G1 The Reference Group meetings are not open to the public. Addressing or attending meetings by interested persons is at the discretion of the Council staff and/or Reference Group Facilitator.

- G2 Reference Group members who miss two or more meetings may be removed from the CRG and a replacement member sought at Council's absolute discretion.

#### **H. REFERENCE GROUP FACILITATOR**

- H1 A member of Council staff (or an independent external Facilitator) will be appointed to manage meetings and ensure the relevant sections of the Code of Meeting Practice (such as appropriate behaviour) are followed.
- H2 Council staff will be responsible for co-ordinating the preparation of agendas and minutes of the Reference Group.
- H3 The Facilitator and Council staff shall be responsible for co-ordinating any presentations from guest speakers and for considering requests from members of the public to address the Reference Group.
- H4 The Facilitator has the right to refuse a request from a member of the public to address the Reference Group if it is deemed inappropriate.
- H5 The Facilitator and Council staff will remove CRG members who do not abide by Code of Meeting Practice.
- a) A member who does not abide by the Code of Meeting Conduct will receive one warning verbally and in writing.
  - b) If the inappropriate behaviour continues the member will be removed from the CRG and a substitution will be at the absolute discretion of Council to reflect membership requirements.

#### **I. CHAIRPERSON**

- I1 The Chairperson of the Reference Group will be a Council staff member.
- I2 The Chairperson is to have precedence at the meeting and shall determine the order of proceedings generally as set by the agenda.
- I3 In the absence of the Chairperson, the Reference Group Facilitator shall Chair the meeting.

#### **J. VOTING**

- J1 The Reference Group has an advisory role, its recommendations are made by consensus and no recommendation is deemed to be a decision of Council.

#### **K. QUORUM**

- K1 The Reference Group does not require a quorum to hold a meeting.
- K2 The Chairperson shall use his/her discretion to determine if any item on the agenda should be deferred to a future meeting if it is considered there are insufficient members at the meeting.

#### **L. MEETING SCHEDULE**

- L1 The Reference Group shall meet three to four times per year as per the following schedule:

<b>Tuesday 30 October, 2018</b>  6:30pm – 8pm Wyong Office 2 Hely St, Wyong NSW 2259	<b>Tuesday 29 January 2019</b>  6:30pm – 8pm Wyong Office 2 Hely St, Wyong NSW 2259
<b>Tuesday 30 April 2019</b>  6:30pm – 8pm Gosford Office 49 Mann St, Gosford NSW 2250	<b>Tuesday 25 June 2019</b>  6:30pm – 8pm Gosford Office 49 Mann St, Gosford NSW 2250

- L2 The Reference Group shall meet alternately at Council buildings in Gosford and Wyong.
- L3 CRG members must attend a minimum of three of the four meetings.
- L4 CRG members may request additional meeting(s) but this would need to be agreed upon by CRG members and Council staff.

#### **M. AGENDA**

- M1 The Agenda shall be set by Council staff and include enough detail to enable matters to be considered at the meeting.
- M2 The Agenda shall be distributed at least 5 days prior to the meeting.

#### **N. MINUTES AND REPORTING**

- N1 Minutes will be taken for all meetings of the Reference Group.
- N2 Minutes of the meeting shall be recorded in Central Coast Council information management database.

#### **O. SECRETARY**

- O1 The administration of the Reference Group shall be undertaken by a Council staff member.

#### **P. DE OF CONDUCT**

- P1 All Reference Group Members are required to comply with Central Coast Council Policies including Code of Conduct.

#### **Q. CESSATION OF ADVISORY GROUP**

- P1 The Reference Group shall continue in this role to assist with CSP implementation and reporting for the first year of CSP implementation (to 1 July 2019).

#### **Attachments:**

Code of Conduct

**Item No:** 5.1  
**Title:** Reports Due to Council  
**Department:** Governance

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## 10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13237866

Author: Sonia Witt, Section Manager, Councillor Support

Manager: Shane Sullivan, Unit Manager, Governance and Business Services

Executive: Brian Glendenning, Executive Manager, Governance

### Report Purpose

To provide the list of outstanding reports and to confirm the date reports are proposed to be provided to Council.

### Recommendation

***That Council note the report on Reports Due to Council.***

### Background

This report is to provide information regarding the status of outstanding reports which have been resolved to be submitted to future Council Meetings.

Since September 2017, Council has resolved to consider a further 57 reports at future Ordinary Meetings. 10 reports were provided during the period from September 2017 to December 2017. 16 reports were provided during the period from January 2018 to April 2018 and 31 reports remain outstanding.

The attached report does not include matters arising from the meeting held 27 August 2018 and is current as at 13 August 2018.

This *Reports due to Council* report will be provided for the information of Council every three months.

**Link to Community Strategic Plan**

Theme 4: Responsible

**Goal G: Good governance and great partnerships**

G2: Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect.

**Attachments**

- 1** Outstanding reports due to Council as at August 2018      D13321087



Meeting Date	Remove Y/N	Item #	Report Title	Resolution - Report Required (as at end April 2018)	Due Date OR	Proposed Date	Completed	In Time	Area	Comments for Council Report
09-Oct-17	N	2.1	Mayoral Minute - Mangrove Mountain Landfill	<i>That the advisory committee report back to a subsequent Council meeting with an explanation of how this advisory committee complements or contradicts any other (current or future) inquiries in to these alleged activities by bodies such as ICAC or any other government or non-government bodies or agencies.</i>		10/12/2018			Governance	Pending further conduct of the Committee. The Minutes of the inaugural meeting were reported to Council on 12 February 2018.
27-Nov-17	N	7.2	Notice of intention to remain as a member of Statewide Mutual	<i>That Council resolves to participate in an insurance and business interruption review program being run by Statewide, commencing January 2018 with a further report to be provided to Council at the conclusion of the review program.</i>		10/12/2018			Governance	This program has not yet concluded. It is being undertaken by a third party who have indicated a final report will not be available until November 2018.
18-Dec-17	N	2.2	Mayoral Minute - Gosford City Centre - Planning Proposal and CBD	<i>Prepare a report updating Traffic, Transport and Parking for the Gosford City Centre.</i>		22/10/2018			AIB/E&P	Council has engaged a consultant to prepare a carparking strategy for the Gosford City Centre. Council is currently seeking tenders for a transport model for the Gosford City Centre.
18-Dec-17	N	2.3	Mayoral Minute - Research on Public Land	<i>Council investigates how niche tourism initiatives such as "volunteer / research tourism" might contribute to Council's broader tourism strategy, and reports to Council on related opportunities by July 2018.</i>	23/07/2018	22/10/2018		NA	Connected Communities	This will be addressed in the scheduled Briefing on Tourism Opportunities 23 July 2018 and report will be prepared for October 2018.
18-Dec-17	N	4.4	Central Coast Destination Management Plan 2018-2021	<i>That Council receive a further report on the progress of the Central Coast Destination Management Plan in twelve months.</i>	10/12/2018	10/12/2018			Connected Communities	
12-Feb-18	N	3.3	Mangrove Mountain and Spencer Advisory Committee	<i>That Council request the Acting Chief Executive Officer report to Council regarding how best to minimise legal liabilities and risks to the rate payer purse with regard to the operation of this committee.</i>		10/12/2018			Governance	Pending further conduct of the Committee. The Minutes of the inaugural meeting were reported to Council on 12 February 2018.
12-Feb-18	N	5.2	Notice of Motion - Parking Strategy for Gosford CBD	<i>That a report be provided on what action is being taken to develop a parking strategy to deal specifically with the Gosford CBD, across the Central Coast and to include the following points in the strategy: a) The provision of, and preference for, free parking in the Gosford CBD; b) Identification of new potential sites for parking stations and places; c) Potential upgrades or augmentation of existing spaces and sites; and d) That the Gosford CBD parking strategy be the first developed and that other CBDs and regional hubs, particularly on the train line and freeway interchange sites, have a strategy developed for them subsequent to the Gosford CBD strategy, for example; Wyong, Tuggerah and Woy Woy.</i>	23/07/2018	29/10/2018		NA	AIB	A Councillor briefing was held on 2 July 2018 for Draft Short Term Parking Strategy Gosford CBD. A subsequent briefing was held on 26 July 2018. Investigations underway for various sites. Council report to be provided at the end of October.
12-Feb-18	N	5.3	Notice of Motion - Littering - Enforcement and Education Review	<i>That Council request the Acting Chief Executive Officer provide a report on the resources available to handle the population increase during peak tourism times in relation to litter.</i>		24/09/2018			E&P	Review being undertaken
12-Feb-18	N	5.3	Notice of Motion - Littering - Enforcement and Education Review	<i>That Council request the Acting Chief Executive Officer review the policy on education and enforcement and provide a report on improvements and suggested actions to ensure the public are fully aware of the penalties and consequences of littering and that the Council Rangers are adequately resourced to enforce these litter laws.</i>		24/09/2018			E&P	Review being undertaken
12-Feb-18	N	5.4	Notice of Motion - Tourism Opportunities for the Central Coast Region	<i>That Council request the Acting Chief Executive Officer provide a report or briefing on the tourism opportunities and initiatives currently available to the Central Coast region in line with global tourism trends. The report should also acknowledge and consider the current unemployment rates for the region and opportunities that exist to drive improvement, and an understanding of required investment, for both public and private equity participants, and what Council can do to be a catalyst to drive this investment.</i>		22/10/2018			Connected Communities	This will be addressed in the scheduled Briefing on Tourism Opportunities 23 July 2018 and report will be prepared for October 2018.



Meeting Date	Remove Y/N	Item #	Report Title	Resolution - Report Required (as at end April 2018)	Due Date OR	Proposed Date	Completed	In Time	Area	Comments for Council Report
12-Feb-18	N	5.4	Notice of Motion - Tourism Opportunities for the Central Coast Region	That Council request the Acting Chief Executive Officer report on the future contribution of these organisations with a view to council's consideration in the upcoming 2018-19 budget rounds.		8/10/2018			Connected Communities	Briefing on Town Centre Review was held 2 July 2018. Following on from briefing, it was determined a report would be prepared for September 2018. Report now scheduled for October 2018.
26-Feb-18	N	2.2	Tree and Vegetation Management - Outcomes of Community Consultation	Request a comprehensive Report from Council staff as to the possible funding of the Amended Tree Policy including but not limited to the consideration of: removing a staff position for the State Environmental Planning Policy (vegetation in non-rural areas) 2017 from the costings as this position is independent of the implementation of the Tree Policy; the estimated number of anticipated application; the number of staff previously employed in Tree Inspection Roles in both council; the capacity for existing compliance officers to take on the compliance component of the Tree Policy; the reallocation of resources made superfluous on the adoption of the former Ch 3.6 of Wyong Shire's DCP 2013 and the means by which those resources may be recovered; The income stream from applications and fines (including the re-allocating of environmental fines); The likely cost savings to council of adopting appropriate tree and vegetation policies in parks, reserves and along roadsides; deferring the exhibition of another Tree Management chapter to avoid incurring any immediate additional costs of consultation and workshops and to allow appropriate time; the policies of other Councils; an urban forest policy.	12/03/2018	24/09/2018		Yes	AIB	A report is scheduled to be provided at the 24 September meeting.
26-Feb-18	N	3.3	Edogawa Sister City Relationship - Mayoral and Dignitary Visit	That Council request the Acting Chief Executive Officer provide a further report to Council documenting a review and current status of all historical sister city relationships of the former Gosford City and Wyong Shire Council's.		10/09/2018			Connected Communities	Report scheduled to be tabled at 13 August 2018 Ordinary Council Meeting. Now scheduled for 10 September 2018.
26-Feb-18	N	4.4	Proposed Train Maintenance Facility - Correspondence with Minister for Transport and Infrastructure, the Hon. Andrew Constance MP	That Council note the Acting Chief Executive Officer will provide a further report to Council at the meeting to be held on 26 March 2018 addressing matters in the deferred report and those raised at the subsequent Councillor briefings.	26/03/2018	26/03/2018		Yes	AIB	
26-Feb-18	N	5.1	Notice of Motion - Riggs on the Horizon?	That Council request the Acting Chief Executive Officer to report in open council the outcome and any undertakings arising from any such delegation. The report should also include full details of this controversial Ocean Oil and Gas Mining Proposal.		29/10/2018			AIB	
12-Mar-18	N	6.2	Deferred Item - Notice of Motion - Graffiti	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.		29/10/2018			AIB	
26-Mar-18	N	4.7	Development Control Plan - Tree and Vegetation Management	Council receive a further report in one months time on how Council staff have been resources to implement the new policy across the full LGA as opposed to just the Gosford part of the LGA.	26/04/2018	24/09/2018		Yes	AIB	Report prepared for 24 September meeting.
26-Mar-18	N	4.7	Development Control Plan - Tree and Vegetation Management	That Council receive a further report in two weeks on the issues considered by Council on 26 February 2018, item 2.2 minute number 90/18.	9/04/2018	24/09/2018		Yes	AIB	Report prepared for 24 September meeting.
12-Jun-18	N	4.1	Deferred Item - Notice of Motion - Council's Sister City Trip to Japan	That Council provide a report and briefing to Councillors as a matter of urgency outlining what Sister City relationship(s) are currently in place for Central Coast Council and what opportunities or plans exist for strengthening our relationship with Edogawa and extending our relationship to include other Sister Cities including but not limited to the former Sister Cities of Gosford City or Wyong Shire.		10/09/2018			Connected Communities	Provided to meeting of 10 September 2018

Meeting Date	Remove Y/N	Item #	Report Title	Resolution - Report Required (as at end April 2018)	Due Date OR	Proposed Date	Completed	In Time	Area	Comments for Council Report
12-Jun-18	N	4.4	Meeting Records of the Protection of the Environment Trust Management Committee and the Gosford Foundation Trust Management Committee held on 8 May 2018	<i>That Council defer this matter pending a further report to Council</i>		24/09/2018			Governance	Deferred as per Council resolution.
25-Jun-18	N	2.1	Consideration of Submissions and Adoption of the Delivery Program and Operational Plan 2018-19 and Resourcing Strategy	<i>That Council request the Chief Executive Officer hold a meeting with representatives of the Sports Council and then provide a report to the Council prior to the workshop referred to in recommendation 562/18 and include discussions around the following proposed amendments:</i> <ul style="list-style-type: none"> <li>• Refund of competition and/or training fees booked on a seasonal basis for facilities not utilised under the twenty week period, due to inclement weather or withdrawn for maintenance issues</li> <li>• Refund of training fees to be booked on a daily basis for facilities not utilised, due to inclement weather or withdrawn for maintenance issues</li> <li>• Be able to choose an hourly lighting rate or a seasonal lighting rate.</li> <li>• Sports Council the Fees and Charges for seasonal hire be amended to include all final series games/matches.</li> <li>• In regards to the Bond Monies, the members of Central Coast Sports Council indicated at our meeting on 7 June 2018 that they wish the bond monies remain as is and held with Central Coast Sports Council.</li> <li>• Foreshadow a return on fees and charges as at 2017/18 for a period of 3 years</li> </ul>		29/10/2018			AIB	A meeting has been held with the Sports Council. Awaiting confirmation of the minutes from this meeting before a response can be provided.
25-Jun-18	N	2.1	Amendments to Code of Meeting Practice	<i>That Council note that a further report will be provided setting out submissions received by Council in respect to the proposed amended Code of Meeting Practice and to make recommendations in respect to the adoption of that proposed amended Code.</i>		29/10/2018			Governance	Code is on public exhibition with submissions able to be provided for a period of 42 days. A further report will be provided to include feedback from Councillors as a result of the Workshop in August.
25-Jun-18	N	5.1	Deferred Item - Notice of Motion - Gwandalan Playground	<i>That Council request that:</i> a The Acting Chief Executive Officer investigate the following: 1 Options for the provision of a local playground in the vicinity of a recent subdivision near Kanangra Drive, Gwandalan 2 The balance of Section 94 contributions from the subdivision 3 Status of works on Tunkawallin Park and opportunities to reallocate funding to the provision of a local park 4 Options to amend the Section 94 plan to provide opportunities for funding to be allocated to open space  b A consultation meeting be held with local residents to discussion options going forward  c Report to Council at the last Ordinary Meeting in August 2018 on a and b above.  d Council review its policies regarding the provision of playgrounds, in particular, recognising the benefits of providing local playgrounds.		29/10/2018			AIB	
25-Jun-18	N	5.1	Deferred Item - Notice of Motion - Gwandalan Playground	<i>That staff bring a report back to Council on the history of the changes to the subdivision plan that excluded the original playground.</i>		29/10/2018			AIB	



Meeting Date	Remove Y/N	Item #	Report Title	Resolution - Report Required (as at end April 2018)	Due Date OR	Proposed Date	Completed	In Time	Area	Comments for Council Report
9-Jul-18	N	4.2	Open Pile Burning Policy - Community Consultation Submissions Report	That Council report data regarding open pile burning and also permits issued on a six monthly basis.	10/12/2018	22/10/2018			E&P	Resolution has been rescinded, so no report due back on this issue
9-Jul-18	N	7.1	Notice of Motion - Council Bans Cats	That Council request the Chief Executive Officer report to Council on the progress of the Central Coast Regional Animal Care Facility and the feasibility and benefits around forming a Central Coast Companion Animals Advisory Committee.		8/10/2018			E&P	Review being undertaken
23-Jul-18	N	6.2	Notice of Motion - Quality Food, Wine and Vineyard Tourism Accommodation Opportunities	That Council request the Chief Executive Officer to report back to Council on options of providing flexibility in our Rural Lands zones, with a view to increase our Tourism and youth employment opportunities.		22/10/2018			E&P	The Department of Planning and Environment are leading the development of an Interagency and Council Action Plan for land west of the M1. This project will identify Actions including potential changes for land use planning. Council will prepare an update report and interim advice on permissibility of uses for rural lands as allowed under the existing planning instruments and proposed consolidated LEP.
13-Aug-18	N	8.1	Notice of Motion - Success of Amalgamation	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(C) 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.					Governance	
13-Aug-18	N	8.6	Notice of Motion - Davistown Wetlands Acquisition	That Council request the CEO to 2. Report on the existing legislation and constraints that provide protection to the current environmental and community values of that land; 3. Request the CEO to 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.		26/11/2018			AIB	Report to be provided to 26 November meeting.
13-Aug-18	N	9.1	Rescission Motion - Open Pile Burning Policy	That Council invites our peak bushfire experts, the RFS, to brief Council on the changes to the PSP. Further, Council request the CEO also report on impacts and costs around Council Staffing resources and other relevant issues.		26/11/2018			E&P	Councillor briefing to be booked for 15th October for RFS to brief Councillors in accordance with resolution. Report back to Council due November 2018.



**Item No:** 5.2  
**Title:** Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 8 August 2018  
**Department:** Governance

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13303744

Author: Kelly Drover, Advisory Group Support Officer

Executive: Scott Cox, Director, Environment and Planning

### **Report Purpose**

To note the meeting record of the Gosford CBD and Waterfront Advisory Committee held on 8 August 2018.

### **Recommendation**

***That Council receive the report on the Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 8 August 2018***

### **Background**

The Gosford CBD and Waterfront Advisory Committee held a meeting on Wednesday, 8 August 2018. The Meeting Record of that meeting is attached to this report for Council's information.

The Gosford CBD and Waterfront Advisory Committee Meeting Record is being reported to Council in accordance with the relevant Terms of Reference.

### **Link to Community Strategic Plan**

Theme 4: Responsible

### **Goal G: Good governance and great partnerships**

G3: Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.

**Attachments**

- 1** Draft Gosford CBD and Waterfront Advisory Committee Meeting Record 8 August 2018 D13313156

# Draft Gosford CBD and Waterfront Advisory Committee Meeting Record 8 August 2018



<b>Location:</b>	Central Coast Council Gosford Administration Building Level 1 Committee Room 49 Mann Street GOSFORD	
<b>Date:</b>	8 August 2018	
<b>Time</b>	Started at: 4.06pm	Closed at: 6.08PM
<b>Chair</b>	Mayor Jane Smith	
<b>File Ref</b>	F2018/00101	

**Present:**

Mayor Jane Smith, Councillor Louise Greenaway, Councillor Chris Holstein, Michael Conroy, Joy Cooper, Dianne Haydon, Edwina Nikora

**External Agencies:**

Ben Mah-Chut – Central Coast Regional Development Corporation, Greg Sullivan – NSW Department of Planning and Environment

**Also present were:**

Scott Cox – Director Environment and Planning, Jamie Barclay – Unit Manager Economic Development and Project Delivery, Stephen Dignam – Unit Manager Roads Maintenance and Asset Evaluation, Peter Ham – Unit Manager Waterways and Coastal Protection, Bileen Nel – Senior Manager Water and Sewer, Kelly Drover – Advisory Group Support Officer, Zoie Magann – Advisory Group Support Officer

**Item 1 Apologies**

Rod Dever, Chris Krogh, Nicola Robinson – Central Coast Regional Development Corporation, Councillor Rebecca Gale Collins, Boris Bolgoff – Director Assets, Infrastructure and Business, Brett Sherar – Unit Manager Open Space and Recreation, Glenn Cannard – Unit Manager Community Partnerships, Matthew Prendergast – Unit Manager Strategic Planning, Jay Spare – Senior Manager Roads Transport and Drainage

**Item 2 Disclosure of Interest**

Councillor Holstein previously declared a less than significant non-pecuniary interest having casual employment with Coast Shelter and Regional Youth Services in the Gosford CBD.

Mayor Smith previously declared a less than significant non-pecuniary interest as an employee in the Gosford CBD.

Edwina Nikora previously declared a less than significant non-pecuniary interest as the Manager of GBID.



Draft Gosford CBD and Waterfront Advisory Committee Meeting Record  
8 August 2018



Dianne Hayden declared a less than significant non-pecuniary interest having worked at Gosford Tourism office.

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**Item 3 Confirmation of Previous Meeting Record**

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The Advisory Group confirmed the 28 June 2018 Meeting Record.

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**Item 4 Gosford Revitalisation Project Overview**

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Greg Sullivan, Director Central Coast Coordination, NSW Department of Planning and Environment gave a presentation on Gosford City Centre Revitalisation.

Greg wanted to publicly acknowledge Bileen Nel and her team on their application for \$42 million for water and sewer infrastructure to support growth in housing and jobs under the Housing Acceleration Fund (HAF).

Greg also wanted to publicly acknowledge Jamie Barclay and his team on the great work they were undertaking around car parking in the Gosford CBD.

**Action:** The Advisory Group requests clarification from Greg Sullivan regarding the Gosford City Centre Special Infrastructure Contributions (SIC) long list, as to whether it is valued and whether the projects are prioritised.

**Action:** Advisory Group Support Officer to circulate presentation to Advisory Group Members. Any questions regarding this presentation should be forwarded to the Advisory Group Support Officer who will pass on to Greg Sullivan for comment.

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**Item 5 Central Coast Regional Plan – Priority Actions**

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Greg Sullivan, Director Central Coast Coordination, NSW Department of Planning and Environment gave a presentation on Central Coast Regional Plan 2036 – Priorities and Implementation.

The Mayor advised that Council Staff and Councillors do have concerns surrounding the Regional Plan and as such Council has put in a submission raising these concerns.

**Action:** Advisory Group Support Officer to forward submission to Advisory Group members.

**Action:** Advisory Group Support Officer to circulate presentation to Advisory Group Members. Any questions regarding this presentation should be forwarded to the Advisory Group Support Officer who will pass on to Greg Sullivan for comment.

## Draft Gosford CBD and Waterfront Advisory Committee Meeting Record 8 August 2018



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**Item 6                      Park Fountain Maintenance**

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The Advisory Group discussed the notes provided by the AIB directorate on fountain maintenance for Poppy Park, Burns Park and Kibble Park.

**Action:** Director Environment and Planning to liaise with Director Assets Infrastructure and Business to provide advice back to the committee as to whether there is a plan on the Kibble Park upgrade.

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**Item 7                      Kibble Park – Power and Creek**

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The Advisory Group discussed the notes provided by the AIB directorate on power and the creek in Kibble Park.

It is noted that whilst Council electricians service the power at this site prior to usage for events, it doesn't meet requirements when there are community events, festivals and any upgrade needs to bring this up to standard for 2 and 3 phase power.

**Action:** Director Environment and Planning to liaise with Director Assets Infrastructure and Business to provide advice back to the committee as to whether there is a plan on the Kibble Park upgrade.

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**Item 8                      General Business and Close**

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The meeting closed at 6.08pm

**Next Meeting:**            **Wednesday 7<sup>th</sup> November, 2018**  
                                 **4 – 6pm**  
                                 **Central Coast Council Gosford Admin Building**  
                                 **Level 1 Committee Room**



**Item No:** 5.3  
**Title:** Fire Safety Inspection Report for Recycling and Recovery - 12 Gibbens Road West Gosford



**Department:** Environment and Planning

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2010/00500 - D13305033

Author: Mark Newton, Building Surveyor

Manager: Wayne Herd, Section Manager Central Coast Building Certification

Executive: Scott Cox, Director, Environment and Planning

### **Report Purpose**

The purpose of this report is for Council to note a Fire Safety Inspection Report from Fire and Rescue NSW.

### **Recommendation**

- 1 That Council note the content of the Fire Safety Report from Fire and Rescue NSW in accordance with s.17(2)(a) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979.**
- 2 That Council receive a further report to be provided to the next Council meeting in accordance with s.17(2)(b) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979.**

### **Background**

Council has received a Fire Safety Inspection Report from Fire and Rescue NSW in respect to the premises known as Lot 29 DP 262094, 12 Gibbens Road West Gosford.

Fire and Rescue NSW has powers under the *Environmental Planning and Assessment Act 1979*, (EP&A Act) to carry out inspections of buildings and it is required to forward the findings of such an inspection to the relevant Council.

Fire and Rescue NSW inspection reports received by Council are required to be tabled before the Council at the next Council meeting.

### **5.3 Fire Safety Inspection Report for Recycling and Recovery - 12 Gibbens Road West Gosford (contd)**

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Council is then required to determine whether or not to exercise its power to issue one of three orders under Part 2 of Schedule 5 of the EP&A Act 1979. This determination may be made at the next meeting of Council held after the tabling of the initial Fire and Rescue NSW inspection report.

Attached is the inspection report received by Council from Fire and Rescue NSW that is required to be tabled. A further report will be provided to Council with appropriate recommendations following an inspection of the site.

#### **Link to Community Strategic Plan**

Theme 4: Responsible

#### **Goal G: Good governance and great partnerships**

G2: Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect.

#### **Attachments**

**1** Letter from Fire & Rescue - 12 Gibbens Rd West Gosford      D13305028

**Fire &  
Rescue NSW**

Unclassified

File Ref. No: BFS18/437 (8000002788)  
TRIM Ref. No: D18/38894  
Contact: John Bruscano

11 July 2018

General Manager  
Central Coast Council  
49 Mann Street  
GOSFORD NSW 2250

Email: [ask@centralcoast.nsw.gov.au](mailto:ask@centralcoast.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
SUEZ RECYCLING AND RECOVERY ("the premises")  
12 GIBBONS ROAD, WEST GOSFORD – LOT 29, DP 262094**

Fire & Rescue NSW (FRNSW) received correspondence on 21 February 2018, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- *The NSW Environment Protection Authority (EPA) administers and enforces the Protection of the Environment Operations Act 1997 (the Act), including the administration of environment protection licences (EPL) issued under the Act. This site is operated as a waste facility under an EPL. The EPA is investigating the safety and adequacy of protection measures at waste facilities, particularly those that store and/or process highly combustible waste types including plastics, paper, and organic material. Several fires have occurred recently at waste facilities in NSW and other jurisdictions of Australia that store and/or process waste, such as the waste facility operated at this site. The EPA requests FRNSW to inspect the premises.*

*Details of the EPL can be found here by going to the website here: <http://app.epa.nsw.gov.au/prpoeoapp/> and searching for licence 20660.*

Please be advised that the inspection for 'the premises' was conducted prior to the amendments of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 1 March 2018. As such, all references to the relevant sections in this report are provided prior to the amendments of the EP&A Act.

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Fire &amp; Rescue NSW

ABN 12 593 473 110

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Pursuant to the provisions of Section 119T (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 28 February 2018 was conducted by an Authorised Fire Officer from the Fire Safety Compliance Unit of FRNSW. The inspection was also conducted in the company of Officers from the NSW Environmental Protection Authority (EPA).

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the EPA licenced waste facility only, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 119T (4) and Section 121ZD (1) of the EP&A Act. Please be advised that Section 121ZD (2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

Please note, that this report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia - Volume 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed outline concerns that may contradict development consent approval or correlate to the building's age. In this regard, it is council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns during the inspection:

### 1. Essential Fire Safety Measures

#### 1A. Smoke Detection and Alarm System

- A. At the time of the inspection, the fire service contractor was working on the smoke detection and alarm system installed in the premises, resolving issues shown on the fire indicator panel (FIP).

### 2. Access and Egress

- A. In relation to doors forming part of a required exit and in the path of travel to a required exit within the office building, the following items were identified:
  - a. The door swings against the direction of egress, contrary to the requirements of Clause D2.20 of the NCC.

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- b. The door contains a round tulip style handle in lieu of a lever handle, contrary to the requirements of Clause D2.21 of the NCC.

### 3. Generally

#### 3A. Fire Hydrant System

- A. It appears that the building has a total floor area greater than 500m<sup>2</sup>. Clause E1.3 of the NCC requires a building having a total floor area greater than 500m<sup>2</sup> to be provided with a fire hydrant system installed in accordance with Australian Standard (AS) 2419.1.

The fire hydrant system appears to consist of only one above ground fire hydrant, comprising of two (2) individually controlled valve outlets, located within 10m of the building which it serves, with no associated booster assembly or pump system.

A copy of the annual fire safety statement was not available to determine if 'fire hydrant system' is listed as an essential fire safety measure.

It is recommended that Council require an audit of the existing fire hydrant system and consider upgrade works as appropriate to ensure the system complies with Clause E1.3 of the NCC and AS2419.1 and meets the operational needs of FRNSW.

#### 3B. Environmental Planning and Assessment Regulation 2000

##### A. Annual fire safety statement

- a. A copy of current annual fire safety statement (AFSS) and a copy of the fire safety schedule were not prominently displayed in the building, in contravention with the requirements of Clause 177 of the EP&A Regulation.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 3 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Section 121ZD (4) of the EP&A Act.

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Should you have any enquiries regarding any of the above matters, please do not hesitate to contact John Bruscino of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/437 (8000002788) for any future correspondence in relation to this matter.

Yours faithfully



John Bruscino  
Building Surveyor  
Fire Safety Compliance Unit

CC Lesley Corkill  
Unit Head, Waste Compliance  
Waste and Resource Recovery, NSW Environment Protection Authority  
[Lesley.Corkill@epa.nsw.gov.au](mailto:Lesley.Corkill@epa.nsw.gov.au)

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**Item No:** 5.4  
**Title:** Fire Safety Inspection Report - 75 Pile Road Somersby  
**Department:** Environment and Planning

---



10 September 2018 Ordinary Council Meeting

Trim Reference: F2010/00500 - D13305069

Author: Mark Newton, Building Surveyor

Manager: Wayne Herd, Section Manager Central Coast Building Certification

Executive: Scott Cox, Director, Environment and Planning

## **Report Purpose**

The purpose of this report is for Council to note a Fire Safety Inspection Report from Fire and Rescue NSW.

## **Recommendation**

- 1 That Council note the content of the Fire Safety Report from Fire and Rescue NSW in accordance with s.17(2)(a) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979.**
- 2 That Council receive a further report to be provided to the next Council meeting in accordance with s.17(2)(b) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979.**

## **Background**

Council has received a Fire Safety Inspection Report from Fire and Rescue NSW in respect to the premises known as Par Recycling Facility on Lot 1 DP 1117622, 75 Pile Road Somersby.

Fire and Rescue NSW has powers under the *Environmental Planning and Assessment Act 1979*, (EP&A Act) to carry out inspections of buildings and it is required to forward the findings of such an inspection to the relevant Council.

Fire and Rescue NSW inspection reports received by Council are required to be tabled before the Council at the next Council meeting.

Council is then required to determine whether or not to exercise its power to issue one of three orders under Part 2 of Schedule 5 of the EP&A Act 1979. This determination may be made at the next meeting of Council held after the tabling of the initial Fire and Rescue NSW inspection report.

Attached is the inspection report received by Council from Fire and Rescue NSW that is required to be tabled. A further report will be provided to Council with appropriate recommendations following an inspection of the site.

**Link to Community Strategic Plan**

Theme 4: Responsible

**Goal G: Good governance and great partnerships**

G2: Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect.

**Attachments**

**1** Letter from Fire and Rescue - 75 Pile Rd Somersby      D13305043



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## 2. Access and Egress

### 2A. Provisions for Escape

A. Paths of travel – There are paths of travel to exits within the building that are obstructed by permanent structures and/or stored items, reducing the unobstructed width of the path of travel to the exit to less than 1m, contrary to the requirements of Clause D1.6(b) of the NCC. However, the operators have indicated that the stored items are moved at various times of the day.

### B. Discharge from exits

a. When discharging through the north-western required exit leading to an open space, the path of travel to the road was reduced to an unobstructed width less than 1m, contrary to Clause D1.10 of the NCC. The obstructions were caused by the two water storage tanks and waste receptacles.

b. When discharging through one of the northern required exit leading to an open space, adjacent to the four process hoppers, the path of travel to the road requires occupants to walk down a set of external stairs. The following items were identified:

i. The stairs have an unobstructed width less than 1m, contrary to the requirements of Clause D1.10(b) of the NCC.

ii. A barrier to prevent falls and a handrail were not provided in accordance with the requirements of Clause D2.16 and D2.17 of the NCC.

## 3. Generally

### 3A. Compartmentation

A. The EPA licenced waste facility appears to exceed the relevant maximum floor area and maximum volume for a Class 8 building prescribed by Table C2.2 of the NCC, for Type C construction.

It appears that the building does not exceed 18,000m<sup>2</sup> in floor area nor exceed 108,000m<sup>3</sup> in volume, however does not meet the provisions for a large isolated building under Clause C2.3(a) as it does not contain a sprinkler system complying with Specification E1.5 or is not provided with open space complying with C2.4(a) not less than 18m wide around the building. It would be at council discretion to determine compliance.

### 3B. FRNSW letter, TRIM Ref. No: D16/78400, dated 25 October 2016, ('Appendix 1')

A. The FRNSW letter provided comments and recommendations to items identified as concerns by FRNSW officers at the time of an inspection conducted on 12 October 2016. Some of the items were still identified as concerns at the time

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Rescue NSW**

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File Ref. No: BFS18/423 (8000002780)  
TRIM Ref. No: D18/38553  
Contact: John Bruscano

11 July 2018

General Manager  
Central Coast Council  
49 Mann Street  
GOSFORD NSW 2250

Email: [ask@centralcoast.nsw.gov.au](mailto:ask@centralcoast.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT  
PAR RECYCLING FACILITY ("the premises")  
75 PILE ROAD, SOMERSBY – LOT 1, DP 1117622**

Fire & Rescue NSW (FRNSW) received correspondence on 21 February 2018, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

The correspondence stated that:

- The NSW Environment Protection Authority (EPA) administers and enforces the Protection of the Environment Operations Act 1997 (the Act), including the administration of environment protection licences (EPL) issued under the Act. This site is operated as a waste facility under an EPL. The EPA is investigating the safety and adequacy of protection measures at waste facilities, particularly those that store and/or process highly combustible waste types including plastics, paper, and organic material. Several fires have occurred recently at waste facilities in NSW and other jurisdictions of Australia that store and/or process waste, such as the waste facility operated at this site. The EPA requests FRNSW to inspect the premises.*

*Details of the EPL can be found here by going to the website here: <http://app.epa.nsw.gov.au/prpoeoapp/> and searching for licence 13390.*

Please be advised that the inspection for 'the premises' was conducted prior to the amendments of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 1 March 2018. As such, all references to the relevant sections in this report are provided prior to the amendments of the EP&A Act.

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of the inspection on 28 February 2018, as detailed in items 1 and 2 above. Particular reference is made to Comments 5, 6, 7 and Recommendation c. of the FRNSW letter dated 25 October 2016 (See Appendix 1), shown in the following excerpt:

## Comments

5. It appears that a ring main is required to be installed at the premises in accordance with Clause 8.5.4 of AS2419.1-2005; The following components were not visible to confirm that a ring main has been installed;
  - a. Isolation valves were not identifiable at the site contrary to the requirements of Clause 8.5.6 and Clause 8.5.9 of AS2419.1-2005;
  - b. The block plan does not show the location of the isolation valves in accordance with Clause 7.11 of AS2419.1-2005;
6. The building appears to be a large isolated building, and also appears to exceed the maximum fire compartment size as specified in Clause C2.2 of the National Construction Code 2016 Volume One, Building Code of Australia (NCC).

In this regard, the perimeter of the building would require an open space of 18 metres wide. Moreover, the bulk storage of processed waste, plant and machinery are present on the north and south sides of the building and may be contrary to the requirements of Clause C2.3 (a) (i) (B) of the NCC;

7. Having regard to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg) and parts of Section D of the NCC, the following observations relate to egress on the northern side of the building contrary to;
  - c. Two water storage tanks, a large quantity of LPG cylinders and waste receptacles prevent persons evacuating the building in gaining access to open space;
  - d. A set of stairs that form part of an exit, adjacent to four process hoppers;
    - i. Have a stair width less than one (1) metre contrary to the requirements of Clause D1.10;
    - ii. Have not been provided with a balustrading and handrail in accordance with Clauses D2.16 and D2.17;
    - iii. Have had engine oil spilled on the majority of treads that create a slip hazard for persons evacuating the building;

## Recommendations

- c. Conduct a survey of the fire hydrant installation to determine if the ring main design criteria complies with Clause 8.5.5 (a) of AS2419.1-2005.

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Pursuant to the provisions of Section 119T (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 28 February 2018 was conducted by an Authorised Fire Officer from the Fire Safety Compliance Unit of FRNSW. The inspection was also conducted in the company of Officers from the NSW Environmental Protection Authority (EPA).

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the EPA licenced waste facility only, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 119T (4) and Section 121ZD (1) of the EP&A Act. Please be advised that Section 121ZD (2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

Please note, that this report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia - Volume 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed outline concerns that may contradict development consent approval or correlate to the building's age. In this regard, it is council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The following items were identified as concerns during the inspection:

### 1. Essential Fire Safety Measures

#### 1A. Fire Hydrant System

- A. The fire hydrants are connected to a ring main, however, the system does not have any isolation valves, contrary to the requirements of Clause 8.5.5 and 8.5.6 of Australian Standard (AS)2419.1-2005.

#### 1B. Exit Signs

- A. Some exit signage was not illuminated, not readily apparent and not maintained, in contravention with Clause E4.6 and E4.8 of the NCC, Section 6 of AS 2293.1-2005 and Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

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FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 3 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Section 121ZD (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact John Bruscano of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/423 (8000002780) for any future correspondence in relation to this matter.

Yours faithfully



John Bruscano  
Building Surveyor  
Fire Safety Compliance Unit

Attachment: [Appendix 1 – FRNSW letter, TRIM Ref. No: D16/78400, dated 25 October 2016 – 4 pages]

CC Lesley Corkill  
Unit Head, Waste Compliance  
Waste and Resource Recovery, NSW Environment Protection Authority  
[Lesley.Corkill@epa.nsw.gov.au](mailto:Lesley.Corkill@epa.nsw.gov.au)

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## 2. Access and Egress

### 2A. Provisions for Escape

A. Paths of travel – There are paths of travel to exits within the building that are obstructed by permanent structures and/or stored items, reducing the unobstructed width of the path of travel to the exit to less than 1m, contrary to the requirements of Clause D1.6(b) of the NCC. However, the operators have indicated that the stored items are moved at various times of the day.

### B. Discharge from exits

a. When discharging through the north-western required exit leading to an open space, the path of travel to the road was reduced to an unobstructed width less than 1m, contrary to Clause D1.10 of the NCC. The obstructions were caused by the two water storage tanks and waste receptacles.

b. When discharging through one of the northern required exit leading to an open space, adjacent to the four process hoppers, the path of travel to the road requires occupants to walk down a set of external stairs. The following items were identified:

i. The stairs have an unobstructed width less than 1m, contrary to the requirements of Clause D1.10(b) of the NCC.

ii. A barrier to prevent falls and a handrail were not provided in accordance with the requirements of Clause D2.16 and D2.17 of the NCC.

## 3. Generally

### 3A. Compartmentation

A. The EPA licenced waste facility appears to exceed the relevant maximum floor area and maximum volume for a Class 8 building prescribed by Table C2.2 of the NCC, for Type C construction.

It appears that the building does not exceed 18,000m<sup>2</sup> in floor area nor exceed 108,000m<sup>3</sup> in volume, however does not meet the provisions for a large isolated building under Clause C2.3(a) as it does not contain a sprinkler system complying with Specification E1.5 or is not provided with open space complying with C2.4(a) not less than 18m wide around the building. It would be at council discretion to determine compliance.

### 3B. FRNSW letter, TRIM Ref. No: D16/78400, dated 25 October 2016, ('Appendix 1')

A. The FRNSW letter provided comments and recommendations to items identified as concerns by FRNSW officers at the time of an inspection conducted on 12 October 2016. Some of the items were still identified as concerns at the time

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## Appendix 1 – FRNSW letter, TRIM Ref. No: D16/78400, dated 25 October 2016



File Ref. No: BFS16/2353 (11909)  
 TRIM Ref. No: D16/78400  
 Contact: Station Officer Paul Scott

25 October 2016

General Manager  
 Central Coast Council  
 2 Hely Street  
 Wyong NSW 2259

Email: [ask@centralcoast.nsw.gov.au](mailto:ask@centralcoast.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

**Re: INSPECTION REPORT  
 'REMONDIS WASTE STATION'  
 75 PILES ROAD SOMERSBY ("the premises")**

Fire & Rescue NSW (FRNSW) attended a fire at the premises and found that the fire hydrant booster assembly was located directly behind an electric fence.

The Fire Safety Compliance Unit of FRNSW received correspondence regarding this matter on 6 October 2016, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

Pursuant to the provisions of Section 119T (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 12 October 2016 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 119T (4) and Section 121ZD (1) of the EP&A Act. Please be advised that Section 121ZD (2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

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## COMMENTS

The following items were identified as concerns during the inspection:

1. An electric fence is located approximately 600mm from the boost and feed connections of the fire hydrant booster assembly contrary to the requirements of Clause 3.5 of Australian Standards (AS) 2419.1-2005.

As an aside, the location of the fence directly in front of the connections poses an electric shock hazard for attending fire-fighters attempting to utilise the essential fire safety measure;

2. A wheeled valved outlet has been installed on the boost inlet manifold of the booster assembly contrary to the requirements of Clause 3.5 of AS2419.3-2012;
3. Boost and test pressure signage was not installed in accordance with Clause 7.10 of AS2419.1-2005;
4. The block plan does not display a diagrammatic layout of the protected building, the location of attack hydrants and other site hazards in accordance with Clause 7.11 of AS2419-2005;
5. It appears that a ring main is required to be installed at the premises in accordance with Clause 8.5.4 of AS2419.1-2005; The following components were not visible to confirm that a ring main has been installed;

- a. Isolation valves were not identifiable at the site contrary to the requirements of Clause 8.5.6 and Clause 8.5.9 of AS2419.1-2005;

- b. The block plan does not show the location of the isolation valves in accordance with Clause 7.11 of AS2419.1-2005;

6. The building appears to be a large isolated building, and also appears to exceed the maximum fire compartment size as specified in Clause C2.2 of the National Construction Code 2016 Volume One, Building Code of Australia (NCC).

In this regard, the perimeter of the building would require an open space of 18 metres wide. Moreover, the bulk storage of processed waste, plant and machinery are present on the north and south sides of the building and may be contrary to the requirements of Clause C2.3 (a) (i) (B) of the NCC;

7. Having regard to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg) and parts of Section D of the NCC, the following observations relate to egress on the northern side of the building contrary to;

- c. Two water storage tanks, a large quantity of LPG cylinders and waste receptacles prevent persons evacuating the building in gaining access to open space;





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of the inspection on 28 February 2018, as detailed in items 1 and 2 above. Particular reference is made to Comments 5, 6, 7 and Recommendation c. of the FRNSW letter dated 25 October 2016 (See Appendix 1), shown in the following excerpt:

## Comments

5. It appears that a ring main is required to be installed at the premises in accordance with Clause 8.5.4 of AS2419.1-2005; The following components were not visible to confirm that a ring main has been installed;
  - a. Isolation valves were not identifiable at the site contrary to the requirements of Clause 8.5.6 and Clause 8.5.9 of AS2419.1-2005;
  - b. The block plan does not show the location of the isolation valves in accordance with Clause 7.11 of AS2419.1-2005;
6. The building appears to be a large isolated building, and also appears to exceed the maximum fire compartment size as specified in Clause C2.2 of the National Construction Code 2016 Volume One, Building Code of Australia (NCC).

In this regard, the perimeter of the building would require an open space of 18 metres wide. Moreover, the bulk storage of processed waste, plant and machinery are present on the north and south sides of the building and may be contrary to the requirements of Clause C2.3 (a) (i) (B) of the NCC;

7. Having regard to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Reg) and parts of Section D of the NCC, the following observations relate to egress on the northern side of the building contrary to;
  - c. Two water storage tanks, a large quantity of LPG cylinders and waste receptacles prevent persons evacuating the building in gaining access to open space;
  - d. A set of stairs that form part of an exit, adjacent to four process hoppers;
    - i. Have a stair width less than one (1) metre contrary to the requirements of Clause D1.10;
    - ii. Have not been provided with a balustrading and handrail in accordance with Clauses D2.16 and D2.17;
    - iii. Have had engine oil spilled on the majority of treads that create a slip hazard for persons evacuating the building;

## Recommendations

- c. Conduct a survey of the fire hydrant installation to determine if the ring main design criteria complies with Clause 8.5.5 (a) of AS2419.1-2005.

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- d. A set of stairs that form part of an exit, adjacent to four process hoppers;
  - i. Have a stair width less than one (1) metre contrary to the requirements of Clause D1.10;
  - ii. Have not been provided with a balustrading and handrail in accordance with Clauses D2.16 and D2.17;
  - iii. Have had engine oil spilled on the majority of treads that create a slip hazard for persons evacuating the building;
- 8. Fire Safety Notices were not installed adjacent or visible at accessible doorways within the building contrary to the requirements of Clause 183 of the EP&A Reg.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 8 of this report be addressed appropriately.
- b. In relation to item 1. of this report, it is suggested that the following items be completed:
  - a. The fire hydrant booster assembly be realigned to so that the feed and boost connections to face Pile Road. This will eliminate obstructions during fire fighting operations.
  - b. The electric fence to be realigned and be positioned behind the fire hydrant booster assembly;
  - c. A bollard be installed at the kerb and gutter to prevent the gate, when opened, from coming into contact with the booster assembly;
- c. Conduct a survey of the fire hydrant installation to determine if the ring main design criteria complies with Clause 8.5.5 (a) of AS2419.1-2005.
- d. Upgrade the block plan to a minimum size of A2, displaying the elements listed in Clause 7.11 of AS2419.1-2005.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Section 121ZD (4) of the EP&A Act.

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FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS

FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 3 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Section 121ZD (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact John Bruscano of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/423 (8000002780) for any future correspondence in relation to this matter.

Yours faithfully



John Bruscano  
Building Surveyor  
Fire Safety Compliance Unit

Attachment: [Appendix 1 – FRNSW letter, TRIM Ref. No: D16/78400, dated 25 October 2016 – 4 pages]

CC Lesley Corkill  
Unit Head, Waste Compliance  
Waste and Resource Recovery, NSW Environment Protection Authority  
[Lesley.Corkill@epa.nsw.gov.au](mailto:Lesley.Corkill@epa.nsw.gov.au)

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Should you have any enquiries regarding any of the above matters, please do not hesitate to contact FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS16/2353 (11909) for any future correspondence in relation to this matter.

Yours faithfully



Edren Ravino  
Building Surveyor  
Fire Safety Compliance Unit

C.C. Remondis Somersby Depot manager  
[ritchie.vern@remondis.com.au](mailto:ritchie.vern@remondis.com.au)

IMG Property Consultant  
Mahi Ratnapala  
[mahi.ratnapala@intermarcglobal.com.au](mailto:mahi.ratnapala@intermarcglobal.com.au)

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Appendix 1 – FRNSW letter, TRIM Ref. No: D16/78400, dated 25 October 2016



File Ref. No: BFS16/2353 (11909)  
 TRIM Ref. No: D16/78400  
 Contact: Station Officer Paul Scott

25 October 2016

General Manager  
 Central Coast Council  
 2 Hely Street  
 Wyong NSW 2259

Email: [ask@centralcoast.nsw.gov.au](mailto:ask@centralcoast.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir/Madam,

Re: **INSPECTION REPORT  
 'REMONDIS WASTE STATION'  
 75 PILES ROAD SOMERSBY ("the premises")**

Fire & Rescue NSW (FRNSW) attended a fire at the premises and found that the fire hydrant booster assembly was located directly behind an electric fence.

The Fire Safety Compliance Unit of FRNSW received correspondence regarding this matter on 6 October 2016, in relation to the adequacy of the provision for fire safety in connection with 'the premises'.

Pursuant to the provisions of Section 119T (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 12 October 2016 was conducted by Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW.

The inspection was limited to the following:

- A conceptual overview of the building, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 119T (4) and Section 121ZD (1) of the EP&A Act. Please be advised that Section 121ZD (2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

Fire & Rescue NSW  
 Community Safety Directorate  
 Fire Safety Compliance Unit  
[bfs@fire.nsw.gov.au](mailto:bfs@fire.nsw.gov.au)

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**Item No:** 5.5  
**Title:** Fire Safety Inspection Report for Materials Recycling Facility at 95 Wisemans Ferry Road Somersby  
**Department:** Environment and Planning

---

10 September 2018 Ordinary Council Meeting

Trim Reference: F2010/00500 - D13305097  
Author: Mark Newton, Building Surveyor  
Manager: Daniel Woods, Acting Unit Manager Environment and Certification  
Executive: Scott Cox, Director, Environment and Planning

### **Report Purpose**

The purpose of this report is for Council to note a Fire Safety Inspection Report from Fire and Rescue NSW.

### **Recommendation**

- 1 That Council note the content of the Fire Safety Report from Fire and Rescue NSW in accordance with s.17(2)(a) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979.**
- 2 That Council receive a further report to be provided to the next Council meeting in accordance with s.17(2)(b) of Part 8 of Schedule 5 of the Environmental Planning and Assessment Act 1979.**

### **Background**

Council has received a Fire Safety Inspection Report from Fire and Rescue NSW in respect to the premises known as Biocoal – Materials Recycling Facility on Lot 1 DP 775692, 95 Wisemans Ferry Road Somersby.

Fire and Rescue NSW has powers under the *Environmental Planning and Assessment Act 1979*, (EP&A Act) to carry out inspections of buildings and it is required to forward the findings of such an inspection to the relevant Council.

Fire and Rescue NSW inspection reports received by Council are required to be tabled before the Council at the next Council meeting.

Council is then required to determine whether or not to exercise its power to issue one of three orders under Part 2 of Schedule 5 of the EP&A Act 1979. This determination may be made at the next meeting of Council held after the tabling of the initial Fire and Rescue NSW inspection report.

## **5.5 Fire Safety Inspection Report for Materials Recycling Facility at 95 Wisemans Ferry Road Somersby (contd)**

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Attached is the inspection report received by Council from Fire and Rescue NSW that is required to be tabled. A further report will be provided to Council with appropriate recommendations following an inspection of the site.

### **Link to Community Strategic Plan**

Theme 4: Responsible

### **Goal G: Good governance and great partnerships**

G2: Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect.

### **Attachments**

- 1** Letter from Fire & Rescue - 95 Wisemans Ferry Rd, Somersby D13305089

**Fire &  
Rescue NSW**

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File Ref. No: BFS18/438 (8000002789)  
TRIM Ref. No: D18/38449  
Contact: John Bruscano

11 July 2018

General Manager  
Central Coast Council  
Administration Building  
49 Mann Street  
GOSFORD NSW 2250

Email: [gocity@gosford.nsw.gov.au](mailto:gocity@gosford.nsw.gov.au)

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**RE: INSPECTION REPORT  
BIOCOAL – MATERIALS RECYCLING FACILITY (“the premises”)  
95 WISEMANS FERRY ROAD, SOMERSBY – LOT 1, DP 775692**

- Fire & Rescue NSW (FRNSW) received correspondence on 21 February 2018, in relation to the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated that:

- The NSW Environment Protection Authority (EPA) administers and enforces the Protection of the Environment Operations Act 1997 (the Act), including the administration of environment protection licences (EPL) issued under the Act. This site is operated as a waste facility under an EPL. The EPA is investigating the safety and adequacy of protection measures at waste facilities, particularly those that store and/or process highly combustible waste types including plastics, paper, and organic material. Several fires have occurred recently at waste facilities in NSW and other jurisdictions of Australia that store and/or process waste, such as the waste facility operated at this site. The EPA requests FRNSW to inspect the premises.

Details of the EPL can be found here by going to the website here: <http://app.epa.nsw.gov.au/prpoeoapp/> and searching for licence 12109.

Please be advised that the inspection for ‘the premises’ was conducted prior to the amendments of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on 1 March 2018. As such, all references to the relevant sections in this report are provided prior to the amendments of the EP&A Act.

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Pursuant to the provisions of Section 119T (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), an inspection of 'the premises' on 28 February 2018 was conducted by an Authorised Fire Officer from the Fire Safety Compliance Unit of FRNSW. The inspection was also conducted in the company of Officers from the NSW Environmental Protection Authority (EPA).

The inspection was limited to the following:

- A visual inspection of the essential Fire Safety Measures as identified in this report only.
- A conceptual overview of the EPA licenced waste facility only, where an inspection had been conducted without copies of the development consent or copies of the approved floor plans.

On behalf of the Commissioner of FRNSW, the following comments are provided for your information in accordance with Section 119T (4) and Section 121ZD (1) of the EP&A Act. Please be advised that Section 121ZD (2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting.

## COMMENTS

Please note, that this report is limited to observations and sections of the building accessed at the time of the inspection. As such, this report lists potential deviations from the National Construction Code 2016 Building Code of Australia - Volume 1 Amendment 1 (NCC). Please be advised that whilst the report is not an exhaustive list of non-compliances, the items as listed outline concerns that may contradict development consent approval or correlate to the building's age. In this regard, it is council's discretion as the appropriate regulatory authority to conduct its own investigation and consider the most appropriate action.

The Contracts Manager (Jamie Brown) advised that the EPA licenced facility had not been in operation for approximately three (3) months. The building contained baled material and unsorted stockpiles. There was no recycling work being undertaken at the time of the inspection. Notwithstanding this, the following items were identified as concerns during the inspection:

### 1. Essential Fire Safety Measures

#### 1A. Fire Hydrant System

- A. Maintenance – The service label/tag provided to the booster assembly and external hydrants throughout the site were dated stamped November 2016, indicating the system had not receiving routine maintenance, contrary to the requirements of Clause 182 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) and Section 4.2 of Australian Standard (AS)1851-2012.
- B. Some external fire hydrants were obstructed by stored items and vegetation, contrary to the requirements of Clause 3.2.2.2(g) of AS2419.1-2005.

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## 1B. Smoke Detection and Alarm System

- A. There were two (2) faults and two (2) disablements displayed at the Fire Indicator Panel (FIP) at the time of the inspection. The Contracts Manager (Jamie Brown) was aware of the faults and disablements and advised that he had already arranged for the fire service contractor to attend the site to rectify the issue, which was 'due to rats' damaging the cabling.

## 1C. Portable Fire Extinguishers (PFE)

- A. Some PFEs throughout the premises were missing or not readily accessible, contrary to the requirements of Clause 3.2 of AS2444-2001.

## 1D. Exit Signs

- A. Some exit signage was not illuminated, not readily apparent and not maintained or missing, contrary to the requirements of Clause E4.6 and E4.8 of the NCC, Section 6 of AS 2293.1-2005 and Clause 182 of the EP&A Regulation.

## 2. Access and Egress

## 2A. Provisions for Escape

- A. Paths of travel – There are paths of travel to exits within the building that are obstructed by permanent structures and/or stored items, reducing the unobstructed width of the path of travel to the exit to less than 1m, contrary to the requirements of Clause D1.6(b) of the NCC.
- B. Additional directional exit signage may benefit the premises, such that an exit sign or directional exit sign is clearly visible from all areas, in accordance with Clause E4.6 of the NCC.

## 3. Generally

## 3A. Environmental Planning and Assessment Regulation 2000

## A. Annual fire safety statement

- a. A copy of current annual fire safety statement (AFSS) and a copy of the fire safety schedule were not prominently displayed in the building (a fire safety certificate was displayed dated 28 November 2016), in contravention with the requirements of Clause 177 of the EP&A Regulation.

## 3B. Compartmentation

- A. The EPA licenced waste facility appears to exceed the relevant maximum floor area and maximum volume for a Class 8 building prescribed by Table C2.2 of the NCC, for Type C construction.

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It appears that the building does not exceed 18,000m<sup>2</sup> in floor area nor exceed 108,000m<sup>3</sup> in volume, however does not meet the provisions for a large isolated building under Clause C2.3(a) as it does not contain a sprinkler system complying with Specification E1.5 or is not provided with open space complying with C2.4(a) not less than 18m wide around the building. It would be at council discretion to determine compliance.

### 3C. Structural Damage

- A. Part of the north-western external wall (concrete tilt-up panel) had fallen away and left a large gap in the external wall. It could not be determined if the missing part of the wall was a structural element of the building. It would be at council discretion to determine compliance.

FRNSW is therefore of the opinion that there are inadequate provisions for fire safety within the building.

## RECOMMENDATIONS


FRNSW recommends that Council:

- a. Inspect and address any other deficiencies identified on 'the premises', and require item no. 1 through to item no. 3 of this report be addressed appropriately.

This matter is referred to Council as the appropriate regulatory authority. FRNSW therefore awaits Council's advice regarding its determination in accordance with Section 121ZD (4) of the EP&A Act.

Should you have any enquiries regarding any of the above matters, please do not hesitate to contact John Bruscino of FRNSW's Fire Safety Compliance Unit on (02) 9742 7434. Please ensure that you refer to file reference BFS18/438 (8000002789) for any future correspondence in relation to this matter.

Yours faithfully

  
John Bruscino  
Building Surveyor  
Fire Safety Compliance Unit

CC Lesley Corkill  
Unit Head, Waste Compliance  
Waste and Resource Recovery, NSW Environment Protection Authority  
[Lesley.Corkill@epa.nsw.gov.au](mailto:Lesley.Corkill@epa.nsw.gov.au)

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**Item No:** 5.6  
**Title:** Response to Notice of Motion - Homeless Concerns  
**Department:** Connected Communities

---

10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13282877

Author: Glenn Cannard, Unit Manager, Community Partnerships

Executive: Julie Vaughan, Director, Connected Communities

## Summary

This report responds to issues raised at the 12 June 2018 Ordinary Council meeting regarding homelessness concerns currently within the Central Coast Local Government Area.

## Recommendation

***That Council receive the report on Homeless Concerns.***

## Background

At the Ordinary Meeting on 12 June 2018, the Council resolved the following;

- 536/18     *That Council make urgent representation to State Government to:*
- a)     *Form an assertive Outreach Team for the Central Coast to tackle the issue of homeless (sleeping rough) in Council parks, reserves and in cars as a matter of priority.*
  - b)     *Council seek support from local members of Parliament.*
  - c)     *That Council advise all local non-government agencies of the request and seek their support.*
- 537/18     *That Council continues to take part in actions that are within its jurisdiction in regard to illegal camping and caring for these individuals.*
- 538/18     *That Council invite the Minister for Family and Community Services and Social Housing, the Hon Pru Goward MP, to the Central Coast and advocate for an assertive outreach pilot program to assist homelessness in the Central Coast region.*

**Current Status**

Council is a member of the District Homelessness Implementation Group (DHIG). The DHIG is a consortium of State Government funded specialist Homeless Service Providers and representatives from the NSW Department of Family and Community Service.

DHIG actively works to address issues of known 'rough sleepers'. In addition, Council Rangers continue to work, within Council's jurisdiction in relation to these matters. Council staff have developed an emergency relief brochure detailing information on key services and support for homeless and in-need persons.

On Friday 3 August 2018, The Minister for Family and Community Services and Social Housing, The Hon. Pru Goward MP, visited the Central Coast to host a Homelessness and Domestic/Family Violence forum. Council staff were in attendance at this forum to raise awareness on this issue and the current research as part of the Affordable Housing Strategy.

**Link to Community Strategic Plan**

Theme 5: Liveable

**ChooseGoal**

A3: Work together to solve a range of social and health issues that may impact community wellbeing and vulnerable people.

**Attachments**

*Nil.*



**Item No:** 6.1  
**Title:** QON - Q60/18 Ourimbah Creek Flood Management Plan  
**Department:** Assets, Infrastructure and Business

---

10 September 2018 Ordinary Council Meeting

Author: Peter Sheath, Section Manager, Waterways  
Manager: Brett Sherar, Acting Senior Manager, Property and Asset Management  
Executive: Boris Bolgoff, Acting Director, Assets, Infrastructure and Business

### **QON - Q60/18 Ourimbah Creek Flood Management Plan**

The following question was asked by Councillor Kyle MacGregor at the Ordinary Meeting on 14 May 2018 :

*Does the Ourimbah Creek Flood Management Plan elucidate what the potential impact of flooding would be on the Kangy Angy Rail Maintenance facility both during the construction phase and once the project is completed? In the event that this document does not do so what other documents are publicly available that would elucidate the impact of flooding from nearby water ways or extreme weather events on this key piece of local infrastructure?*

### **Summary**

The draft Ourimbah Creek Floodplain Risk Management Plan (currently being prepared) makes the following observations about the flood impacts associated with the proposed Transport for NSW Kangy Angy Rail Maintenance Facility:

- The facility will not impact peak flooding in Ourimbah Creek for flood events up to 1% Annual Exceedance Probability (1 in 100yr).
- The Rail Maintenance facility includes a proposed link road over the railway. Once this link road is constructed then it will provide flood free access to 21 existing rural dwellings that are frequently isolated when the Turpentine Road rail underpass is flooded.

The following plan identifies one in one hundred year flood zones in the area with the subject site shown in yellow.



1. Location of Rail Maintenance Facility footprint, relative to Council's 1% AEP flood mapping

### Attachments

*Nil.*



**Item No:** 6.2  
**Title:** QON - Q76/18 & Q81/18 - Airport Phone Survey  
**Department:** Assets, Infrastructure and Business

10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13265971

Author: Jamie Barclay, Unit Manager, Economic Development and Project Delivery

Manager: Andrew Pearce, Acting Senior Manager, Business and Economic Development

Executive: Boris Bolgoff, Acting Director, Assets, Infrastructure and Business

## **6.2 QON - Q76/18 & Q81/18 - Airport Phone Survey**

The following question was asked by Councillor Jilly Pilon at the Ordinary Meeting on 28 May 2018:

*Did Council ever undertake an official or unofficial survey about the airport, and if yes, can you please provide us with the results?*

The following question was asked by Councillor Louise Greenaway at the Ordinary Meeting on 28 May 2018:

*In relation Councillor Pilon's question about a telephone survey. I thought that there was one so that may come out when staff look into that. If it is found that one was conducted, I just would ask that the source of the questions be identified.*

In February 2013, the former Wyong Shire Council commissioned an independent survey of the views of the broader Wyong Shire Community on the concept of developing a new regional airport at Bushells Ridge.

The study was undertaken by Micromex Research who undertook a random telephone survey of 400 residents over the age of 18. The survey was weighted by age to reflect the 2011 Census data, with 25% of respondents in the age group 18-34; 26% aged 35-49; 24% aged 50-64 and 25% aged 65 or older. 47% were male and 53% female. A sample size of 400 provided for a maximum sampling error of +/- 4.9% at 95% confidence.

The survey structure involved the initial collection of demographic information followed by the consultants reading of a prepared concept statement for the development of a regional airport on land at Bushells Ridge located west of the M1 motorway.

Respondents were then asked whether they supported the potential development of the airport. Broadly: 67% of the 400 residents surveyed indicated they were either very supportive or supportive of the Bushells Ridge airport concept, and 84% were at least somewhat supportive. 16% were not very to not at all supportive. Younger respondents between the age of 18 and 34 were uniformly supportive, while many of those who were not supportive were aged 50 or older.



**Attachments**

- 1** Micromex Report - Wyong Airport - February 2013      D13321135



# Proposed Airport

Wyong Shire Council

Prepared by: Micromex Research

Date: February 2013



Background



## Methodology & Sample

In order to assess the community's response to the proposed airport, Wyong Shire Council commissioned Micromex Research to conduct quantitative research within the LGA.

### Specifics of the Survey

- Random telephone survey with n=400 residents aged 18 y/o +
  - The sample was weighted by age to reflect the 2011 ABS Census data
  - A sample size of 400 residents provides a maximum sampling error of approximately +/- 4.9% at 95% confidence
  - Participants were asked some profiling questions, then specific questions relating to the proposed special rate variation
- Fieldwork was conducted between the 12th – 14th February 2012

The phone survey will provide Wyong Shire Council with a robust and statistically valid measure of community response to the proposed airport





## Questionnaire Flow

- The questionnaire, of approximately 5 minutes in duration, was designed to establish current attitudes and explore community response to the proposed resource strategies

### Questionnaire Structure

QR1. Confirmation that respondent does not work for Council

QA. Age group

QB. Number of years lived in the area

Q1a. Importance of Council support for developments that will provide for businesses and create jobs

#### **READ CONCEPT – Airport**

Q2a. Support for the potential development of the airport

Q3. Importance of Council proceeding with this development

Q4. Ratepayer status

Q5. Suburb of residence

Q6. Gender



The questionnaire was developed in conjunction with Council staff





## How To Interpret Mean Rating Scores

### Ratings questions

The Unipolar Scale of 1 to 5 was used in all rating questions, where 1 was the lowest importance, satisfaction or support and 5 the highest importance, satisfaction or support.

1.99 or lower	'Very low' level of importance/satisfaction/support
2.00 – 2.49	'Low' level of importance/satisfaction/support
2.50 – 2.99	'Moderately low' levels of importance/satisfaction/support
3.00 – 3.59	'Moderate' level of importance/satisfaction/support
3.60 – 3.89	'Moderately high' level of importance/satisfaction/support
3.90 – 4.19	'High' level of importance/satisfaction/support
4.20 – 4.49	'Very high' level of importance/satisfaction/support
4.50 +	'Extreme' level of importance/satisfaction/support

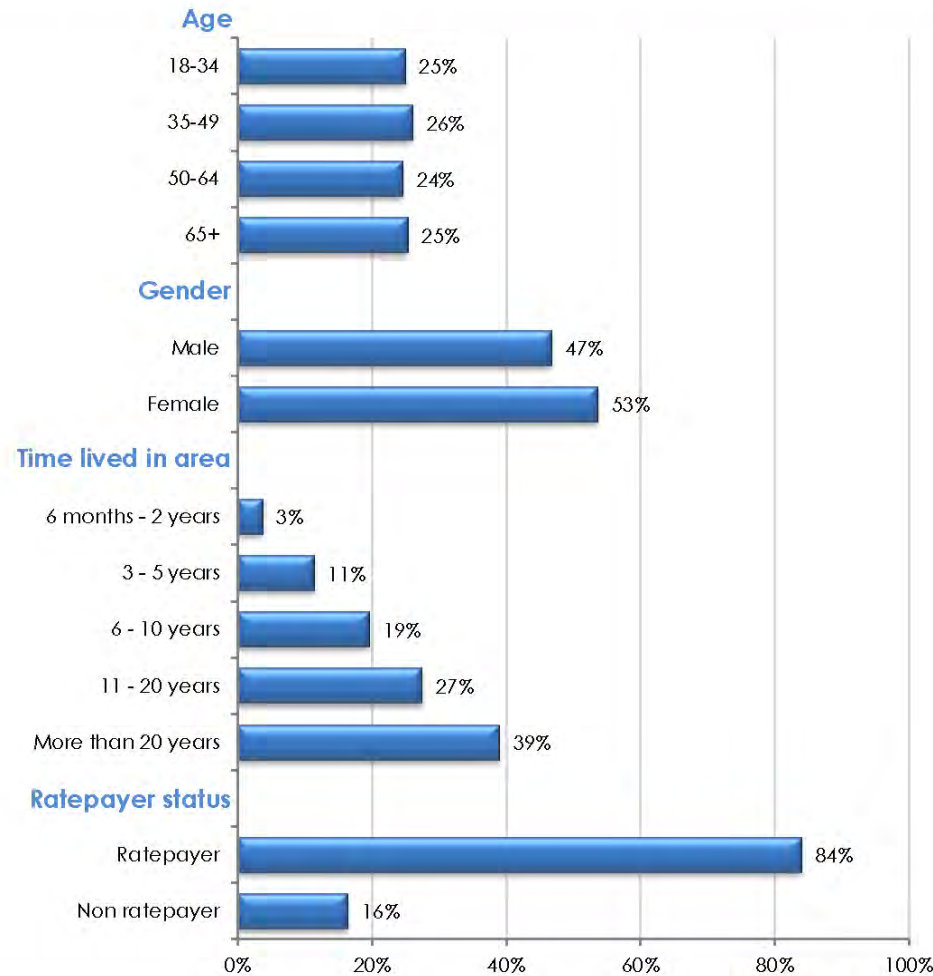


Profile of Sample





## Sample Profile – The Sample Accurately Reflects The Demographics Of The Wyong Shire Council LGA



Base: n = 400

The logo for micromex research, with 'micromex' in a bold, lowercase font and 'research' in a smaller, lowercase font below it. A stylized arrow points to the right.

The sample has been weighted to reflect ABS Census data



## Key Outcomes



## Key Outcomes

1. A significant number of residents support the proposed development
  - 43% of residents are 'very supportive' of a Type 3 regional airport at Bushells Ridge
  - 84% of residents are at least 'somewhat supportive' of a Type 3 regional airport at Bushells Ridge
  - There was no differentiation between residents' opinions dependent on their residential proximity to the airport
2. A significant number of residents believe that this development is important
  - 84% of residents indicated that it is at least 'somewhat important' that a regional airport is developed in the proposed location
3. The majority of residents believe that the proposed airport will bring benefits to the region in the form of jobs and better amenities



## Detailed Findings

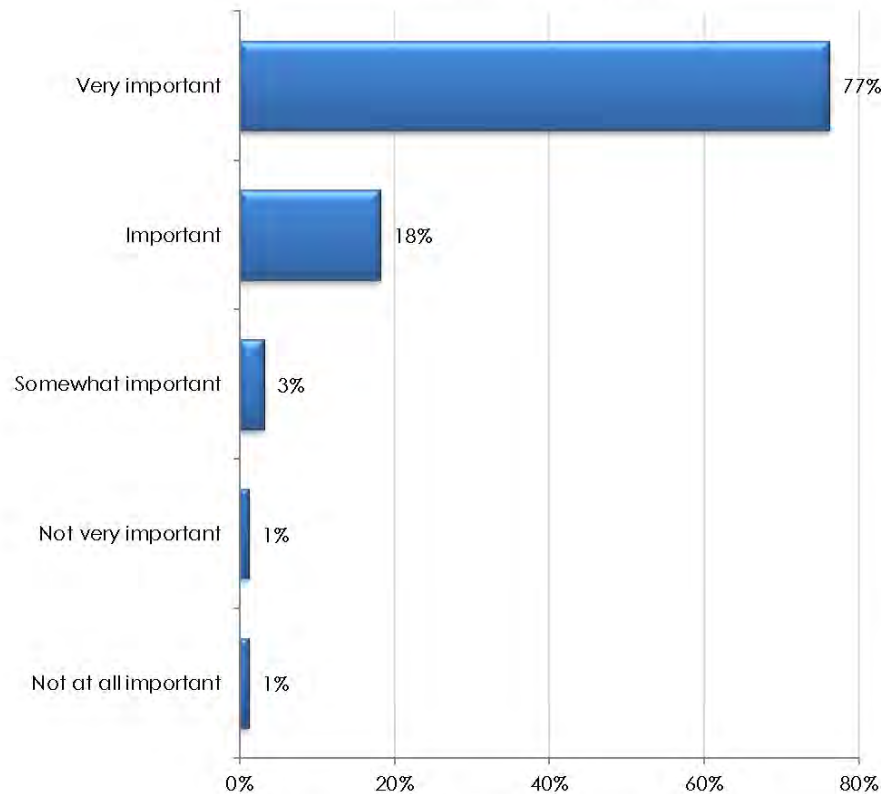




## Overall, 94% Of Residents Feel It Is At Least 'Somewhat Important' For Council To Support Developments That Provide For Businesses And Create Jobs

Q1a. How important do you believe it is for Council to support developments that will provide for businesses and create jobs within the Shire?

Mean rating - 4.68



Base: n = 400

Mean ratings: 1=not at all supportive, 5=very supportive

### Key reasons for level of support - Q1b

Supportive to very supportive: Net 98%

Creates local employment opportunities 66%

Not very to not at all supportive: Net 2%

Council should focus on other areas 1%

Area is already overdeveloped 1%

**2% believe it is 'not very' to 'not at all' important to provide new developments in the Shire**





# Resident Want Employment Opportunities On The Coast

Q1a. How important do you believe it is for Council to support developments that will provide for businesses and create jobs within the Shire?

Q1b. Why do you say that?

Somewhat important to very important – 98%

"The area will prosper and grow with new developments"

"The area is growing so rapidly it is important to create opportunities for employment in the long term in the area"

"Developments would help the local economy, adding growth of the area"

"Residents have to travel to Sydney, due to lack of employment on the Central Coast, therefore new developments are needed to meet the demands of the growing population"

"Estimated that over 30,000 people commute to Sydney which is clogging the roads, so keeping people on the Coast will also help the environment"

"Central Coast is an expanding area with more people moving in and needs greater support from Council"

"In general the Central Coast has a major unemployment issue and anything done to promote employment in the area and get people off the F3 is a good thing"

"The Central Coast needs to be developed, it seems to be the poor cousin between Sydney and Newcastle"

"Currently travelling to Sydney and would appreciate a local airport"

"Having jobs available generates a better economy and keeps things local"

"We need more jobs on the coast so people don't have to travel to Newcastle and Sydney"

"At the moment there are a lot of people at working age leaving the area to find employment"

"Creating jobs for the future is good for the area"

"Local jobs will keep money on the Coast"

"Planning will help to provide a solid future for Central Coast residents"

"Employment opportunities for future generations"

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## Concept Statement

Council has identified an opportunity for a Type 3 regional airport at Bushells Ridge and has included this location in the draft local environment plan for community discussion. This is NOT a second Sydney airport, rather a regional airport with one runway that would service the needs of the growing population of the Central Coast.

The proposed Regional airport is located approximately 3.5 kilometres west of Blue Haven. The airport will commence at the intersection of the F3 Freeway and the Link Road, traversing the freeway and running parallel to the western side of the freeway.

Council understands that there may be some concerns with regard to noise, air quality and environmental issues, and wants to work closely with the community to address these and any other community concerns.

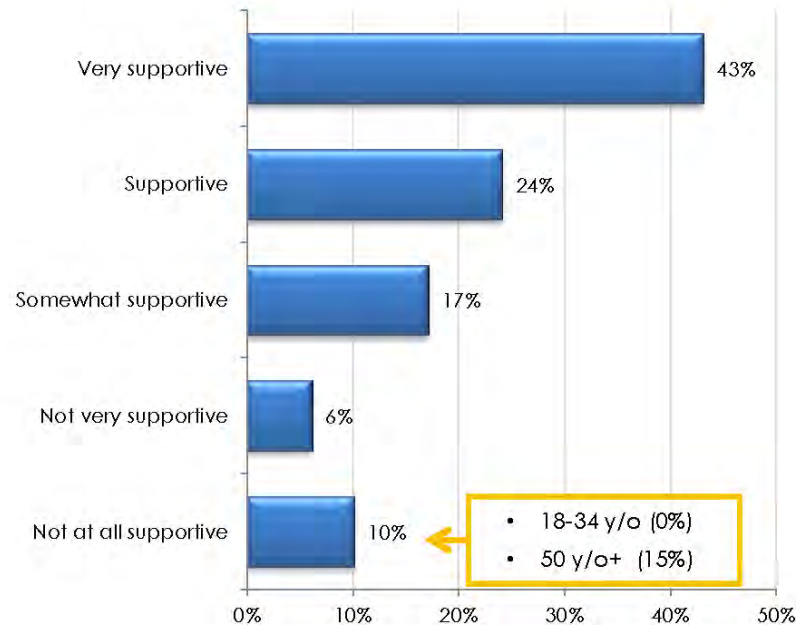
Newcastle Airport currently injects over \$500 million into the local community and it is estimated that a regional airport at Bushells Ridge would inject \$250 million annually into the Central Coast economy. An airport at Bushells Ridge will create thousands of direct and indirect jobs, it will also stimulate the local economy and attract aligned industries as well as boosting tourism.



## Overall, 84% Of Residents Are At Least 'Somewhat Supportive' Of The Proposed Airport Development

Q2a. How supportive are you of this potential development?

	Living within 5kms of the proposed site	Living outside 5kms of the proposed site	Overall
Mean ratings	3.82	3.86	3.84



Base: n = 400

Mean ratings: 1=not at all supportive, 5=very supportive

Key reasons for level of support - Q2b	
Somewhat supportive to very supportive: Net 84%	
Create local employment opportunities	38%
Provide local convenience to residents	32%
Not very to not at all supportive: Net 16%	
Will create noise pollution	8%
Unnecessary for the Central Coast to have airport	8%

**Only 10% were 'not at all supportive'.**  
**The majority demographic of rejecters are aged 50y/o+**

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## Residents Who Are 'Supportive' Of The Airport Indicated That It Would Provide Employment Opportunities, Boost The Local Economy And Is Convenient For Local Residents

Q2b. Why do you say that?

**Somewhat supportive to very supportive – 84%**

"The airport would boost the local economy"

"Would create great employment opportunities"

"It will provide more employment opportunities to service the needs of the growing population"

"More convenient to have an airport locally as it would save travelling to Newcastle and Sydney"

"There are so many people who have to travel to Sydney and we really need an airport in this area"

"A regional airport would boost tourism"

"This will give much needed support to local businesses"

"We need employment on the Coast and this will assist us to improve the socio economic of the region"

"Our community needs to grow and keep up with the growing population and a large development like this airport will help the economy"

"It's very close to where I live and I'm supportive for the potential growth in tourism and jobs in the local area"

"An airport is a positive for the expanding growth of the area"

"I would like to see the Central Coast become bigger and better"

"I own a local business that would benefit greatly"

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## Residents Who Are 'Not Supportive' Expressed Concerns Regarding Noise Pollution And The Impact On Property Prices

Q2b. Why do you say that?

**Not very to not at all supportive – 16%**

"Think it will mean too much noise pollution for the area"

"Do not see the need for it and Council would be better spending money in other areas"

"Think if there is an airport here the price of properties in the area will go down"

"It will create too much pollution and ruin our environment"

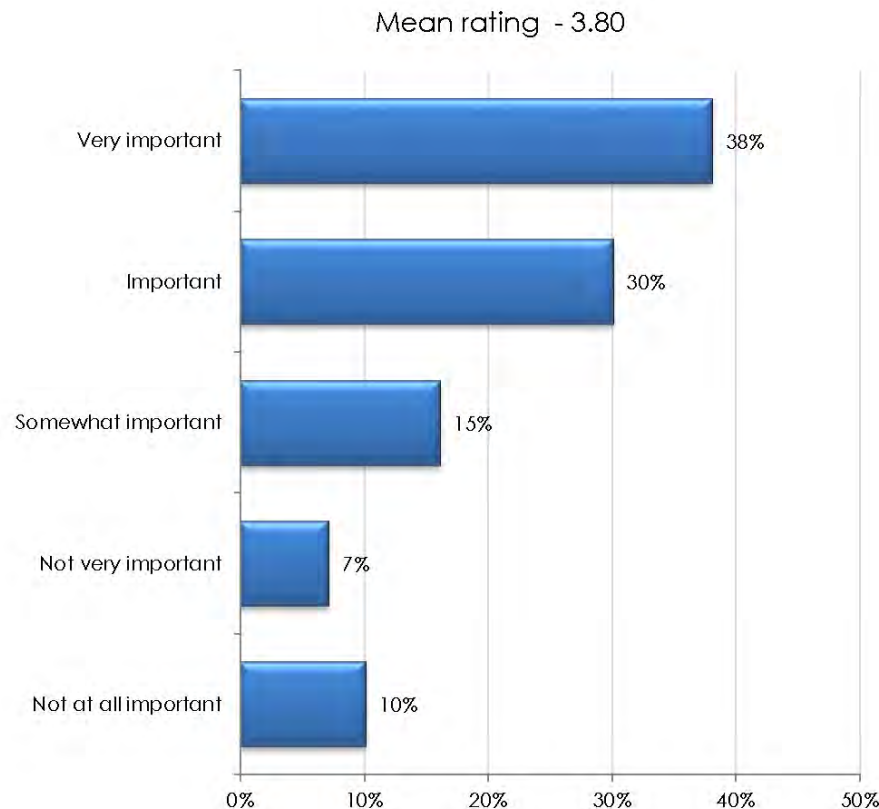
"Too near me as I would be under the flight path"

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## 83% Of Residents Indicated That It Is At Least 'Somewhat Important' For Shire That This Development Proceeds

Q3. How important do you believe it is for Wyong Shire that this development proceeds?



Base: n = 400

Mean ratings: 1=not at all important, 5=very important



**Over 3/4 of residents feel that it is important that Bushells Ridge is developed as a regional airport**



Recommendation





## Recommendation

The outcomes of this research indicate that Council has a significant mandate to develop a Type 3 regional airport at Bushells Ridge as per the concept statement.

⇒ ***Council should proceed with this development, confident that it has strong community support***



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**Item No:** 6.3  
**Title:** QON - Q89/18 - Nitra Sister City Status  
**Department:** Connected Communities

---

10 September 2018 Ordinary Council Meeting

Trim Reference: F2004/07107 - D13269245

Author: Glenn Cannard, Unit Manager, Community Partnerships

Executive: Julie Vaughan, Director, Connected Communities

### **6.3 QON - Q89/18 - Nitra Sister City Status**

The following question was asked by Councillor Kyle MacGregor at the Ordinary Meeting on 12 June 2018:

*What is the current status of the sister city relationship with the city of Nitra in Slovakia (former sister city of Gosford City) and what plans if any does Central Coast Council have in maintaining, extending or renewing that relationship?*

#### **Background**

The Sister City agreement between the former Gosford City Council and Nitra was signed at the same time as Edogawa in 1988. Historically delegations between Nitra and Gosford were held at the same time as delegation trips between Edogawa and Gosford. The last recorded delegation visit was held in May 2012 when Councillors and the General Manager went to Edogawa, Jinhua and Nitra. The agreement between former Gosford City Council and Nitra officially expired in 2012.

There was a further Mayoral delegation from Nitra that visited Gosford in 2013 for the 25<sup>th</sup> Anniversary however there is no register of a new agreement being signed post 2012. In 2015 there are records stating the former Gosford City Council intended to visit in July of 2015, however the latter exchange did not take place due to the potential of amalgamation.

It is noted that a report regarding Sister Cities is provided as part of this Agenda at Item 4.1 – *Sister City relationship – Review of Former Sister Cities*.

#### **Current Status**

Currently there are no operational plans to maintain or extend this relationship. No budget or resources have been allocated in the 2018/19 financial year.

#### **Attachments**

*Nil.*

**Item No:** 6.4  
**Title:** QON - Q104/18 Jasmine Greens Break Ins  
**Department:** Assets, Infrastructure and Business

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13284487

Author: Sean Cumming, Section Manager Leasing and Property Manager

Manager: David Norbury, Unit Manager, Leasing and Asset Management

Executive: Boris Bolgoff, Acting Director, Assets, Infrastructure and Business

#### **6.4 QON - Q104/18 Jasmine Greens Break Ins**

The following question was asked by Councillor Rebecca Gale Collins at the Ordinary Meeting on 9 July 2018:

*That Council acknowledges Jasmine Greens on the Peninsula Recreational Precinct has been broken into 31 times over a 4 year period. Can Council ensure the contracted Security Company provide footage when break-ins and vandalism occur and ensure building and the door is secure, as well as assist with graffiti removal kit?*

While Council is aware of comments in the media concerning 31 alleged break-ins at Jasmine Greens, Council has not received official reports from the lessee or the police of those break-ins.

The CCTV footage is only accessible to the Police. If Council require a copy of CCTV footage, a request must be submitted to the Police and their consent is required to forward footage on to third parties. Council requested and received photos from the latest break-ins.

Maintenance and repairs of the premises as well as security for the premises, are the responsibility of the lessee, this includes securing doors and roller shutters.

Council has investigated all security issues brought to Council's attention by the lessee, and Council's staff are working with the lessee with the intent to implement a solution to the security concerns.

A free graffiti removal kit, available from Council's offices in Wyong and Gosford or from any of the Central Coast Council libraries, will be provided to the lessee.

#### **Attachments**

*Nil.*

**Item No:** 7.1  
**Title:** Deferred Item - Notice of Motion - Local Employment  
**Department:** Councillor

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-04 - D13311780

Author: Jillian Hogan, Councillor

## Summary

Council, at its meetings held 13 August 2018 resolved:

*812/18 That Council defer this matter to the next Ordinary Meeting of Council to be held 10 September 2018.*

## Recommendation

- 1 That Council note the deferred Notice of Motion – Local Employment report which is Attachment 1 to this report.**
- 2 That Council notes and thanks staff for the comprehensive report received regarding our employment position.**
- 3 That Council notes that under the Local Government Act and the sections that apply to the amalgamation, external advertising of vacancies cannot occur unless the General Manager (CEO) is satisfied that we have no suitable internal (employee) applicants. This applies until May 2019, three years after the date of amalgamation.**
- 4 That Council notes that our numbers for apprenticeships, traineeships, internships and scholarships are exceptionally low.**
- 5 That the CEO report back to Council within 3 months with a review of Council's approach to employing apprentices and trainees.**
- 6 That staff also report on the recruitment methods for internships and scholarships and what current partnerships are in place with the TAFE and University.**
- 7 That Council continues to develop a workforce strategy that better reflects the demographics of the Central Coast including actively seeking a diverse workforce and continuing to strive towards being an equal opportunity employer.**
- 8 That Council demonstrates leadership and a commitment to young people and diversity by highlighting successes.**

**Attachments**

- 1** Notice of Motion - Local Employment      D13294424





**Item No:** 8.5  
**Title:** Notice of Motion - Local Employment  
**Department:** Councillor

13 August 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-03 - D13294424

Author: Jillian Hogan, Councillor

Councillor Hogan has given notice that at the Ordinary Council Meeting to be held on 13 August 2018 she will move the following motion;

- 1** *That Council notes and thanks staff for the comprehensive report received regarding our employment position.*
- 2** *That Council notes that under the Local Government Act and the sections that apply to the amalgamation, external advertising of vacancies cannot occur unless the General Manager (CEO) is satisfied that we have no suitable internal (employee) applicants. This applies until May 2019, three years after the date of amalgamation.*
- 3** *That Council notes that our numbers for apprenticeships, traineeships, internships and scholarships are exceptionally low.*
- 4** *That the CEO report back to Council within 3 months with a review of Council's approach to employing apprentices and trainees.*
- 5** *That staff also report on the recruitment methods for internships and scholarships and what current partnerships are in place with the TAFE and University.*
- 6** *That Council continues to develop a workforce strategy that better reflects the demographics of the Central Coast including actively seeking a diverse workforce and continuing to strive towards being an equal opportunity employer.*
- 7** *That Council demonstrates leadership and a commitment to young people and diversity by highlighting successes.*

#### Attachments

Nil.

**Item No:** 7.2  
**Title:** Notice of Motion - Central Coast Water Security, Risk Minimisation  
**Department:** Councillor

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-04 - D13317389

Author: Greg Best, Councillor  
Jilly Pilon, Councillor  
Troy Marquart, Councillor

Councillors Best, Marquart and Pilon have given notice that at the Ordinary Council Meeting to be held on 10 September 2018 they will move the following motion:

- 1 That Council notes New South Wales is now declared 100% drought affected and that the driving El Nino weather pattern appears to be prevailing.***
- 2 That in response, Council now proactively and responsibly considers all water security options for our 339,000 residents and ratepayers.***
- 3 That further to the valuable lessons learnt around the crippling 2002 Central Coast drought, Council now review its water restrictions pathways with a view to raising the first restriction trigger level from 42%.***
- 4 That Council request the CEO report to Council on our general water security status and risk minimisation opportunities including an update around Councils water 'safetynet', Lakes Beach Desal Facility.***

#### **Attachments**

*Nil.*



**Item No:** 7.3  
**Title:** Notice of Motion - Central Coast City Council? Civic Pride and Regional Identity  
**Department:** Councillor

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-04 - D13317575

Author: Greg Best, Councillor  
Troy Marquart, Councillor  
Jilly Pilon, Councillor

Councillors Best, Marquart and Pilon have given notice that at the Ordinary Council Meeting to be held on 10 September 2018 they will move the following motion:

- 1    *That Council recognizes the importance of engendering and fostering community pride and regional identity through civic and community leadership***
- 2    *That Council investigate the rationale, benefits/dis-benefits of our region taking up city status***
- 3    *That it is with this understanding that Council request the CEO to report on these issues around identity***
- 4    *Further, the CEO reports on issues around developing a suitable Council emblem/logo, Civic coat of arms and an overall regional identity***

#### **Attachments**

*Nil.*

**Item No:** 7.4  
**Title:** Notice of Motion - Salvinia Molesta in Springfield  
**Department:** Councillor

---



10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-04 - D13320644

Author: Jeff Sundstrom, Councillor

Councillor Sundstrom has given notice that at the Ordinary Council Meeting to be held on 10 September 2018 he will move the following motion:

- 1 That Council investigate what State or Federal grants may be available to assist Council with environmental works such as ridding Council lands in Springfield of the aquatic fern known as Salvinia Molesta. Locations of infestations already identified are the Springfield Pond off Robinia Pde and Barinya Lane.***
- 2 That Council apply for such grants whilst acting swiftly to stop these infestations and further/other infestations in Springfield or where ever they may appear.***

#### **Councillors Note**

The federal Department of Environment and Energy describe Salvinia as a weed of National significance. It is regarded as one of the worst weeds in Australia because of its invasiveness, potential for spread and for its economic & environmental impacts.

#### **Attachments**

*Nil.*

**Item No:** 7.5  
**Title:** Notice of Motion - Central Coast Workers Memorial  
**Department:** Councillor

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-04 - D13320649

Author: Kyle MacGregor, Councillor  
Jeff Sundstrom, Councillor

Councillors MacGregor and Sundstrom have given notice that at the Ordinary Council Meeting to be held on 10 September 2018, they will move the following motion:

- 1 That Central Coast Council recognises the memorial wall located at Lot 1 DP837937 No10 Chittaway Road, Ourimbah as the regions official memorial for the commemoration of International Workers Memorial Day (IWMD) which is observed on the 28th of April each year***
- 2 Council notes that commemoration of IWMD has occurred at the location every year since 2006***
- 3 Council notes that the maintenance of the wall will be the responsibility of the New South Wales Union movement represented by Unions NSW and Central Coast Unions (Central Coast Trades & Labour Council)***
- 4 Council will continue to be responsible for maintenance of the grounds around the wall***
- 5 Council will acknowledge the memorial and International Workers Memorial Day on its website***
- 6 That the above request be implemented by CEO Gary Murphy and further consultation and action as required be conducted with relevant parties to ensure the official acknowledgement of the site as well as its preservation and upkeep be conducted for this important memorial for Central Coast residents who have died at work or in a workplace accident***

#### **Attachments**

*Nil.*

**Item No:** 7.6  
**Title:** Notice of Motion - New Regional Council to demand better deal for Central Coast Fisherman  
**Department:** Councillor

---



10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-04 - D13320661

Author: Bruce McLachlan, Councillor

Councillor McLachlan has given notice that at the Ordinary Council Meeting to be held on 10 September 2018 he will move the following motion:

- 1 That Council acknowledges the concern of many local residents, of loss of angling rights to certain areas of the Central Coast in the current proposal for the Sydney Marine Park, and that fishing has always been and remains, a major core recreational activity of our Central Coast lifestyle.***
- 2 That Central Coast Council now use its new Regional Super Council Status, to demand the NSW State Government to consider the construction and placement of artificial fishing reef or reefs, of the Central Coast, the same as other Regions in consideration in the Marine Park Proposal.***
- 3 That Council recognises that the NSW government is currently considering building artificial fishing reefs for the Regions, Newcastle, Sydney and Wollongong, under its proposed Sydney Marine Park policy currently on exhibition.***
- 4 That Council request the NSW government to recognise our new Regional status, and that the Central Coast be given the same considerations and support, in boosting recreational fishing and tourism activities on the Central Coast as Newcastle's and Wollongong are receiving under the Marine Park Proposal.***

## **Attachments**

- 1** Cardno Report Offshore Artificial Reefs August 2010 submissions D13320834





Marine and Freshwater Studies



# Offshore Artificial Reefs (Newcastle, Sydney & Wollongong) EA/Draft PER Submissions Report

Job Number: EL0910105A  
August 2010

## Offshore Artificial Reefs (Newcastle, Sydney &amp; Wollongong) – Submissions Report



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Cover Image: Artificial reef in Japan. Photo courtesy of I&I NSW.

## Document Control

Report Number	Status	Date	Author		Reviewer	
EL0910105A	Draft	25 June 2010	K. A. Reeds	K. A. R	Marcus Lincoln Smith	M. L. S
EL0910105A	Final Draft	30 June 2010	K. A. Reeds	K. A. R	Marcus Lincoln Smith	M. L. S
EL0910105A	Final	02 August 2010	K. A. Reeds	K. A. R	Marcus Lincoln Smith	M. L. S

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EL0910105 A Final, August 2010



## Offshore Artificial Reefs (Newcastle, Sydney &amp; Wollongong) – Submissions Report

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## Offshore Artificial Reefs (Newcastle, Sydney &amp; Wollongong) – Submissions Report

## 1 Introduction and Background

## 1.1 Project Description

Industry & Investment NSW (I&I NSW) propose to improve recreational fishing opportunities in NSW by deploying purpose built offshore artificial reefs (OARs) in the vicinity of Newcastle, Sydney and Wollongong. In each region (Newcastle, Sydney and Wollongong), four individual 'reef units' (i.e. a reef set) will be deployed at water depths between 30 m and 40 m. Each unit will be 12 m high, 15 m long and 12 m wide and have the bulk of the internal structure within the bottom 4 m, to provide a low centre of gravity for stability. The structures will be manufactured from steel beams and plates, each weigh approximately 35 tonnes (dry weight) and will sit directly on the seabed without the need for additional anchorage, other than the weight of the unit itself. The four units will be configured in a line spaced 200 m apart. The final OAR locations that will be used for the OAR project are described below:

- Newcastle (Swansea). Approximately 3.6 km offshore from Blacksmiths Beach and the entrance to Swansea Channel.
- Sydney (South Sydney). Approximately 1.2 km off The Gap and 1.9 km south-east of South Head.
- Wollongong (Port Kembla). Approximately 2.4 km offshore from Perkins Beach.

The Sydney location has been selected for the first OAR deployment. Subsequent deployments at Wollongong and Newcastle will be dependent on the success of the first Sydney OAR. A more detailed description of the project is provided in Section 4 of the Offshore Artificial Reefs (Newcastle, Sydney and Wollongong) Environmental Assessment/draft Public Environment Report (the 'EA/draft PER', Cardno Ecology Lab, February 2010).

## 1.2 Legislative Context

The proposal is subject to Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as it is considered to be of State planning significance. It is also subject to approval under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and the Commonwealth *Environment Protection (Sea Dumping) Act 1981* (EP (SD) Act). Separate assessment guidelines were issued to meet the requirements of both State and Commonwealth legislation, however, as the requirements were similar, the Department for the Environment Heritage and the Arts (DEWHA) requested that a single Environmental Assessment/draft Public Environment Report (EA/draft PER) be prepared to assess the potential impacts of the project.

## 1.3 Exhibition Stage

The EA/draft PER was publicly displayed between 11 March 2010 and 19 April 2010 with exhibition at the following locations:

- The Department of Planning (Information Centre, 23 – 33 Bridge Street, Sydney).
- Woollahra Municipal Council (536 New South Head Road, Double Bay, Sydney).
- Double Bay Central Library (548 New South Head Road, Double Bay, Sydney).
- Lake Macquarie City Council (126 – 138 Main Road, Speers Point, Lake Macquarie).
- Swansea Library (228 Pacific Highway, Swansea).
- Wollongong City Council (41 Burelli Street, Wollongong).



## Offshore Artificial Reefs (Newcastle, Sydney &amp; Wollongong) – Submissions Report

- Warrawong District Library (Westfield Shopping Centre, Warrawong).
- Department of Environment, Heritage and the Arts (John Gorton Building, King Edward Terrace, Parkes, Canberra).
- Nature Conservation Council of NSW (Level 2, 301 Kent Street, Sydney).

Advertisements were placed in the following publications on 10 March 2010:

- Sydney Morning Herald.
- Newcastle Herald.
- Lake Macquarie News.
- Wollongong Illawarra Mercury.

An electronic copy of the EA/draft PER was also available on the Department of Planning's website at:

[http://majorprojects.planning.nsw.gov.au/page/coastal-areas/other-coastal-developments/?action=view\\_job&job\\_id=2690](http://majorprojects.planning.nsw.gov.au/page/coastal-areas/other-coastal-developments/?action=view_job&job_id=2690).

Stakeholders consulted as part of the assessment process were notified of the EA/draft PER exhibition, sent either a hard copy, CD-ROM or a link to view the document online and invited to post submissions.

## 1.4 Purpose of the Submissions Report

In response to the public exhibition period, submissions were received by the Department of Planning and copies provided to the proponent for review. Under Section 75H(6) of the EP&A Act, the Director-General may require the proponent to submit a response to the issues raised in submissions and prepare a preferred project report that outlines any proposed changes to the project to minimise its environmental impact and any revised statement of commitments. If the Director-General considers that significant changes are proposed to the nature of the project, the proponent may be required to make the preferred project report available to the public. This Submissions Report outlines the issues raised in the submissions that were received and the response of I&I NSW to these issues. The Statement of Commitments and proposed Environmental Management Plan and Construction Methodology (EMP) have been revised in response to some of these submissions (Appendix A and B, respectively).

## 2 Response to Submissions

### 2.1 Respondents

The Department of Planning received 15 submissions (Appendix D), including submissions received from government agencies, ports corporations, community stakeholders and one non-government organisation (NGO). Each submission was reviewed and the issues that were raised were extracted with the relevant responses provided in Section 2.2. Where similar issues were raised by different respondents, only one response is provided to avoid duplication.

#### 2.1.1 Department of Environment, Climate Change and Water (DECCW)

DECCW identified a number of issues that required clarification in relation to monitoring and timeframes, decommissioning and location constraints. Advice was also provided to further manage potential impacts to threatened and protected species. DECCW advised that they would not be providing recommended conditions of consent as the activity, if approved, is not a 'scheduled activity' under Schedule 1 of the *Protection of the Environment Operations*

## Offshore Artificial Reefs (Newcastle, Sydney &amp; Wollongong) – Submissions Report

Act 1979 (POEO Act) and is therefore not regulated by DECCW. However, DECCW would be the appropriate regulatory authority for the project, should the Department of Planning issue a project approval for the proposal. Issues raised in DECCW's submissions are addressed in Sections 2.2.1 (Location), 2.2.2 (Legislative Requirements), 2.2.3 (Flora and Fauna) and 2.2.5 (Monitoring and Timeframes).

#### 2.1.2 Industry and Investment NSW (I&I NSW)

Industry and Investment is in support of the project provided that the Statement of Commitments as proposed in the EA/draft PER is implemented and that two additional mitigation and management measures are included in the EMP. Additional issues raised in I&I NSW's submission are addressed in Sections 2.2.5 (Monitoring and Timeframes) and 2.2.6 (Management).

#### 2.1.3 Land and Property Management Authority (LPMA)

LPMA is in support of the project and no objections were raised in relation to the application. Any issues that had been raised during earlier consultation was considered to have been adequately addressed in the EA/draft PER. LPMA commented on issues relating to legislative requirements (Section 2.2.2) and management (Section 2.2.6) for further clarification.

#### 2.1.4 NSW Maritime

NSW Maritime is in support of the project and does not consider the proposed OARs to pose a hazard to typical vessel traffic in the proposed locations (in relation to small commercial and recreational vessels). NSW Maritime is prepared to identify the final locations of the proposed OARs on boating maps and forward the coordinates to the Australian Hydrographer for inclusion on the relevant maritime charts should the project be approved.

NSW Maritime notes that issues associated with shipping have been addressed through the relevant Port Corporations (see below).

#### 2.1.5 Ports Corporations

Submissions were received from Newcastle Port Corporation (NPC) and Port Kembla Port Corporation (PKPC). Neither Port Corporation raised any issues for shipping operations and do not object to the project. NPC requested that they be formally notified prior to deployment of the Newcastle OAR so that relevant maritime charts can be updated for the vessel masters. A response to this request is provided in Section 2.2.1 (Location).

#### 2.1.6 Wollongong City Council

Wollongong City Council is generally in support of the project although conditions were advised in relation to heritage and traffic management. These issues are addressed in Sections 2.2.4 (Heritage) and 2.2.6 (Management).

#### 2.1.7 Nature Conservation Council of NSW (NCC)

NCC objects to the project as it is currently presented and has raised a number of general comments and more specific issues in relation to the potential environmental impacts of the proposed OARs.

General matters raised by NCC (extracted from the Marine Parks Authority 2009, Policy on Artificial Reefs and Fish Attracting Devices in Marine Parks) included a number of broad issues which have already been identified and extensively reviewed in the EA/draft PER. As such responses to these general concerns have not been addressed here.



## Offshore Artificial Reefs (Newcastle, Sydney &amp; Wollongong) – Submissions Report

Specific issues raised by NCC relating to the EA/draft PER are addressed in Section 2.2.1 (Location), Section 2.2.3 (Flora and Fauna) and Section 2.2.5 (Monitoring and Timeframes) of this report.

## 2.1.8 Community Submissions

Submissions were received from six community stakeholders, including one representative of [www.newcastlefishing.com](http://www.newcastlefishing.com). Submissions were in support of the project although some specific issues relating to the location were raised and have been addressed in Section 2.2.1.

## 2.2 Overview of Issues Raised

## 2.2.1 Location

## Submissions

DECCW, NPC, NCC, Community Submissions.

## Summary of Issues

- The location of the proposed Newcastle OAR has potential to conflict with exploration lease 3220. In its review of adequacy, DECCW advised that a comprehensive assessment of all active exploration licences in or near the proposed OAR site should be included in the EA/draft PER.
- NPC requested that they be formally notified of the deployment date for the proposed Newcastle OAR so that navigational charts can be updated for the information of the vessels masters.
- The proposed Sydney OAR would overlap with waters proposed by the National Parks Association (NPA), identified in 'The Torn Blue Fringe' (Winn 2008) for a Sydney marine park. The EA/draft PER should justify why the artificial reef has not been located outside the recommended marine park boundary. NCC assert that the proposed Sydney OAR should be re-located outside this area as a condition of approval and that further consultation with NPA should be undertaken prior to finalising the artificial reef location should it go ahead.
- If the location of the proposed Sydney OAR is near known fishing reef it would be better placed in a barren sand environment, for example south of Port Hacking.
- It has been suggested that the proposed Newcastle OAR be considered for the first trial.
- The location of the proposed Newcastle OAR is thought to be located on the site of an historic wreck.

## Response

Location Selection and Constraints Mapping were done on behalf of I&I NSW (The Ecology Lab 2008), prior to preparation of the EA/draft PER. No active minerals exploration licenses that could potentially conflict with the proposed Newcastle OAR were identified at this time, or during preparation of the EA/draft PER. Should the project be approved, deployment of the Newcastle OAR would depend on the success of the Sydney OAR. As described in Section 2.2.5 (Monitoring and Timeframes), the Sydney OAR will be subject to a three year trial period. Following the review of adequacy by DECCW, I&I NSW has committed to consult the relevant databases for offshore minerals licenses and applications that have potential to conflict with the final proposed OAR locations before any approved deployment.

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As described in Table 15, (Section 8 - Navigation and Safety during Construction, Transport and Deployment) of the EA/draft PER, I&I NSW has committed to formally notify all relevant Port Authorities prior to any deployment activity.

Artificial reefs of suitable scope, scale, design and construction can be installed in NSW Marine Parks in general use zones and special purpose zones, provided they are assessed to be in accordance with the objects of the *Marine Parks Act 1997* and any other legislative or regulatory requirements (NSW Marine Parks - Policy on artificial reefs and fish attracting devices in NSW marine parks 2009). The Marine Parks Authority is comprised of the Director General of the Department of Premier and Cabinet, as Chairperson; the Director General, Department of Environment, Climate Change and Water; and the Director General of Industry and Investment NSW. The Authority reports jointly to the Minister for Climate Change and the Environment and the Minister for Primary Industries. The NSW government has no plans to establish marine parks in NSW (including the waters of the Hawkesbury shelf bioregion which encompasses Newcastle to Shellharbour) as the Marine Parks Authority is focussing on managing existing marine parks (NSW Government Submission to Legislative Council Select Committee Inquiry into Recreational Fishing, March 2010).

Results of Location Selection and Constraints Mapping and more detailed investigations of the seabed carried out as part of the EA/draft PER (Appendix A of the EA/draft PER) were used to ensure that the proposed OARs would be deployed on areas of bare sandy seabed.

The selected Sydney OAR location was considered to be the most suitable site in terms of the physical, biological and social constraints. A semi-quantitative suitability analysis was undertaken as part of the EA/draft PER to determine which of the three locations would be selected for deployment of the first OAR. The proposed Sydney location ranked the highest overall when considering a range of factors including accessibility, fishing participation, number of anglers, logistics (construction, transport and deployment), habitat limitations, conflict with commercial fishing and heritage values of the area.

Suggestion that the proposed Newcastle OAR is located on the site of an historic wreck, by a community stakeholder, has been noted. Previous location and constraints mapping (Appendix A of the EA/draft PER) does not identify any known wrecks occurring at the depth of the proposed OAR. The exact location of shipwrecks can be inaccurate and in some cases, wreckage may be spread over a large area. For this reason I&I NSW are committed to carry out acoustic swath mapping at the final Newcastle OAR location prior to approved deployment to ensure no unknown obstructions occur there.

## 2.2.2 Legislation

## Submissions

DECCW

## Summary of Issues

- It is stated in the EA/draft PER that concurrence under Part 3 of the *Coastal Protection Act* (CP Act) will not be required but that concurrence under the *Coastal Protection Regulation* will be. This latter concurrence is not, however, required as the project is being assessed under Part 3A of the EP&A Act. As the *Coastal Protection Regulation* is made pursuant to Section 53 of Part 3 of the CP Act, it too falls under the authorities excluded by Section 75. Thus, no concurrence will be required from the Minister of the Environment under this regulation.

## Response

Noted.



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## 2.2.3 Flora and Fauna

## Submissions

DECCW, NCC, Community Submissions.

## Summary of Issues

- DECCW recommends that I&I NSW develops an appropriate 'Notification and Response Protocol' for dealing with potential incidents involving the entrapment, entanglement and/or serious injury to threatened and protected marine mammals.
- The proposed OARs will be deployed at water depths between 30 m and 40 m. Some fish species can suffer from barotrauma when they are rapidly brought from deep water (> 10 m) to the surface Hall (2009). The EA/draft PER should comment on whether the reef depth means that fish caught will suffer barotrauma and therefore be unlikely to survive if released resulting in little catch and release fishing and high kill ratios at the sites.
- Increased fishing mortality from an increase in fishing effort could potentially occur within the study area and is of concern if aggregation of fish were not sufficiently balanced by increased production of fish.
- The sentence described on page 104 of the EA/draft PER describes 34 species (12+5+17), not 48 as described in relation to the productivity susceptibility analysis. This requires clarification.
- The location of the proposed Newcastle OAR is in an area where there is a high abundance of one type of fish (leatherjackets, Family Monacanthidae), potentially making catching other species difficult.
- The EA/draft PER should comment on whether the proposed minimum distance of 500 m between an OAR and existing natural reefs is considered to provide a sufficient buffer. For example the western blue groper is known to occupy a home range over several thousand square metres (Reefwatch 2002).

## Response

Should the project be approved, I&I will consult with DECCW and any other relevant organisation that is involved in responding to marine mammal incidents to develop a 'Notification and Response Protocol'. The Statement of Commitments (Appendix A, bullet 8) and EMP (Appendix B, Section 4.2.2.4) have been revised to incorporate this.

Barotrauma is an issue that is relevant to recreational and commercial fishing that takes place anywhere in deeper water and is not specific to fishing at the proposed OAR sites. Nevertheless, methods have been investigated to reduce barotrauma effects and to increase post-capture survival (Sumpton *et al.* 2010). Many fishers either vent the fish (St John & Syers 2005) or attach a specially designed release weight (shot-lining). These methods are being promoted in parts of Australia as means of ameliorating the effects of barotrauma (St John & Syers 2005; Theberge & Parker 2005). Research has been undertaken to investigate the effectiveness of these methods in Australia and the US (Sumpton *et al.* 2008, Sumpton *et al.* 2010, Campbell *et al.* 2010) mainly on species of snapper (Lutjanidae). Statistically significant benefits from treating fish for barotrauma has only been found in certain species, but the lack of any negative effects of treating fish indicates that these practices of venting and shot-lining should not be discouraged. These methods are also referred to in the I&I NSW Recreational Saltwater Fishing Guide (I&I NSW 2010) and will be included in the OAR user guidelines that I&I NSW are committed to producing should the project be approved. The OAR user guidelines will also include other information on maximising fish survival (e.g. using the correct gear, quickly removing hooks while fish are in the water and appropriate handling) which also reduces the effects of barotrauma (Sumpton *et al.* 2010).

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An assessment of the physiological effects of barotrauma and its mitigation measures on the behaviour and survival of offshore species in NSW is also being carried out by I&I NSW. The project will use a range of research techniques on key recreational species. Retrievable acoustic tags will be used to examine the short-term depth-profiles following release of various species after capture from a range of depths. The data will provide information on the success of different mitigation methods (e.g. venting and release weights) in enabling fish to stay at depth and re-pressurize. Implanted acoustic tags will be used to examine the survival and movements of very large snapper following capture and release at major fishing competitions. A hyperbaric chamber will be built at the Cronulla Fisheries Research Centre (CFRC) aquarium facility to enable manipulative experiments to be done to study the effects of barotrauma on fish physiology and survival. The findings will be used to assist in the development of an I&I NSW policy on the best practices for releasing barotrauma affected fish, which would be incorporated into the OAR user guidelines when results become available.

Species catch composition, diversity, biomass, size-frequency, fish movements and catch rates will be monitored within the study area for the duration of the three year 'trial period' (refer to Section 2.2.5 of this report). If negative impacts are detected (e.g. from increased fishing mortality as a result of increased fishing effort), or it is considered that a species is being overexploited within the OAR management area then appropriate mitigative action will be investigated. This may include, for example, temporary or seasonal closures and/or restrictions on fishing gear or methods.

It is noted that the sentence described in the previous section should be amended to read 'Of the 48 species assessed, 11 were considered to be at relatively high risk, six at low risk and the majority (31 species) at moderate risk to fishing mortality as a result of the proposal'.

It is noted that anecdotal information from a community stakeholder suggests that one type of fish (leatherjacket, Family: Monacanthidae). A high proportion of species recorded in fish surveys of the Newcastle study region as part of the EA/draft PER marine ecology investigations (Appendix F of the EA/draft PER) were leatherjackets, however, a variety of other recreationally important species associated with soft bottom sediments were also recorded in the area e.g. flathead (Family: Platycephalidae), silver trevally (*Pseudocaranx dentex*) and yellowtail scad (*Trachurus novaezelandiae*), for example. The proposed OAR will provide new habitat that will be suitable for different types of species and is expected to increase the species diversity as evident from other long-term studies (refer to the EA/draft PER, Appendix F, Section 2.1.6). Large numbers of leatherjackets are not expected to prevent other species establishing on the OARs and are themselves a recreational and commercially important type of fish.

Fish surveys were carried out as part of the EA/draft PER at each of the proposed OAR locations and at other control locations that shared similar habitat characteristics to the proposed OAR sites (i.e. bare un-vegetated sand located  $\geq 500$  m from existing reef). As expected, fish assemblages consisted predominantly of demersal species associated with sandy habitat, with some pelagic and transient reef species present. Based on these and other surveys carried out in the study areas (The Ecology Lab 1993) species resident to rock reef habitat are not generally recorded over bare soft substratum and are therefore unlikely to range up to 500 m from their resident reef habitat. As stated in the EA/draft PER, investigations of fish assemblages inhabiting artificial reefs have shown that the local area of influence of an artificial reef can range from 5 m to 50 m, depending on the local environmental conditions and the reef size (Continental Shelf Associates 1982, Gerlotto *et al.* 1989, Fabi *et al.* 1999, in Fabi and Sala 2002). A recent study in Japan has also indicated that deployment of wooden, low relief artificial reefs causes no reduction in fish abundance at adjacent natural reefs (Masuda *et al.* 2010). A minimum of 500 m is therefore considered sufficient distance to allow for variation and minimise the risk of interaction between resident natural and artificial reef populations. As a precautionary measure, objective A.2.1 of the Monitoring Plan aims to investigate movements of high priority species within the wider study



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area. This will include biotelemetry to track fish movements, stereo – videography and Baited Remote Underwater Video Stations to observe fish in the vicinity of the OARs and proximal natural reefs.

Adult eastern blue groper (*Archoerodus gouldii*) establish territories on rocky reef (NSW DPI 1999). The home range of the western blue groper (*Archoerodus gouldii*) studied on Kangaroo Island, SA (Reefwatch 2002), consisted only of rocky substratum, with boulders and attached macroalgae. The report does not suggest that the home range of the western blue groper extends beyond the rocky reef substratum, across bare sand, nor does it indicate the distance at which species could be found away from the nearshore rocky reef habitat with which it is associated. This is not, therefore an appropriate example to suggest that eastern blue groper that are resident to existing natural reef could range across sand up to 500 m away from their territory. Under the FM Act, eastern blue groper is not a protected species in NSW but is subject to bag and size limits and it is protected from spearfishing.

## 2.2.4 Heritage

## Submissions

Wollongong City Council.

## Summary of Issues

- The EA/draft PER states that I&I NSW has chosen the location of the OARs to avoid any known maritime heritage or Aboriginal sites. If approved, the consent should be conditioned to ensure the development avoids placing OARs on or near any shipwreck sites and/or any area of Aboriginal or heritage significance.

## Response

Location Selection and Constraints Mapping was carried out on behalf of I&I NSW (Appendix A of the EA/draft PER) and more detailed surveys of the seabed, including acoustic swath mapping and towed video, were carried out as part of the EA/draft PER. No anomalous features were observed that warranted further investigation for historic or cultural significance at the proposed Wollongong OAR site.

## 2.2.5 Monitoring and Timeframes

## Submissions

DECCW, I&I NSW, NCC.

## Summary of Issues

- The EA/draft PER does not identify a timeframe over which monitoring of the Sydney OAR would be undertaken to determine success prior to deployment of the Newcastle and Wollongong OARs. In order to justify the establishment of the second and then third OARs, the success of the initial Sydney site must be assessed against the overall objectives of the project, environmental performance and principles of ecologically sustainable development.
- The evaluation of the Sydney OAR should include inter-annual and seasonal monitoring to investigate impacts on migratory species.
- The proposed monitoring plan for the Sydney OAR, for which funding is currently directed should be conducted as a priority and proposed measures to mitigate any identified impacts should be implemented as necessary.
- The EA/draft PER does not contain sufficient details of the time or length of monitoring to be undertaken. Monitoring of the OARs should be undertaken over the life of the project to determine the environmental impact of the structures and the need for decommissioning.

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- Monitoring beyond the first three years should address the following key issues:

- Scouring/deposition around the base of each of the units.
- Loss of structural integrity from corrosion or excessive marine growth.
- Leaching of heavy metal contaminants (which may not become evident within the first three years of the project).

NCC advises that if I&I NSW proceed with the project, the following conditions should be included:

- The EA/draft PER should be revised with knowledge of what monitoring is financially possible.
- Monitoring of the structures should continue if the structures are to remain on the seabed after decommissioning.
- The initial OAR must be removed at the end of the three year program, depending on the outcome and success of the monitoring program.

## Response

## Three Year Monitoring Plan

As indicated in Section 11.2.6 of the EA/draft PER, during the first three years of operation, I&I NSW is committed to all *priority one* objectives of the Monitoring Plan including:

## A. Biological

A.2.1. Investigate movements of high priority species within the direct study area.

A.2.2. Assess effectiveness in terms of catch rates, species composition and fish stocks.

A.3. Investigate occurrence of threatened/protected species on the OARs.

## B. Physical

B.3.1. Assess structural integrity.

B.3.2. Remove fouled gear and debris.

## C. Socio-Economic

C.1.1. Assess effectiveness in terms of popularity with recreational fishing groups and OAR related expenditure.

*Priority two* monitoring objectives during the first three years may also take place but will depend on the available funds and resources as stated in the EA/draft PER (refer to Table 1 of Appendix B). The current monitoring proposal funded by the Recreational Fishing Trust has been designed to meet priority one objectives as well as provide detailed information regarding differences in fish community structure and behaviour between artificial and naturally occurring reef. An application for additional funding via an ARC linkage grant between the Department (I&I NSW) and UNSW is currently being developed to investigate the dynamics of artificial reef benthic communities, with particular reference to the cycling of nutrients and broader questions relating to the role of artificial structures in terms of production. This application, if successful, would incorporate priority two monitoring objectives in particular those relating to the dynamics of benthic assemblages, the colonisation of macroinvertebrates and the differences in the assemblages between artificial and natural structures.

As outlined in Section 11.2.2 of the EA/draft PER and Monitoring Plan (Table 1 of Appendix B), six monitoring periods were included to investigate temporal or seasonal patterns during the first three years of monitoring. For the biological components of the study, this includes a minimum of two sampling events within each season. At the end of the first three years,



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data collected will be analysed and reviewed against the specific objectives of the Monitoring Plan, the overall objectives of the project, environmental performance and principles of ecologically sustainable development. In addition, a final report will be provided to all relevant authorities on the results of the pilot study, including recommendations for modifications, additional mitigation measures or ongoing monitoring requirements. A decision can then be made as to the future of the existing OAR and subsequent deployments at Newcastle and Wollongong.

Long-Term Monitoring Plan

I&I NSW will continue to perform surveillance monitoring beyond the first three years and throughout the operational life of the OAR. Current funding for the OARs project has been secured from the NSW Recreational Fishing Trust (as part of the 2008/09 - 2012/13 Recreational Fishing Trust Investment Plan). In principle, support for construction of the OARs off Newcastle and Wollongong and long-term monitoring of the Sydney OAR has been provided and will be formalised in future Investment Plans for the Recreational Fishing Trust. As the OARs are primarily for recreational fishing purposes, the Trusts are the most appropriate funding source. However, additional funding (e.g. through an ARC linkage grant) is being sought where feasible. Surveillance monitoring beyond the initial three year monitoring program will include the following:

Priority One Objectives:

## A. Biological

A.2.1. Investigate movements of high priority species within the direct study area (and general monitoring of fish assemblages).

A.3. Investigate occurrence of threatened/protected species on the OARs.

## B. Physical

B.3.1. Assess structural integrity.

B.3.2. Remove fouled gear and debris.

Priority Two Objective

B.1.2. Assess concentrations of heavy metals in adjacent sediments to OARs.

As a minimum, long-term surveillance monitoring will be conducted bi-annually (once every six months) to include monitoring of seasonal variation.

Appropriate management and/or mitigation measures will also be implemented on an *ad hoc* basis should any impacts be detected prior to any interim or formal review stage. The Statement of Commitments has been revised to clarify this (Appendix A, bullet 13).

As stated in the EA/draft PER, removal of OAR units at the end of their operational life will be subject to a separate environmental assessment and decommissioning plan. Should the units remain on the seabed post-decommissioning, then a further risk assessment shall be undertaken to determine which components of the Monitoring Plan should be continued to ensure the units do not become a hazard post-decommissioning.

The Statement of Commitments has been revised to incorporate clarification to the Monitoring Plan (Appendix A, bullets 11, 12 and 13). Section 4.1.2 of the EMP has also been revised to clarify the timeframe of the proposed Monitoring Plan (Appendix B).

**2.2.6 Management****Submissions**

I&I NSW, LPMA, Wollongong City Council, NCC.

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**Summary of Issues**

- The proposed EMP should be implemented with the following changes:
  - An outline of the process to be employed in any required removal of installed OARs. This will be required if the proposed removal of structures as a mitigation measure is retained in any approval of the project. Note that I&I NSW questions whether this measure is required considering the general low level of risk identified in the EA/draft PER.
  - Section 4.2.2.4 of the EMP (*Performance Indicators*) should be amended to 'Records of reported sightings/incidental capture and monitoring data would be reviewed as soon as information comes on board in consultation with I&I NSW threatened species unit to determine appropriate management measures.'
  - Section 4.2.2.4 of the EMP (*Mitigation*) should include 'fishing gear or method restrictions' as a mitigation measure. This may be required in the event that threatened species listed under the FM Act regularly visit or take up residence in the OAR structures. This is justified as hook and line fishing (in an areas important for the survival of threatened fish species) is listed as a key threatening process under the FM Act.
- The proposed 'User Guidelines' in the EMP must be produced and include all points listed in Section 4.1.3 of the EMP.
- I&I NSW has committed to the establishment of a management area around each OAR in consultation with LPMA by creation of a Crown Reserve under the *Crown Lands Act 1989*. LPMA supports this but highlights that licensing arrangements and/or creation of a Crown Reserve and appointment of a reserve trust manager will occur separately to the planning process and will be finalised after consent has been granted.
- If approval is granted LPMA consider it essential that the commitment requiring I&I NSW to be responsible for the long-term management of the OARs be incorporated into the project approval.
- No specific issues relating to traffic were raised in relation to the project, however, in addition to the mitigation measures outlined in Section 8.1.5.2 (*Traffic*) of the EA/draft PER, Wollongong City Council recommends that the conditions at Appendix C are also observed.
- Two community stakeholder submissions requested that SCUBA divers should be excluded from the site.

NCC advise that if I&I NSW proceed with the project, the following conditions should be included:

- There should be no fishing competitions or profit making fishing ventures allowed at the site
- The area should be marked as a site of scientific research with information on the aims of and timeline of the project.

**Response**

The removal process would be dependent on whether the OARs have remained structurally sound, to the extent that they could be lifted intact, directly from the seabed, or whether they would require dismantling so they could be removed in sections. It is therefore considered most appropriate that a detailed description of the removal process is outlined in the separate environmental assessment and safe work method statement which will be undertaken in the event that the structures are removed, rather than in the existing EMP.



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Section 4.2.2.4 of the EMP has been revised to incorporate the amendments to 'performance indicators' and 'mitigation' (Appendix B). A decommissioning plan will also be submitted to DEWHA in accordance with any Sea Dumping Permit conditions.

I&I NSW has committed to produce the OAR user guidelines as outlined in Section 4.1.3 of the EMP (Appendix B). This will be provided through the I&I NSW website and relevant publications.

I&I NSW concur that licensing arrangements with LPMA will be finalised separately to the planning process and will be applied for if the project is approved. I&I NSW commits to the establishment of an OAR management area through the creation of a Crown Reserve 'or through a similar lease agreement' under the *Crown Lands Act 1989*, upon further consultation with LMPA. The Statement of Commitments (Appendix A, bullet 2) and EMP (Appendix B, Section 4.1.1) have been revised accordingly. In the event that an OAR management area will be established through a Crown Reserve, I&I NSW will be responsible for ongoing management of this area. No specific permits will be required for fishing activities within the OAR management area.

As outlined in Section 8.1.5.2. of the EA/draft PER and Section 3.2.3 of the EMP, a detailed Traffic Management Plan (TMP) will be developed in accordance with the RTA (2002) *Guide to Traffic Generating Developments* to minimise impacts on local traffic/parking during the construction, transport and deployment stage of the project. Appendix C (provided in Wollongong City Council's submission) will be provided to the appointed sub-contractor and consulted in development of the TMP.

The proposed OARs have been developed for the benefit of recreational fishing, however, I&I NSW will not exclude any groups from using the OARs. Reports of incidences of conflict within the OAR management area will be dealt with on an *ad hoc* basis. Should issues be identified during the initial deployment then appropriate management measures will be investigated. This approach has been effective in managing the I&I NSW estuarine artificial reef program.

I&I NSW do not intend to exclude profit making fishing ventures, which could include charter fishing and commercial fishing. Fishing competitions are also an important activity for many anglers and provide opportunities for family and community interaction, as well as broader economic benefits to rural and regional towns. Many competitions also promote ethical and responsible fishing using conservative bag, size and release rules. Note that I&I NSW does not regulate fishing competitions in NSW, but uses codes of practice to manage these events to improve environmental and social outcomes. These codes of practice will be introduced to fishing competitions in the OAR management area, as required.

Information on the aims and timeline of the project will be incorporated into the OAR user guidelines which will be published and made available on the I&I NSW website. Section 4.1.3 of the EMP has been revised to incorporate this (Appendix B). The area will not be physically marked because of navigational hazards, as stated in Section 4.1.1 of the EMP. The location of the OARs and extent of the OAR management area will be made available on the I&I NSW website and in the OAR user guidelines.

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## **4 Appendices**



## Offshore Artificial Reefs (Newcastle, Sydney &amp; Wollongong) – Submissions Report

## Appendix A

## Revised Statement of Commitments

## Offshore Artificial Reefs (Newcastle, Sydney &amp; Wollongong) – Submissions Report

**Appendix A:** Revised Statement of Commitments. Additional/revised commitments are highlighted.

I&I NSW is committed to ensuring that environmental stewardship is effectively applied throughout the construction, transport, deployment and long-term operation of the proposed OAR. Having successfully implemented artificial reefs in estuarine locations and fish aggregation devices in offshore locations, I&I NSW has an understanding of the management and monitoring requirements and the resources and expertise necessary to ensure that significant environmental impacts are avoided, appropriately mitigated or managed.

Extensive planning and consultation work has also been undertaken prior to the environmental assessment stage to identify and minimise potential constraints and select locations likely to have the least environmental impact, with optimal results.

The EA/draft PER has identified measures to mitigate and manage potential environmental impacts specific to the proposed OAR project that I&I NSW are committed to. These measures have been consolidated into an EMP and a Monitoring Plan.

In summary, actions committed for the project, if approved, are as follows:

1. Construction, transport and deployment activities will be carried out in accordance with procedures outlined in the EMP. The appointed contractor will be fully certified and qualified to carry out the works as outlined in the EMP safely and efficiently and will develop an additional CEMP and OH&S plan to address site-specific environmental and safety issues. **Site specific management plans will be submitted to DEWHA for approval prior to deployment of the OARS.**
2. A management area will be established around the OAR, in consultation with the LPMA by creation of a Crown Reserve or similar lease agreement under the *Crown Lands Act 1989*. **In the event that an OAR management area will be established through a Crown Reserve, I&I NSW will be responsible for ongoing management of this area.**
3. Information on activities permitted within the proposed management area and user guidelines including a code of conduct will be provided via the I&I NSW website and through relevant publications to ensure best practice and safety during the operational life of the OAR.
4. Long-term management of the proposed OARs will be the responsibility of I&I NSW and carried out in accordance with the EMP. This includes implementing measures to manage and mitigate impacts on flora and fauna (including threatened species and matters of national environmental significance), water and sediments, navigation and safety, infrastructure, commercial and recreational fishing.
5. Monitoring and review will be carried out to ensure the structural integrity and stability of the units as described in the EMP and Monitoring Plan. **I&I NSW will provide an annual report to DEWHA and other relevant authorities, which will present key findings from the proposed monitoring programme on the Sydney OAR.**
6. Monitoring and review will be carried out to mitigate any potential impacts on threatened and protected species (including matters of NES) as described in the EMP and Monitoring Plan. **I&I NSW will report to DEWHA should matters impacts to matters of NES be identified.**
7. I&I NSW will be responsible for the removal of fouled gear and debris collected on the OARs, that could be harmful to threatened or protected species as described in the EMP and Monitoring Plan.

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8. I&I NSW will develop an appropriate notification and response procedure in consultation with DECCW and other relevant organisations for dealing with any incidents involving marine mammals.
9. Monitoring and review of catch rates, species catch composition, size-frequency distribution and habitat utilisation of fish will be carried out within the study areas to identify the need to mitigate potentially adverse impacts as described in the EMP and Monitoring Plan.
10. Monitoring and review will be carried out to ensure that the proposal is effective in meeting the project objectives and that target user groups are satisfied with the operation of the OARs.
11. I&I NSW are committed to carry out all priority one objectives as outlined in the Monitoring Plan during the first three years of operation and will implement measures to mitigate or manage any potential impacts as necessary.
12. Monitoring of the OARs will be carried out by I&I NSW for the operational life of the OARs.
13. Post-decommissioning monitoring will be carried as required if the structures are to remain in-situ.
14. I&I NSW will ensure that appropriate sand penetration tests are carried out in the final OAR locations. Results of these tests will be provided to DEWHA.
15. At the time of preparation of the EA/draft PER, no minerals licence applications were found to occur within the vicinity of the proposed OARs. I&I NSW will, however, consult the relevant databases for offshore minerals exploration licences and applications which have potential to conflict with the final proposed OAR locations in advance of any approved deployment.
16. I&I NSW are also committed to ensuring that local community groups, LALCs, commercial fishing groups and the general public are informed of the project staging and EMP for the proposed OARs as it develops in the future.

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## Appendix B

## Revised EMP

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## Appendix C

### Wollongong City Council Development Guidelines (Traffic)

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## Appendix D

### Submissions



**Item No:** 7.7  
**Title:** Notice of Motion - Wildlife on Roads - Danger  
**Department:** Councillor

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10 September 2018 Ordinary Council Meeting

Trim Reference: F2018/00020-04 - D13320663

Author: Jeff Sundstrom, Councillor

Councillor Sundstrom has given notice that at the Ordinary Council Meeting to be held on 10 September 2018 he will move the following motion:

- 1 That Council request the CEO to instruct staff to erect suitable wildlife warning signs at appropriate locations along the including but not limited to following road:- Oak Road, WattleTree Road, Paroo Road and Coachwood Road so as to alerts drivers of the presence and risk of wildlife entering onto the driving surfaces.***
- 2 That officers review similar sites around the LGA where such signs are needed, with a report to come back to Council by no later than 3 months from date of this resolution.***

### **Councillors Note**

These factors have led me to bring this motion:

- The real danger that collisions with wildlife can cause
- Contact from multiple residents suggesting that the problem has increased
- The current drought means that the wildlife are moving further and wider in search of water

### **Attachments**

*Nil.*