



Central Coast Council

Minutes of the Ordinary Meeting of Council

Held in the Council Chamber

2 Hely Street, Wyong

on 23 July 2018

Commencing at 6.30PM

Present

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

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), Brian Glendenning (Executive Manager Governance) and Vivienne Louie (Acting Chief Financial Officer).

The Mayor, Jane Smith, declared the meeting open at 6.32pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor, Jane Smith read an acknowledgement of country statement.

At the commencement of the ordinary meeting report no's 1.1, 1.2, 2.1, 3.1, 3.4, 4.1, 4.2, 6.1 and 6.3 were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

Apologies/Leave of Absence

Councillor Mehrtens and Councillor Matthews.

Council, at its meeting held 25 June 2018 resolved:

540/18 That Council grant Councillor Burke a leave of absence from the Ordinary Meetings being held on 9 and 23 July 2018 due to annual leave.

1.1 Disclosure of Interest

3.3 2017-18 Community Support Grant Program and Heritage Grant Program

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as she has been in contact with some of the community groups prior to her election. This item was resolved by the exception method.

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as she has a connection to many community groups (though not a member of the ones in item 3.3). Councillor Greenaway chose to remain in the chamber and participate in discussion and voting as the interest is minor and will not affect her ability to carry out her public duty. This item was resolved by the exception method.

Councillor Hogan declared a less than significant non-pecuniary interest in the matter as the organisation she works for is the auspicing body as the Mannering Park Progress Association is not an Incorporated body, therefore needs an organisation to administer funds. Councillor Hogan chose to remain in the chamber and participate in discussion and voting as the organisation she works for has nothing to gain and she will manage the conflict by being open and transparent. This item was resolved by the exception method.

Councillor Holstein declared a pecuniary interest in the matter as he is a casual employee of one of the applicants. This item was resolved by the exception method.

4.1 Deferred Item - Response to Motion of Urgency U5/18 Asbestos - Wamberal and Terrigal Beaches

Councillor McLachlan declared a less than significant non-pecuniary interest in the matter as he knows some landowners personally. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict does not impede his ability to carry out his duties.

Resolved

683/18 That Council receive the report on Disclosure of Interest and note advice of disclosures.

Moved: Mayor Smith

Seconded: Councillor MacGregor

For:

Unanimous

Procedural Motion – Address by Invited Speakers

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

Resolved

684/18 That Council invite the following speakers to address Council;

SPEAKERS	REPORT
Mark Ellis For the recommendation	Item 4.2 – Response to Mayoral Minute – Climate Change
Tennyson Delarosa Neither For or Against the recommendation	Item 4.3 - Deferred Item - Grant Funding Update as at June 2018 (Mr Delarosa was absent and did not speak)
Mr Marc Jacewicz For the recommendation	Item 6.1 - Notice of Motion - Pelican Feeding - Potential for Upgrades and Opportunities
Jeannie Lawson For the recommendation	Item 6.3 - Notice of Motion – So Called Scientific Whaling
Ronny Ling For the recommendation	Item 6.3 - Notice of Motion – So Called Scientific Whaling

For:
Unanimous

Procedural Motion – Suspension of Standing Orders

Moved: **Councillor Gale Collins**
Seconded: **Councillor Vincent**

Resolved

685/18 That Council suspend standing orders and consider items 4.2, 4.3, 6.1 and 6.3 after each speaker address and then the remaining items in agenda sequence.

For:
Unanimous

Note: As the speaker for Item 4.3 was not present this matter was not considered after the speaker addressed the meeting.

1.2 Confirmation of Minutes of Previous Meetings

Moved: *Councillor MacGregor*

Seconded: *Councillor Gale Collins*

Resolved

686/18 *That Council confirm the minutes of the Ordinary Meeting of the Council held on 9 July 2018, with the following notes and amendments;*

- *Councillor Gale Collins has indicated that she would like to mention a less than significant non pecuniary disclosure of interest on Item 4.1 - Deferred Item - Free Shade Tree Program.*
- *Mayor Smith declared a less than significant non pecuniary interest on Item 4.8 – Central Coast Comprehensive Crown Land through her involvement with the Central Coast Marine Discovery Centre who are a Trust Manager.*
- *Councillor Greenaway left the chamber during discussion on Item 7.1 and did not participate in voting.*

For:

Unanimous

1.3 Notice of Intention to Deal with Matters in Confidential Session

Moved: *Councillor MacGregor*

Seconded: *Councillor Vincent*

Resolved

687/18 *That Council receive the report and note that no matters have been tabled to be dealt with in a closed session.*

For:

Unanimous

Procedural Motion – Exception

Councillor Hogan left the Chamber at 8.17pm during consideration of this item, returned at 8.20pm and was absent for the vote.

Moved: Councillor MacGregor

Seconded: Councillor Vincent

Resolved

688/18 That with the exception of the following reports, Council adopt the recommendations contained in the remaining reports:

Exception	
2.1	NSW Government Architects Urban Design Implementation Framework Phase 2
3.1	Impacts to Council of National Recycling
3.4	Meeting Record of the Mangrove Mountain and Spencer Advisory Committee held on 26 June 2018
4.1	Deferred Item – Response to Motion of Urgency U5/18 Asbestos – Wamberal and Terrigal Beaches
4.3	Deferred Item – Grant Funding Update as at June 2018
4.6	Proactive Release
4.8	Response to Notice of Motion – Disability Inclusion Action Plan
6.2	Notice of Motion – Quality Food, Wine and Vineyard Tourism Accommodation Opportunities
6.4	Notice of Motion – Cash Flow Statements

689/18 That Council adopt the following items en-masse and in accordance with the report recommendations:

En-masse	
3.2	Meeting Record of the Catchments and Coast Committee – Brisbane Water and Gosford Lagoons held on 21 June 2018
3.3	2017-18 Community Support Grant Program and Heritage Grant Program
3.5	Annual Insurance Renewal with Statewide Mutual
4.4	Blue Ringed Octopus – Netted Baths
4.5	Investment Report for 30 June 2018
4.7	Insurance Renewal Workers Compensation

For:

Unanimous

Procedural Motion – Defer Item

Moved: Mayor Smith

Seconded: Councillor Holstein

Resolved

690/18 That Council defer Item 2.1 to be discussed after the adjournment.

For:

Unanimous

2.1 NSW Government Architects Urban Design Implementation Framework Phase 2

Moved: Mayor Smith
Seconded: Councillor MacGregor

Resolved

691/18 The Council note the following concerns already outlined in the draft submission:

- ***There has been no justification for proposed zone changes. This is requested by Council.***
- ***The implementation of the new assessment and determination framework is dependent on a future (yet to be released) development control plan. Council requests that the Development Control Plan be exhibited and adopted prior to the commencement of the proposed SEPP for Gosford CBD.***
- ***That Council should remain the consent authority for all development applications for Gosford City Centre (noting the current role of the JRPP)***
- ***The document refers to the preparation, prioritisation and updated schedule of infrastructure projects and public domain works however, no schedule has been released.***

692/18 That Council endorse the draft submission to Ms Lee Shearer, Coordinator General for the Central Coast in response to the Phase 2 Reports on the Urban Design Implementation Framework and the Gosford City Centre Revitalisation – Proposed Delivery Mechanisms (Attachment 2) with the following amendments:

- a) ***Amend paragraph 4 on page 48 to read as follows:
"The introduction of design excellence into the assessment process is supported as is the use of Design Review Panels and Design competitions to ensure future development in the Gosford City Centre reflects a world class sustainable regional city. However, Council is concerned about the current process and proposed composition of the panels. Council should have at least 2 representatives on the panel. The requirement for design excellence should not be a trade-off for restrictions on heights and floor space ratio on any scale of developments.
The current height and FSR limit should be retained for all developments within the Gosford City Centre, noting that current planning controls allow up to 72m building height (approx.. 20 storeys).***
- b) ***Amend part 3 on page 49 to state that the proposed changes should not reduce the parking provision that is currently required in Gosford City Centre planning instruments.***

- c) ***Include the statement that "Any proposed changes to planning controls in the Gosford City Centre not be implemented until a traffic and parking strategy has been developed and adopted by Council to cater with any proposed changes".***
- d) ***Part 4 on Solar Access to state that solar access controls within proposed planning instruments should ensure that overshadowing of public spaces should not deviate from current planning controls.***
- e) ***Amend part 7 on page 50 to be consistent with comments above in (a)***
- f) ***Amend part 10 on page 51 regarding Infrastructure provision to require that there be no further reduction in the development contribution within the City Centre and that the entire levy is allocated to the local contribution plan developed by Council.***

693/18 ***That Council request that the Chief Executive Officer forward the endorsed submission to Ms Lee Shearer, Coordinator General for the Central Coast.***

694/18 ***That Council note the submission written by Council staff and forwarded to the Co-ordinator General of the Central Coast on 29 June 2018.***

695/18 ***That Council continue to work collaboratively with the Department of Planning and Environment and NSW Government Architects office on the implementation of the Urban Design Implementation Framework, and the preparation of any new planning controls for the Gosford City Centre.***

For:

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

Against:

Councillors Marquart, Gale Collins, Pilon, McLachlan and Best

3.1 Impacts to Council of National Recycling

Moved: Councillor Greenaway

Seconded: Councillor Vincent

Resolved

696/18 ***That Council receive the report on the response to Notice of Motion - Impacts to Council of National Recycling.***

697/18 ***That Council staff familiarise themselves with the Northern Beaches Council and Surf Coast Council (Vic) "Plastic wise" policy/ program and seek to develop a similar policy to return to Council in 8 weeks.***

698/18 ***That Council write to the Minister for the Environment and request that her government develop initiatives to encourage industry to reduce waste production.***

699/18 *That Council review our procurement policy to identify opportunities to increase the requirement for the use of products made of recycled materials.*

For:

Mayor Smith and Councillors Holstein, Sundstrom, Gale Collins, MacGregor, Pilon, McLachlan, Greenaway, Vincent and Hogan

Against:

Councillors Marquart and Best

3.2 Meeting Record of the Catchments and Coast Committee - Brisbane Water and Gosford Lagoons held on 21 June 2018

Moved: **Councillor MacGregor**

Seconded: **Councillor Vincent**

Resolved

700/18 *That Council note the Meeting Record of the Catchments and Coast Committee – Brisbane Water and Gosford Lagoons held on 21 June 2018 that is Attachment 1 to this report.*

701/18 *That Council adopt the Terms of Reference for the Catchments and Coast Committee – Brisbane Water and Gosford Lagoons, as set out in Attachment 2 to this report.*

702/18 *That Council appoint the Mayor as the Chairperson for the Catchments and Coast Committee – Brisbane Water and Gosford Lagoons.*

For:

Unanimous

3.3 2017-18 Community Support Grant Program and Heritage Grant Program

Councillor Gale Collins declared a less than significant non-pecuniary interest in the matter as she has been in contact with some of the community groups prior to her election. This item was resolved by the exception method.

Councillor Greenaway declared a less than significant non-pecuniary interest in the matter as she has a connection to many community groups (though not a member of the ones in item 3.3). Councillor Greenaway chose to remain in the chamber and participate in discussion and voting as the interest is minor and will not affect her ability to carry out her public duty. This item was resolved by the exception method.

Councillor Hogan declared a less than significant non-pecuniary interest in the matter as the organisation she works for is the auspicing body as the Mannering Park Progress Association is not an Incorporated body, therefore needs an organisation to administer funds.

Councillor Hogan chose to remain in the chamber and participate in discussion and voting as the organisation she works for has nothing to gain and she will manage the conflict by being open and transparent. This item was resolved by the exception method.

Councillor Holstein declared a pecuniary interest in the matter as he is a casual employee of one of the applicants. This item was resolved by the exception method.

Moved: Councillor MacGregor

Seconded: Councillor Vincent

Resolved

703/18 That Council allocate \$80,196.20 from the 2018-19 grants budget to the community grant programs as outlined in the Community Support and Heritage Grant programs recommended for funding (Attachment 1)

704/18 That Council decline applications as outlined in the Community Support and Heritage Grant programs. Not recommended for Funding (Attachment 2), and the applicants be advised and where relevant, directed to alternate funding.

For:

Unanimous

3.4 Meeting Record of the Mangrove Mountain and Spencer Advisory Committee held on 26 June 2018

Moved: Councillor Best

Seconded: Mayor Smith

Resolved

705/18 That Council note the Meeting Record of the Mangrove Mountain and Spencer Advisory Committee held on 26 June 2018 that is attached to this report.

706/18 That Council write to the Environment Protection Authority requesting:

- **increased monitoring of surface and groundwater quality in relation to the Mangrove Mountain landfill site;**
- **whether it is able to provide a copy of the Follow Up Independent Environmental Report to the Committee;**
- **water quality data from Mangrove Mountain Landfill site;**
- **clarification as to the determination of the Environmental Risk Assessment for Mangrove Mountain Landfill site and any changes in the determination.**

For:

Unanimous

3.5 Annual Insurance Renewal with Statewide Mutual

Moved: Councillor MacGregor

Seconded: Councillor Vincent

Resolved

707/18 That Council resolve to accept offers from Statewide Mutual for indemnities under the following schemes for the financial year ended 30 June 2019, and note the respective premiums for participation in those schemes described below :

- a. Liability Scheme (Public Liability and Professional Indemnity): \$870,789.78 ex GST;**
- b. Councillors' and Officers' Scheme: \$121,462.50 ex GST;**
- c. Property Mutual (Industrial Special Risk) Scheme: \$975,146.16ex GST;**
- d. Comprehensive Motor Vehicle: \$416,947.19 ex GST;**

708/18 That Council note that Council is not required to invite tenders before accepting offers made by Statewide Mutual, as it and other local councils are members of Statewide Mutual and the exception under s. 55(3)(c) of the Local Government Act 1993 applies to those offers.

709/18 That Council determine, for abundant caution and in accordance with s. 55(3)(i) of the Local Government Act 1993, that a satisfactory result would not be achieved by inviting tenders for the insurance services, for the following reasons:

- a Council has no ability to withdraw from the Statewide Mutual funds until 30 June 2020;**
- b Council has an urgent operational need to maintain insurance cover or similar indemnity at all times, to properly manage operational risks; and**
- c Council's broker, Jardine Lloyd Thompson, has extensive experience in brokering insurance for local government, and has negotiated competitive "insurance" services from the Statewide Mutual Schemes for Council; and**
- d Not all of the indemnities offered by Statewide Mutual are available from commercial insurers**

For:

Unanimous

4.1 Deferred Item - Response to Motion of Urgency U5/18 Asbestos - Wamberal and Terrigal Beaches

Councillor McLachlan declared a less than significant non-pecuniary interest in the matter as he knows some landowners personally. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict does not impede his ability to carry out his duties.

Moved: Councillor Pilon
Seconded: Councillor Best

Resolved

710/18 That Council defer this item until a response is provided to all questions raised in regards to the asbestos issue at Wamberal Beach.

For:
Unanimous

4.2 Deferred Item - Response to Mayoral Minute - Climate Change

Mark Ellis addressed Council at 6.37pm

Moved: Mayor Smith
Seconded: Councillor Vincent

- 1 That Council note the Deferred Item - Response to Mayoral Minute - Climate Change which is Attachment 1 to this report.
- 2 That Council receive the report on Response to Mayoral Minute - Climate Change.

Amendment Moved: Councillor Marquart
Amendment Seconded: Councillor Best

- 1 That Council receive the report on Response to Mayoral Minute - Climate Change.
- 2 That the draft Climate Change Policy will be based upon a defensive adaption scope. Any actual action will be timed so any required reaction will be implemented only when required to accommodate increased risk in a particular area.
- 3 That the draft Climate Change Policy will not consider or include planned retreat, managed realignment, time limited development consent or any similar actions.

For the Amendment:
Councillors Marquart, Holstein, Gale Collins,
Pilon, McLachlan and Best

Against the Amendment:
Mayor Smith and Councillors Sundstrom,
MacGregor, Greenaway, Vincent and Hogan

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

Resolved

711/18 That Council note the Deferred Item - Response to Mayoral Minute - Climate Change which is Attachment 1 to this report.

712/18 That Council receive the report on Response to Mayoral Minute - Climate Change.

For the Motion:

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

Against the Motion:

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

The Motion was carried on the casting vote of the Mayor.

4.3 Deferred Item - Grant Funding Update as at June 2018

Mr Delarosa was absent and did not speak.

Moved: Councillor Holstein

Seconded: Councillor MacGregor

Resolved

713/18 That Council note the Deferred Item Grant Funding Update as at June 2018 which is Attachment 1 to this report.

714/18 That Council receive the report on Grant Funding Updates as at June 2018.

715/18 That Council resolve, for the purposes of s.10A (2) of the Local Government Act 1993, that Attachment 3 to that report (included as Attachment 2 to this report) remain confidential because the attachment includes commercial information of a confidential nature.

716/18 That Council provide further advice about funding applications relating to wharfs.

For:

Unanimous

4.4 Blue Ringed Octopus - Netted Baths

Moved: Councillor MacGregor

Seconded: Councillor Vincent

Resolved

717/18 That Council receive the report on the blue-ringed octopus – netted baths.

For:

Unanimous

4.5 Investment Report for 30 June 2018

Moved: Councillor MacGregor

Seconded: Councillor Vincent

Resolved

718/18 That Council receive the Investment Report for 30 June 2018.

For:

Unanimous

4.6 Proactive Release

Moved: Councillor Greenaway

Seconded: Councillor MacGregor

Resolved

719/18 That Council receive the report providing an update on the ongoing release of Council information under the Government Information (Public Access) Act 2009 and Council's proactive active release program.

720/18 That Council request the Chief Executive Officer to consider the proactive release of the lease to AAI and the agreement for lease between Council and AAI, as authorised by the NSW Civil and Administrative Tribunal.

721/18 That Council request the Chief Executive Officer consider the proactive release of documents relating to Gosford CBD and Gosford City Centre planning and economic feasibility since 2010 (initially) including, but not limited to:

- a) **Gosford City Centre – Statement of Strategic Intent 2014, prepared by Roberts Day**
- b) **Gosford Regional Economic Corridor Master Plan 2015, prepared by SGS Economics & Planning**
- c) **Gosford City Centre Floorspace Incentive Contribution Rate Study 2016, prepared by AEC Group**
- d) **Central Coast Subregion Summary Report – Dwelling Potential and Feasibility, prepared by NSW Planning and Environment**

For:

Mayor Smith and Councillors Holstein, Sundstrom, Gale Collins, MacGregor, Pilon, Greenaway, Vincent and Hogan

Against:

**Councillors Marquart and Best
Councillor McLachlan (abstained)**

4.7 Insurance Renewal Workers Compensation

Moved: Councillor MacGregor
Seconded: Councillor Vincent

Resolved

722/18 That Council resolve to accept the offer Liberty Mutual Insurance Company for Workers Compensation reinsurance for the period 30 June 2018 to 30 June 2019.

723/18 That Council resolve for the purposes of s. 55 (3)(i) of the Local Government Act 1993, that a satisfactory result would not be achieved by inviting tenders for these reinsurance services because those services are highly specialised and Council has engaged an experienced insurance broker with specific knowledge of Council's needs to test the insurance market for appropriate compliant reinsurance products.

For:
Unanimous

4.8 Response to Notice of Motion - Disability Inclusion Action Plan

Moved: Councillor Gale Collins
Seconded: Councillor Vincent

Resolved

724/18 That Council receive the report on the Response to Notice of Motion - Disability Inclusion Action Plan Year 1 Implementation.

For:
Unanimous

6.1 Notice of Motion - Pelican Feeding - Potential for Upgrades and Opportunities

Marc Jacewicz addressed Council at 7.55pm

Moved: Councillor McLachlan
Seconded: Councillor Holstein

Resolved

725/18 That Council identifies opportunities to improve the visitor experience to expand its impact on the wider visitor economy and explore potential funding avenues to develop complimentary infrastructure.

- 726/18** *That Council includes the Pelican Feeding activity in the Tourism Opportunity Plan to allow a pathway for any improvement opportunities that may require access to Regional Tourism Funding programs.*
- 727/18** *That Council recognises the wonderful work of our volunteer organisations that conduct the Pelican Feeding and consult and liaise with all groups involved, on any suggested upgrades.*
- 728/18** *That, as part of this process, Council also identifies opportunities to support volunteer wildlife care groups that assist in the management of injured pelicans.*
- 729/18** *That, as part of this process, Council also ensures that this activity meets accessibility guidelines.*

For:

Unanimous

**6.2 Notice of Motion - Quality Food, Wine and Vineyard Tourism
Accommodation Opportunities**

Moved: Councillor McLachlan

Seconded: Councillor Best

Resolved

- 730/18** *That Council acknowledges the recent success of the Harvest Festival and the added economic boost to our Central Coast Tourism numbers.*
- 731/18** *That Council also acknowledges our current poor Tourism statistics, compared to other competing regions, especially the Hunter Valley.*
- 732/18** *That Council acknowledges the international success of Cessnock Council Vineyards Precincts and flexible Rural Lands codes, in allowing Tourism and accommodation operations to flourish in the Hunter Region.*
- 733/18** *That Council acknowledges this similar Tourism opportunity has been identified in the Central Coast Regional Plan for lands west of the M1. The action specifically encourages niche commercial, tourism and recreational activities that complement and promote a stronger agricultural sector, as well as build capacity to adapt to changing circumstances.*
- 734/18** *That Council also acknowledges the Tourism Industry is a large employer of Youth, and our Youth Unemployment are unacceptably high, and every effort in establish Youth employment markets on the Central Coast, should be strongly pursued by Council.*

735/18 *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.*

736/18 *That Council also provide further information on the existing job market for local agriculture enterprises including any issues around underemployment in general and seasonal employment of backpackers.*

For:

Unanimous

6.3 Notice of Motion - So Called Scientific Whaling

Jeannie Lawson addressed Council at 7.14pm.

Ronny Ling addressed Council at 7.20pm.

Moved: Councillor Best

Seconded: Councillor McLachlan

- 1 *That further to Councils establishment of a sister city with Edogawa in Japan and the recent Mayoral Delegation, Council now leverage this relationship to assist in advocating for an end to so called scientific whaling in the Antarctic Whale Sanctuary.*
- 2 *That Council recognise the outstanding success of the recent 2018 Whale Dreamers Festival held at our iconic Norah Head Lighthouse attended by thousands while unpinning our multi-million dollar marine tourism industry.*
- 3 *That Council notes with grave concerns at the recent report by the International Whaling Commissions Scientific Committee that revealed some 330 Minke Whales were recently killed in the whale sanctuary with 122 being pregnant females.*
- 4 *That Council now respectfully advocate on behalf of our local community for change through our new relationship with Edogawa City and that all correspondence be reported to Council.*

Amendment Moved: Mayor Smith

Amendment Seconded: Councillor Vincent

- 1 *That Council recognise the outstanding success of the recent 2018 Whale Dreamers Festival held at our iconic Norah Head Lighthouse attended by thousands.*
- 2 *That Council notes with grave concerns at the recent report by the International Whaling Commissions Scientific Committee that revealed some 330 Minke Whales were recently killed in the whale sanctuary with 122 being pregnant females.*

- 3 *That Council write to our Federal MPs and the Federal Minister for the Environment supporting the Australian government in its continued advocacy at the International Whaling Commission for an end to all commercial and scientific whaling.*

Procedural Motion – Amendment be Put

Moved: *Mayor Smith*

Resolved

That Council put the amendment to the vote.

For:
Unanimous

The Procedural Motion was put to the vote and declared CARRIED. The Amendment was then put.

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

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

Councillor Gale Collins (abstained)

The Amendment was put to the vote and declared CARRIED. The Amendment became the motion.

Resolved

- 1 ***That Council recognise the outstanding success of the recent 2018 Whale Dreamers Festival held at our iconic Norah Head Lighthouse attended by thousands.***
- 2 ***That Council notes with grave concerns at the recent report by the International Whaling Commissions Scientific Committee that revealed some 330 Minke Whales were recently killed in the whale sanctuary with 122 being pregnant females.***
- 3 ***That Council write to our Federal MPs and the Federal Minister for the Environment supporting the Australian government in its continued advocacy at the International Whaling Commission for an end to all commercial and scientific whaling.***

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

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

6.4 Notice of Motion - Cash Flow Statements

Moved: Councillor Gale Collins

Seconded: Councillor Marquart

Resolved

That Council provide briefings on the high level cash flow statements and rolling forecast against the Operational Budget, prior to releasing the Quarterly Budget Review Statements and then review the effectiveness of that information.

For:

Mayor Smith and Councillors Marquart, Holstein, Gale Collins, Pilon, McLachlan and Best

Against:

Councillors Sundstrom, MacGregor, Vincent and Hogan

Councillor Greenaway (abstained)

Procedural Motion – Questions on Notice

Moved: Mayor Smith

Seconded: Councillor MacGregor

Resolved

That Council extend the meeting to consider Questions on Notice the time being 10.36pm.

For:

Unanimous

**Q116/18 QON Terrigal Beach
Councillor Jeff Sundstrom**

I recently reported a matter concerning the exposure of some old infrastructure (concrete and timber I understand) that had been buried in the sand at the southern end of Terrigal Beach. The reply I received indicated that there were some benefits by way of protection of the boardwalk from the effects of wave action. Since receiving the reply I have been notified that two swimmers have been injured by contact with the exposed old infrastructure. My questions are what actions could the council reasonably take to protect the community from injury and what responsibility does council have to provide a safe area for recreation by residents and visitors.

Q117/18 QON Parking - Gertrude Place, Gosford
Councillor Rebecca Gale Collins

Why is the car parking on Gertrude place in Gosford (off Central Coast Hwy) Rear to Kerb and perpendicular to the road 90 degree? Rangers are booking unknowing residents.

Q118/18 QON Developer Contributions
Councillor Rebecca Gale Collins

What's the current balance of developer contributions section 94 since the amalgamation?

Q119/18 QON Gambling Harm Reduction Strategies
Councillor Kyle MacGregor

Is Central Coast Council aware of the Northern Beaches Council or any other NSW Councils gambling harm reduction strategies and if so do we currently either have our own strategy or any intention of investigating adopting a similar gambling harm reduction policy for the Central Coast Council area?

Response – Julie Vaughan, Director, Connected Communities

Councillor MacGregor, No. The short answer is I am not familiar with that particular policy nor is it currently within our work plans. We do have a hardship policy but I'm sensing from the title of that policy its somewhat different, with a different intent and purpose. It is not in any current on any work program. We do work with the licensed clubs with the club grants program, but I still suspect this is bigger than what we are currently looking at.

Q120/18 QON Dust monitoring in Wyong Ward/ General Warnervale Area
Councillor Kyle MacGregor

Does Council conduct any dust monitoring in the northern areas of the central coast or alternatively are we aware of any findings in regards to dust monitoring particularly around the Warnervale/Hamlyn Terrace/Woongarah/Wadalba suburbs where residents have been experiencing increased impacts on their residencies from dust and other particle residue with increased winds and distribution of said substances in recent weeks affecting local households and businesses?

Q121/18 QON Wamberal Beach – Terminal Protection Committee
Councillor Jilly Pilon

Councillors received written notice that they aren't allowed to be on the committee but can receive a briefing. Can I ask that all Councillors are brought up to speed as to where that committee is up to please?

**Q122/18 QON Daily Collections of Asbestos from Wamberal to Terrigal Beach
Councillor Jilly Pilon**

Are the reports of asbestos findings from the community and the daily collection of asbestos from Wamberal to Terrigal beaches by Council being logged before being disposed of? If so, is it possible to make these findings available to Councillors and the public on a regular basis please? E.g Monthly on the Council website and/or report to Councillors.

**Q123/18 QON Ettalong Dredge Plan
Councillor Bruce McLachlan**

Can we please get a copy of the dredge plan for Ettalong Beach. I understand in conversation with someone from public works that the spoil was going to be placed along the surf break at the box to try and enhance the break. Apparently there was a meeting with the board riders at Ettalong and someone from public works .and there was some liaison with the local board riders and it would be nice to know what the dredge plan is.

**Q124/18 QON Affordable Housing Strategy
Councillor Louise Greenaway**

Will the Judith Stubbs report as part of the Affordable Housing Strategy be released to the public and if so, when?

Response – Julie Vaughan, Director, Connected Communities

Following last week's initial briefing, we have a follow up briefing to Councillors scheduled on 13 August 2018. The intention is that between the period between of 17 August to 14 September that document would become available for public exhibition so we will be seeking community comment at that stage and then subsequently reporting back to Council towards the end of September or early October. So, between 17 August and 14 September is the simple answer.

**Q125/18 QON Winney Bay Q23/18
Councillor Louise Greenaway**

In answer to Question on Notice Q23/18 regarding Winney Bay at page 269, it states "This project is permitted without consent under Part 5 of the Environmental Planning & Assessment Act" What is the reason that the project is permitted without consent and under what section under Part 5?

**Q126/18 QON Affordable Housing Report
Councillor Doug Vincent**

Could staff please advise if the report by Judith Stubbs regarding social and affordable housing will be released in its original form?

Response – Julie Vaughan, Director, Connected Communities

The report hasn't been finalised at the moment. We had an initial briefing for Councillors following a series of public and community workshops. We are still concurrently doing internal workshops at the moment so the information that was provided was the initial draft, which is being finalised. The key recommendations of that will come back to a subsequent briefing for Councillors on 13 August. So, yes the draft document in its entirety will be available for exhibition between 17 August and 14 September .

**Q127/18 QON Council Asset Protection Zone Maintenance
Councillor Doug Vincent**

Local residents have raise concerns that Council may no longer be able guarantee that Crown or Council Asset Protection Zones (APZ) backing on to residential housing will be maintained in perpetuity.

Could staff please advise:

- 1 If Council is maintaining APZs to the same level prior to the merger and administration of Wyong and Gosford Councils?*
- 2 If the same budgets and resourcing levels are in place to ensure that there is adequate fire protection for residents adjoining reserves with fire risks.*

**Q128/18 QON Winney Bay Report
Councillor Jillian Hogan**

In regards to the Winney Bay report on page 269 it states that Council didn't need authority via a Development Application process and that the project is permitted without consent under Part 5 of the Environmental Planning and Assessment Act 1979. It is my interpretation of that section that we did need approval due to the environmental impact. Could staff provide clarification on the section and also provide the documentation on the impacts that were assessed in November 2017?

**Q129/18 QON iPads
Councillor Jillian Hogan**

Due to the instability of the iPad software and the clunkiness of its usage, in addition to the difficulties accessing information on the HUB, could staff look into migrating to Microsoft Surface Pro's for Councillors that would prefer that option.

The Meeting closed at 10.46pm.