



CENTRAL COAST COUNCIL

MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
LEVEL 1, 49 MANN STREET, GOSFORD
ON 26 OCTOBER 2016
COMMENCING AT 5.00PM

PRESENT

Ian Reynolds

IN ATTENDANCE

Chief Executive Officer, Executive Manager Governance, Group Leader Environment and Planning, Communications Coordinator and two administration staff.

The Administrator, Ian Reynolds, declared the meeting open at 5.00 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded and livestreamed.

The Administrator, Ian Reynolds, delivered the opening prayer and read an acknowledgment of country statement.

At the ordinary meeting reports were dealt with in the following order 1.1, 1.2, 1.3, 1.4, 2.1, 3.1, 3.3, 3.4, 3.5, 3.6, 6.5, 1.5 and 8.1. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosure of Interest

Item 3.5 - Outcomes Of Exhibition – Planning Proposal For 414 Old Maitland Road Mardi (Old Farm)

Mr Brian Glendenning, Executive Manager Governance declared a significant non-pecuniary interest in Item 3.5, for the reason that he advised a now deceased Director of the Proponent in respect to elements of the proposed rezoning when in private practice, and considered he has a professional conflict. Mr Glendenning left the meeting at 6.03pm and returned at 6.06pm and did not participate in discussions on this item.

RESOLVED on the motion of Mr REYNOLDS:

381/16 That Council receive the report on Disclosure of Interest and note advice of disclosures.

1.2 Proposed Briefings and Inspections

RESOLVED on the motion of Mr REYNOLDS:

382/16 That Council receive the report on Proposed Briefings and Inspections.

1.3 Address by Invited Speakers

RESOLVED on the motion of Mr REYNOLDS:

383/16 That Council receive the amended report on Invited Speakers.

384/16 That Council agree meeting practice be varied to allow reports from Group Leaders and/or the Chief Executive Officer to be dealt with following an Invited Speaker's address.

1.4 Confirmation of Minutes of Previous Meeting

RESOLVED on the motion of Mr REYNOLDS:

385/16 That Council confirm the minutes of the previous Ordinary Meeting of Council including the confidential session held on Wednesday, 28 September 2016.

Business Arising

There was no business arising.

PROCEDURAL MOTION

RESOLVED on the motion of Mr REYNOLDS:

386/16 That Council adopt, with the exception of Items 2.1, 3.1, 3.3, 3.4, 3.5, 3.6, 6.5 and 8.1 the recommendations contained in the remaining reports. For the sake of clarity, that means that Items, 3.2, 3.7, 3.8, 4.1, 5.1 5.2, 5.3, 5.4, 5.5, 5.6, 5.7, 6.1, 6.2, 6.3, 6.4, 6.6, 7.1, 7.2, 7.3 and 7.4 were dealt with in accordance with the recommendations of the Council staff.

1.5 Notice of Intention to Deal with Matters in Confidential Session

RESOLVED on the motion of Mr REYNOLDS:

387/16 That Council consider the following matter in Confidential Session, pursuant to section 10A 2(g) of the Local Government Act 1993:

8.1 *Planning Proposal Gosford City Council*

388/16 That Council note its reason for considering Item No 8.1 – Planning Proposal Gosford City Council in a closed session is that the report contains;

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

389/16 That Council note that the Chief Executive Officer will report on this matter in open session of Council.

2.1 Mayoral (Administrator) Minute - Central Coast Council Engineer wins Newcastle Professional Engineer of the Year

RESOLVED on the motion of Mr REYNOLDS:

390/16 That Council formally recognise the success of Council's Senior Asset Systems Engineer, Mr Misbah Khan, at the recent Newcastle Engineering Excellence Awards as Professional Engineer of the Year and provide a letter of congratulation to him on his achievement.

3.1 DA 1395/2015 - Proposed Service Station at Toukley

Ms Korrey Blackwood, local resident, addressed Council at 5.03pm and retired at 5.06pm.

Mr Robert Nardi, local resident, addressed Council at 5.07 pm and retired at 5.10pm.

RESOLVED on the motion of Mr REYNOLDS:

391/16 That Council defer consideration of this item until Ordinary Meeting 23 November 2016.

3.2 Planning Proposal - 205 Johns Rd Wadalba

RESOLVED on the motion of Mr REYNOLDS:

392/16 That Council prepare a planning proposal to amend Wyong Local Environmental Plan 2013, to rezone part of Lot 1 DP 306056, 205 Johns Road Wadalba from E2 Environmental Conservation to R2 Low Density Residential, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979.

393/16 That Council forward the planning proposal to the Department of Planning and Environment requesting a gateway determination, as well as delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 56 (1) of the EP&A Act, 1979.

394/16 That Council prepare and exhibit, subject to the gateway determination, an amendment to Wyong Development Control Plan 2013, Chapter 6.17 – Warnervale East/Wadalba North West to include appropriate Development Control Plan provisions.

395/16 That Council undertake community and government agency consultation in accordance with the requirements of the gateway determination including the concurrent exhibition of the draft Development Control Plan.

396/16 That Council request a report be prepared outlining the results of the community and public authority consultation.

3.3 Planning Proposal - Jilliby Stage 2- RZ/2/2012

Mr Mike Campbell, local resident, addressed Council at 5.12pm and retired at 5.15pm.

RESOLVED on the motion of Mr REYNOLDS:

397/16 ***That Council prepare a Planning Proposal to amend Wyong Local Environmental Plan, 2013 pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act, 1979 to rezone land within the revised Jilliby Stage 2 land for rural residential purposes.***

398/16 ***That Council forward the Planning Proposal to the Department of Planning and Environment accompanied by a request for a gateway determination, pursuant to Section 56 of the EP&A Act, 1979.***

399/16 ***That Council revise and publicly exhibit Wyong Development Control Plan, 2013 to provide guidelines to future development of the Jilliby Stage 2 area.***

400/16 ***That Council undertake community and government agency consultation, in accordance with the requirements attached to the gateway determination.***

401/16 ***That Council prepare a report in respect to the results of community and government agency consultation.***

3.4 Planning Proposal for Wyong Grove Public School site

Mr Tony Tuxworth, local resident, addressed Council at 5.29pm and retired at 5.33pm.

RESOLVED on the motion of Mr REYNOLDS:

402/16 ***That Council consult with landowners of properties listed in item 2 below to seek their support to be included in the revised planning proposal as recommended by Staff.***

403/16 ***That Council prepare a planning proposal to amend Wyong Local Environmental Plan 2013 (WLEP), pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act 1979 to:***

- a) ***rezone the following lots to R3 Medium Density Residential and apply a maximum building height of 16m and a maximum Floor Space Ratio of 2.0:1:***
- ***Lot 11 DP219825, 5 Ingram Street Wyong***
 - ***Lot 12 DP219825, 4 Ingram Street Wyong***
 - ***Lot 13 DP219825, 3 Ingram Street Wyong***
 - ***Lot 14 DP219825, 2 Ingram Street Wyong***
 - ***Lot 15 DP219825, 1 Ingram Street Wyong***
 - ***Lot 16 DP219825, 17 Owen Avenue Wyong***

- **Lot 17 DP219825, 15 Owen Avenue Wyong**
- **Lot 10 DP36475, 13 Owen Avenue Wyong**
- **Lot 11 DP36475, 11 Owen Avenue Wyong**
- **Lot 12 DP36475, 9 Owen Avenue Wyong**
- **Lot 13 DP36475, 7 Owen Avenue Wyong**
- **Lot 14 DP36475, 5 Owen Avenue Wyong**
- **Lot 15 DP36475, 3 Owen Avenue Wyong**
- **Lot 16 DP36475, 1 Owen Avenue Wyong**
- **Lot 18 DP36475, 3 North Road Wyong**
- **Lot 17 DP36475, 5 North Road Wyong, and**
- **The northern part of Lot 18 DP 219825 and Lot 1 DP 123075, No.1 North Road, Wyong**

- b) **retain the southern part of Lot 18 DP 219825 and Lot 1 DP 123075, No.1 North Road, Wyong with the R2 Low Density Residential zoning and apply a land reservation acquisition map to that portion of the site**

404/16 That Council forward the planning proposal to the Department of Planning and Environment requesting a gateway determination, as well as delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 56(1) of the EP&A Act, 1979.

405/16 That Council undertake community and government agency consultation in accordance with the requirements of the gateway determination.

406/16 That Council prepare and exhibit an amendment to Wyong Development Control Plan to incorporate appropriate planning controls.

407/16 That Council prepare and exhibit an amendment to the Wyong Section 94 Contributions Plans (if required)/or a Voluntary Planning Agreement (if required) to support the development of the land subject to this planning proposal.

408/16 That Council consider a further report on results of the agency and community consultation.

3.5 Outcomes of Exhibition - Planning Proposal for 414 Old Maitland Road, Mardi (Old Farm)

Mr Brian Glendenning, Executive Manager Governance, declared a significant non-pecuniary interest in this matter for the reason that he advised a now deceased Director of the Proponent in respect to elements of the proposed rezoning when in private practice, and considered he has a professional conflict. Mr Glendenning left the meeting at 6.03pm and returned at 6.06pm and did not participate in discussions on this item.

Mr Mike Campbell, local resident, addressed Council at 5.15pm and retired at 5.18pm.

Ms Wendy Gleen, local resident, addressed Council at 5.26pm and retired at 5.28pm.

Mr Laurie Denton, local resident, addressed Council at 5.28pm and retired at 5.29pm.

RESOLVED on the motion of Mr REYNOLDS:

409/16 That Council support the planning proposal as amended, specifically, an amendment to the proposed minimum lot size exception, by increasing the minimum lot size from 500m² to 900m².

410/16 That Council request that the Secretary of the Department of Planning and Environment to concur that the inconsistencies of the Planning Proposal with Section 117 Ministerial Directions 2.1 Environmental Protection Zones, 4.3 Flood Prone Land, and 4.4 Planning for Bushfire Protection, be considered to be of minor significance;

411/16 That Council request, upon receipt of the concurrence requested by resolution 2, the Chief Executive Officer to exercise the delegation issued by the Department of Planning and Environment (dated 25 September 2013) for RZ/14/2012 (PP_2013_Wyong_007_00) to proceed with the steps for drafting and making of Amendment No. 17 to Wyong Local Environmental Plan 2013.

412/16 That Council request the Chief Executive Officer to sign the Voluntary Planning Agreement (VPA) which establishes the requirements for the Proponent to undertake prior to and as part of the lodgement of a Development Application for the development of the land;

413/16 That Council adopt the amendment to Wyong Development Control Plan 2013 Chapter 6.25, Rural Residential Development, Mardi, to become effective on the date of Notification of Wyong Local Environmental Plan 2013 Amendment No. 17.

414/16 That Council consider appropriate notations on planning certificates informing future purchasers of land in the area in respect of additional applicable development standards in relation to:

- a Mine Subsidence; and**
- b Acoustics.**

415/16 That Council advise all those who made a submission of the decision.

3.6 Significant Public Submissions Policy

Mr Matthew Ford, local resident, addressed Council at 5.33pm and retired at 5.36pm.

Mr Gary Chestnut, on behalf of Mountain Districts Association and Friends of Gosford, addressed Council at 5.36pm and retired at 5.40pm.

Dr Colebatch, on behalf of Wagstaffe to Killcare Community Association (WTKCA), addressed Council at 5.41pm and retired at 5.45pm.

Ms Jane Smith, on behalf of Community Environment Network (CEN), addressed Council at 5.47pm and retired at 5.51pm.

RESOLVED on the motion of Mr REYNOLDS:

416/16 That Council adopt the 'Policy for the determination of development applications subject of significant public objections', subject to the following amendments to the exhibited draft policy:

- **The requirement that any application receiving more than 100 objections are to be reported to the Administrator / Council for determination be reduced to 50 objections.**
- **The requirement that any application receiving more than 50 objections are to be subject of a briefing memo to the Administrator/Councillors for information be reduced to 25 objections.**
- **Other minor changes for clarification being made as identified and highlighted in attachment 1.**

417/16 That Council provide a public notice with regard to the adoption of the policy.

418/16 That Council advise those who made a submission of the decision.

3.7 Enforcement Policy

RESOLVED on the motion of Mr REYNOLDS:

419/16 That Council endorse the draft Policy for Compliance and Enforcement for the purpose of community consultation.

420/16 That Council place the draft Policy for Compliance and Enforcement on public exhibition for a period of 28 days.

421/16 That Council receive a further report on the results of the community consultation on the draft Policy for Compliance and Enforcement.

3.8 Fire Safety Report - Azzurro Blue Wharf at The Entrance

RESOLVED on the motion of Mr REYNOLDS:

- 422/16 That Council note the content of the Fire Safety Report from Fire and Rescue NSW – 12 The Entrance Rd, The Entrance (attached), in accordance with Section 121ZD(2)(a) of the Environmental Planning and Assessment Act, 1979; and
- 423/16 That Council receive a further report to be provided to the next Council meeting in accordance with 1212D(2)(b).

4.1 Proposed Transfer of Land at Brennon Road, Gorokan

RESOLVED on the motion of Mr REYNOLDS:

- 424/16 That Council authorise the subdivision of Lot 1 DP 46773 at Brennon Road, Gorokan and transfer of the splay corner parts created to the adjoining owners of Lots 58 and 59 DP 30327 respectively at no cost to the Transferees.
- 425/16 That Council authorise the Common Seal of Central Coast Council to be affixed to the formal documents for the transfer of the land.
- 426/16 That Council authorise the Administrator and the Chief Executive Officer to execute all documents.

5.1 CPA/228303 - Request to Extend the Current Provision of Occupational Physician Services Contract

RESOLVED on the motion of Mr REYNOLDS:

- 427/16 That Council direct the Chief Executive Officer to negotiate a six month extension to the current Occupational Physician Contract - CPA/228303 for both areas.

5.2 CPA/272933 - Budgewoi Boardwalk - Construction

RESOLVED on the motion of Mr REYNOLDS:

- 428/16 That Council accept the tender from SMC Marine Pty Ltd for Contract CPA/272933 – Budgewoi Boardwalk - Construction.
- 429/16 That Council determine the Tender Evaluation Report in Attachment A, remains confidential in accordance with Section 11 (3) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.
- 430/16 That Council determine the additional recommendations included in the Tender Evaluation Report in Attachment A.

5.3 CPA/273502 - Design and Construction of Saltmarsh Boardwalk, Killarney Vale

RESOLVED on the motion of Mr REYNOLDS:

431/16 That Council accept the tender from Fleetwood Urban Pty Ltd for Contract CPA/273502 – Design and Construction of Saltmarsh Boardwalk, Killarney Vale.

432/16 That Council determine the Tender Evaluation Report in Attachment A, remains confidential in accordance with Section 11 (3) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.

433/16 That Council approve the contingency sum as detailed in the Tender Evaluation Report.

5.4 Tender - P306 Rehabilitation of Gosford Manhole No 1 (GM1), North Gosford and Drop Manhole, East Gosford

RESOLVED on the motion of Mr REYNOLDS:

434/16 That Council accept the tender from FCS Concrete Repairs Pty Ltd for contract P306 Rehabilitation of Gosford Manhole No.1 (GM1) and Drop Manhole.

435/16 That Council determine the Tender Evaluation Report in Attachment 1, remains confidential in accordance with s.11 (3) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.

5.5 Tender - P432 Carlo Close to Avoca Drive Kincumber Drainage Upgrade

RESOLVED on the motion of Mr REYNOLDS:

436/16 That Council accept the tender from Kerroc Constructions Pty Ltd for contract P432 Carlo Close to Avoca Drive Kincumber Drainage Upgrade.

437/16 That Council determine the Tender Evaluation Report in Attachment 1, remains confidential in accordance with section 11 (3) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.

5.6 Tender - P614 Supply and Delivery of Ready Mix Concrete

RESOLVED on the motion of Mr REYNOLDS:

438/16 That Council decline the tenders from Boral Construction Materials Group Pty Ltd, Hanson Construction Materials Pty Ltd, Hymix Australia Pty Ltd and Ritemix Pty Ltd t/as Coastwide Readymix Concrete for contract P614 Supply and Delivery of Ready Mix Concrete.

439/16 That Council invite fresh tenders for the Supply and Delivery of Ready Mix Concrete.

5.7 Tender - P629 Stormwater Drainage Upgrade Lone Pine Avenue, Umina Beach

RESOLVED on the motion of Mr REYNOLDS:

440/16 That Council accept the tender from Kerroc Constructions Pty Ltd for Contract P629 Stormwater Drainage Upgrade Lone Pine Avenue, Umina Beach.

441/16 That Council determine the Tender Evaluation Report in Attachment 1, remains confidential in accordance with s.11 (3) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.

6.1 Community Subsidy Program, Neighbourhood Activation Program and Sport & Cultural Sponsorship Program

RESOLVED on the motion of Mr REYNOLDS:

442/16 That Council allocate \$5,794.59 from the 2016-17 Community Subsidy Program as follows:

Applicant	Project	Staff Funding Recommended
Wyongah Progress Association Inc	Rates subsidy for 2015/16	\$1,231.59
The Entrance Neighbourhood Centre Inc	Venue hire	\$2,000.00
Central Coast Country Music Association Inc	Venue hire and digital printing	\$803.00
Aussi Malayalam Cultural Association Central Coast Inc	Venue hire and digital printing	\$1,760.00
Total		\$5,794.59

443/16 That Council decline applications for the reasons indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project	Staff Comments
Brisbane Water NSW Legacy	Toukley Torch Bearers for Legacy	Application ineligible - not received 30 days in advance
Bears of Hope Pregnancy & Infant Loss Support Inc	'Choosing Hope' Walk	Applicant has ability to self – fund the project

444/16 That Council allocate \$3,794.00 from the 2016-17 Neighbourhood Activation Program as follows:

Applicant	Project	Staff Funding Recommended
Rhonda Doyle	Adam (Molch) Hillier Memorial Surf Classic	\$2,000.00
National Seniors Australia Central Coast - Wyong Branch Incorporated	Purchase of equipment to assist the organisation deliver programs providing a community benefit	\$1,794.00
Total		\$3,794.00

445/16 That Council allocate \$11,451.47 from the 2016-17 Sport & Cultural Sponsorship Program as follows:

Applicant	Project	Staff Funding Recommended
Corey Allan	2016 NSW Juniors Blues Water Polo Tournament, New Zealand, representing NSW	\$500.00
Brady Holmes	U14 NSW Blues Water Polo East Coast Challenge, Melbourne, representing NSW	\$500.00
Kylie McCorquodale	World Championships for Standard Distance Triathlon, Mexico, representing Australia	\$1,000.00
Bree Akhurst	U14 NSW Blues Water Polo East Coast Challenge, Melbourne, representing NSW	\$500.00

Hannah Fiene	NSW Combined High Schools Under 15 Girls AFL, Maroochydore, representing NSW	\$500.00
Ellie Stimson	NSW Combined High Schools Under 15 Girls Water Polo, New Zealand, representing NSW	\$500.00
Tristan O'Donnell	Water Polo NSW State Team Under 14, New Zealand, representing NSW	\$500.00
Mark Sweeney	17th Oceania Karate Federation Championships, New Caledonia, representing Australia	\$1,000.00
Harrison Ryan	2016 Victorian Junior and Senior Dirt Track Title, Victoria, representing Central Coast	\$250.00
Jake Martin	Australian Surf Festival 2016, Coffs Harbour, representing NSW	\$500.00
Keenan Derry	Australian Barefoot Waterski World Championships, USA, representing Australia	\$1,000.00
Brannen Derry	Junior Australian Barefoot Waterski World Championships, USA, representing Australia	\$1,000.00
Emily Roome	School Sport Australia Swimming Championships, Darwin, representing NSW	\$500.00
Bradley Woodward	2016 World Life Saving Championships, The Netherlands, representing Australia	\$1,000.00
Australian Air League – Doyalson Girls Squadron	Australian Air National Marching Titles, Ballarat, representing Central Coast	\$885.00
Danielle Vesper	2016 Australian Winter Road Walking Championships, Canberra, representing NSW	\$316.47
Nick Yallouris	2016 Paralympic Games, Rio de Janeiro, representing Australia	\$1,000.00
Total		\$11,451.47

446/16 That Council decline applications for the reasons indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project	Staff Comments
Toowoan Bay Surf Life Saving Club (SLSC)	Australian Surf Life Saving Titles, Queensland, representing Toowoan Bay SLSC	Application ineligible as level of representation is Toowoan Bay SLSC – minimum representation is Central Coast
Timothy Schofield	2016 World Life Saving Championships, The Netherlands, representing Australia	Applicant ineligible as he resides outside the former Wyong LGA

6.2 Tacoma South Low Pressure Sewer Policy

RESOLVED on the motion of Mr REYNOLDS:

447/16 That Council adopt the 'Policy on Pressure Sewerage at South Tacoma' as attached to this report.

448/16 That Council note that feedback received as a result of community consultation at concept and design stage have been addressed in the detail design and proposed construction methodology.

6.3 Renaming of Trafalgar Avenue Playground Woy Woy

RESOLVED on the motion of Mr REYNOLDS:

449/16 That Council resolve to adopt the proposed naming of The Runway.

450/16 That Council place the proposal on public exhibition for a period of twenty eight (28) days.

451/16 That Council formally submit the proposal to the Geographical Names Board for approval if no significant objections are received.

6.4 Extension of Routine Tree Services Contract

RESOLVED on the motion of Mr REYNOLDS:

452/16 That Council approve a twelve month extension to the current Routine Tree Services Contract to ensure the most efficient outcome is derived for tree maintenance of the Central Coast Council.

6.5 Stronger Communities Fund Round 1

RESOLVED on the motion of Mr REYNOLDS:

453/16 That Council adopt the recommendations for awarding \$246,637 in Round 1 of the Stronger Communities Fund (Attachment 2).

454/16 That Council advise all applicants of Council's decision.

455/16 That Council require Recipients of the Stronger Communities Fund to sign a funding agreement prior to funds being released.

456/16 That Council ensure the remainder of funding in Round 1 totalling \$3,363.00 is rolled over into Round 2 of the Stronger Communities Fund.

6.6 Amendment to Interim Organisation Structure

RESOLVED on the motion of Mr REYNOLDS:

457/16 That Council determine, pursuant to s. 332(1) of the Local Government Act 1993, that the interim organisation structure of Council is as set out in attachment 2 to this report.

7.1 Local Representation Committee - Working Group Meeting Records 21 September 2016

RESOLVED on the motion of Mr REYNOLDS:

458/16 That Council receive the report on Local Representation Committee - Working Group Meeting Records 21 September 2016.

7.2 Development Applications Approved with a Variation to Development Standards

RESOLVED on the motion of Mr REYNOLDS:

459/16 That Council receive and note the report on Development Applications Approved with a Variation to Development Standards.

7.3 Investment Report for September 2016

RESOLVED on the motion of Mr REYNOLDS:

460/16 That Council receive the Investment Report for September 2016.

7.4 Annual Disclosure of Interest Returns 2015-16

RESOLVED on the motion of Mr REYNOLDS:

461/16 That Council receive the report on Annual Disclosure of Interest Returns 2015-16.

CONFIDENTIAL SESSION

RESOLVED on the motion of Mr REYNOLDS:

462/16 That the meeting move into Confidential Session.

At this stage of the meeting being 6.13pm 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.

OPEN SESSION

RESOLVED on the motion of Mr REYNOLDS:

465/16 That the meeting move back into Open Session.

The meeting resumed in open session at 6.15pm and the Chief Executive Officer reported on proceedings of the confidential session of the ordinary meeting as follows:

8.1 Planning Proposal Gosford City Council

RESOLVED on the motion of Mr REYNOLDS:

463/16 That Council receive and note the confidential report to prepare a planning proposal to amend Clause 8.9(4) of Gosford Local Environmental Plan 2014.

464/16 That Council resolve, pursuant to s. 11(3) of the Local Government Act 1993, that this report and attachment 1 to this report remain confidential, for the reason that these documents include advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. (s. 10A(2)(g) of that Act).

THE MEETING closed at 6.17pm.