

Protection of the Environment Trust Management Committee Meeting Record 26 February 2019



Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford	
Date:	26 February 2019	
Time	Started at: 3.35pm	Closed at: 4.44pm
Chair	Mayor Jane Smith	
File Ref	F2018/00732	

Present:

Mayor Jane Smith, Joy Cooper, Barbara Wills, Gary Murphy – Chief Executive Officer, Gary Chestnut (Advisor – non voting)

Staff present:

Scott Cox – Director Environment and Planning (left 4.30pm), Shane Sullivan – Acting Director Governance, Luke Sulkowski – Unit Manager Natural and Environmental Assets, Kelly Drover – Advisory Group Support Officer

Item 1 Welcome and Apologies

No apologies.

The Committee acknowledged the passing of Alan Ford (OAM) and noted he was a valued staff member of the former Gosford City Council and had been an asset to not only Council's Protection of the Environment Trust Management Committee, but also to the local community.

Action: A letter acknowledging Alan's contribution to be sent from the Committee to Alan Ford's family.

Item 2 Disclosure of Interest

Barbara Wills previously declared a less than significant non-pecuniary interest as a member of the MacMasters Beach Bushcare Group.

Mayor Smith declared a less than significant non-pecuniary interest in regard to Item 5 as Gary Chestnut ran for Council as an Independent under the New Independents banner. Ms. Smith chose to leave the room for consideration of Item 5.

Gary Chestnut declared significant non-pecuniary interest in regard to Item 5 (application for vacant position) and the fact that he initiated the process for the Trust Deed when he was employed by the former Gosford City Council.

Item 3 Confirmation of Previous Meeting Record

Joy Cooper noted her disappointment that the legal advice provided at the previous meeting was not able to be taken away to be given the time to read through properly.

Barbara Wills noted the same disappointment and has concerns that the information provided as the basis of legal advice may not accurately reflect the previous operation of the Trust as she understood it.

The Committee confirmed the Meeting Record from 30 October 2018.

Item 4 Action Log

The Committee discussed the Action Log.

In regard to Action Item 21

Recommendation: The Committee recommend that Council rezone the following lots held by the Trust to E2:

1. 95 Pile Road, Somersby (Lot 3 DP 1117622)
2. 115 Wisemans Ferry Road, Somersby (Lot 2 DP 1112163)
3. 31-33 Somersby Falls Road, Somersby (Lot 15 DP 1136135)
4. 3A Ainslie Close, Somersby (Lot 122 DP 1134128)
5. 1A Raverson Close, Somersby (Lot 42 DP 1143508)
6. 130 Bakali Road, Forresters Beach (Lot 8 DP 8857)
7. 158 Bakali Road, Forresters Beach (Lot 4 DP 1182930)
8. 6 Deodar Road, Somersby (Lot 3 DP 1209664)

Recommendation: The Committee request the Chief Executive Officer investigate the most efficient mechanism for rezoning the aforementioned lots to E2 including giving consideration to incorporating the process as part of the Consolidated LEP.

Action: Strategic Planning Staff to attend the next meeting of the Committee to discuss the Urban Edge Study regarding adoption of E zones and the planning proposal process for changing a zone.

In regard to Action Item 25

Action: Patrick Donellan to be invited to the next meeting of the Trust to discuss the Protection of the Environment Trust Deed.

Action: Shane Sullivan to seek advice from Council's Legal team as to whether the legal advice regarding the Trust Deed is able to be viewed by Mr. Donellan as part of the committee's discussions.

Item 5 Consideration of Application for Vacant Position

Gary Chestnut left the room while this item was considered. Mayor Smith also left the room while this item was considered.

The Committee reviewed Gary Chestnut's application for the vacant position of membership.

Recommendation: The Committee recommends to Council that Mr Gary Chestnut be appointed to the Protection of the Environment Trust Management Committee as a voting community representative.

Item 6 Memorandum of Advice – Trusts of the Former Gosford City Council

This item was covered in earlier discussions.

Item 7 General Business and Close

a) Consolidated LEP

Barbara Wills noted concerns regarding the Consolidated LEP and zoning of land.

Action: Barbara to provide further information identifying the particular properties of concern.

b) Funds allocated to bush regeneration at MacMasters Beach

Mayor Smith advised that MacMasters Beach Bushcare Group has concerns regarding the release of funds, in particular the length of time it took for their last request to be processed.

The Committee confirmed the following process for future applications:

- Written request to the Trust is required by MacMasters Beach Bushcare Group (on letterhead and authorised by the Committee) and identifying any specific timeframe around the funds.
- The Trust Convenor to convene a meeting of the Trust to consider the request within 14 days of the application being received.
- The recommendation of the Trust be then forwarded to the next practicable Ordinary Meeting of Council for consideration.
- If Council resolves to release the funds, that they be released within 30 days of the Council resolution.

Action: Following adoption of the Committee minutes by Council, the Protection of the Environment Trust to write to the MacMasters Beach Bushcare group clarifying the process for future applications.

c) PoET Grants program for 2019

The Mayor raised the matter of Protection of the Environment Trust Grants. Each year, PoET provides a grants program utilising interest generated by the Trust and in keeping with the objectives of the Trust.

Action: Advisory Group Support Officer to circulate Grant Program Guidelines to the Committee that were included in the 2018/19 Protection of the Environment Trust Round, for review and comments.

The Mayor asked the Committee to give consideration to a "Volunteer Research" element of the grants program (similar to programs run by Earthwatch) and will circulate further information for the next meeting.

Action: Mayor to circulate information to Committee regarding Volunteer Research activities, prior to the next meeting.

d) Promotion of the Trust for donations

The Mayor raised the matter of a Promotions Strategy for the Trust. Shane indicated that it was unlikely that internal Council staff could provide support for this. The Mayor provided a list of activities that had previously been considered as part of a strategy with mixed results in terms of success.

Action: Shane Sullivan to have a discussion with the Communications team to identify opportunities and avenues for promotions and marketing of the Trusts.

e) Financial Report

Joy Cooper requested a Statement of Finances for the Trust to be provided at each meeting

Action: Finance report to be a standing item on future agendas.

The meeting closed at 4.44pm

Next Meeting: **Tuesday 26 March 2019**
 11am – 12pm
 Central Coast Council Gosford Admin Building
 Level 1 Committee Room
 49 Mann Street, Gosford