

# Protection of the Environment Trust (PoET) Management Committee Meeting Record 6 August 2019



Location:	Central Coast Council Gosford Office Level 1 Committee Room 49 Mann Street, Gosford
Date:	6 August 2019
Time	Started at: 3.02pm Closed at: 4.08pm
Chair	Mayor Jane Smith
File Ref	F2018/00732

**Present:**

Mayor Jane Smith, Gary Murphy, Joy Cooper, Barbara Wills, Gary Chestnut

**Staff present:**

James Taylor – On behalf of Shane Sullivan - Unit Manager Governance and Business Services, Luke Sulkowski – Unit Manager Natural and Environmental Assets, Christine Jarvis – Assistant Property Development Manager, Kelly Drover – Advisory Group Support Officer

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**Item 1                    Welcome, Apologies and Acknowledgement of Country**

Apologies received: Shane Sullivan

The Chairperson, Mayor Jane Smith, declared the meeting open and completed an Acknowledgement of Country and Connection to Land statement.

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**Item 2                    Disclosure of Interest**

The Mayor called for any declarations of interest.

Mayor Smith declared a less than significant non-pecuniary interest as the former Voluntary CEO and Board member of the Community Environment Network (CEN).

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**Item 3                    Confirmation of Previous Meeting Record**

The Committee confirmed the Meeting Record from 28 June 2019.

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**Item 4                    Action Log**

The Committee discussed the Action Log.

Action tem 2 – Terms of Reference - The Committee agreed to defer this item for a future meeting, to be determined by the Director Governance once Council has received the legal advice on the Trusts.

Action Item 33 – Properties of concern – To be deferred till after the Councillor Workshop on the Consolidated LEP.

Action Item 45 – EOI for Citizen Science and Research program – To be put on hold for a future meeting.

Action Item 51 – Somersby Industrial Estate – Luke Sulkowski to follow up with planning staff.

Action Item 56 – Council seeking Legal advice on the Trusts – The Committee requested a timeframe on this.

**Action:** Unit Manager Governance and Business Services to provide an update and timeframe to the Committee on the legal advice Council is seeking on the Trusts.

#### **Item 5                      Review of Draft Terms of Reference (Action item 2)**

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The Committee agreed to defer this item for a future meeting, to be determined by the Director Governance once Council has received the legal advice on the Trusts.

#### **Item 6                      Hillview Street Donation (Action Item 47)**

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Luke Sulkowski provided the Committee with a presentation on the Fund deposit – Umina Coastal Sandplain Woodland.

The Committee discussed the issue of whether the Management Plan is a Land Environment Court decision, not the Joint Regional Planning Panel and the conditions of consent should be reviewed.

The Condition of Consent states that *“the ETF is to be utilised for the rehabilitation and management of other remnant parcels of Umina Coastal Sandplain Woodland within the locality in consultation with the Department of Environment and Conservation”*.

**Action:** The Committee request clarification from Unit Manager Natural and Environmental Assets as to whether the provision of the \$225,000 is specific to the Hillview Street site or other localities in that area with the Endangered Ecological Community.

**Action:** Unit Manager Governance and Business Services to seek clarification from the Finance team regarding Tax deductibility on donations to the Trust and provide advice back to the PoET Management Committee.

**Action:** Advisory Group Support Officer to distribute slides from this presentation and link to the Umina Coastal Sandplain Woodland Endangered Ecological Community Restoration and Rehabilitation Management Plan to Committee members.

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**Item 7 Management Issues identified in Perpetuity Management Plan (Action Item 48)**

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Mayor Smith declared a less than significant non-pecuniary interest as the former Voluntary CEO and Board member of the Community Environment Network (CEN) and involvement with the COSS Connections Project.

Gary Chestnut declared a significant pecuniary interest as he was directly involved with the COSS Connections Project. Gary left the room for the discussion of this item.

Luke Sulkowski provided the Committee with a presentation on the Perpetuity Management Plan for The Scenic Road Reserve.

The information provided is that (former) NSW Fire & Rescue made a one off payment of \$94,475.90 to Council and Council resolved to transfer the funds to PoET. However the PoET finance report indicates a closing balance for 'Conservation Agreement COSS The Scenic Rd' of \$88,646.24.

**Action:** Luke Sulkowski to clarify the amount for 'Conservation Agreement COSS The Scenic Rd'.

**Action:** Advisory Group Support Officer to provide the Perpetuity Management Plan to Committee Members.

**Action:** Within the next 2 meetings, Unit Manager Natural and Environmental Assets to develop a draft work program, budget and resourcing plan in accordance with actions identified in the Perpetuity Management Plan for consideration by the Protection of the Environment Trust Management Committee.

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**Item 8 Grant Funding Project and Trust Expenditure since Amalgamation (Action Item 49)**

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Luke Sulkowski provided the Committee with a presentation on PoET funding projects since 2016.

Mayor Smith declared a less than significant non-pecuniary interest as the former Voluntary CEO and Board member of the Community Environment Network (CEN) as CEN was successful in receiving previous grant funding from PoET.

**Action:** Advisory Group Support Officer to distribute slides from this presentation to Committee members.

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**Item 9 COSS Action Items**

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An action from the 29 May 2019 COSS Meeting was as follows:

*On behalf of the COSS Committee, staff request the PoET Management Committee consider allocating funds towards the promotion of COSS initiatives.*

**Recommendation:**

- a) That Committee allocates funding towards the promotion of the Protection of the Environment Trust Management Committee/COSS.

- b) Advice to be sought from the Communications team as to an appropriate budget and the process for the promotion activities.

Mayor Smith advised that she has been approached by former Gosford Council staff including Rod Williams, Nic Pasternatsky, and former Mayors Robert Bell and Malcolm Brooks on documenting the history of COSS.

**Action:** The Committee endorse a meeting being convened by the Mayor with the former Gosford staff members/Councillors regarding documenting the history of COSS. The outcome of this meeting to be brought back to the PoET management committee for further consideration.

## **Item 10                    Promotion of the Trusts**

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The Committee discussed the information provided by Shane Sullivan on Philanthropy Australia and agreed that it is not a suitable option for the Trust at this stage.

The Committee reviewed the fact sheet on Council's website for donating to the Trusts. Noted that donating to the Trust was not an easy process and required a number of steps. Committee requested that Council provide a mechanism to donate to the Trust via Council's website.

**Action:** The Unit Manager Governance and Business Services to give consideration to streamlining the online FAQ and donation process.

## **Item 11                    Finance Report (Standing Agenda Item)**

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The Committee discussed the Finance Report for the Protection of the Environment Trust.

The following requests/clarification were sought in regard to the finance report:

- The \$225,000 General donations – a separate line item be shown for Umina Coastal Sandplain Woodland (45 Hillview Street, Woy Woy).
- Clarification to be sought around the fact the \$225,000 General Donations had been incorrectly put in the Council General Fund and was only transferred to the PoET account 28 February 2019. Advice to be sought from Finance as to what processes are being put in place to ensure this doesn't happen in the future.
- Clarification to be sought around whether the Protection of the Environment Trust account 032627 388703 is a Trust account or Public Fund Trust account. Future finance figures to be presented more clearly.
- Clarification to be sought regarding a signatory needing to be designated to sign on behalf of the Public Trust which would need to be a member of the Protection of the Environment Trust Management Committee.

**Action:** Unit Manager Governance and Business Services to liaise with the Finance Department in regard to the finance reporting for PoET addressing the above mentioned issues.

**Item 12                    General Business and Close**

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The meeting closed at 4.08pm

**Next Meeting:            Tuesday 5 November 2019**  
**3pm – 4pm**  
**Level 1 Committee Room**  
**Gosford Admin Building**  
**49 Mann Street, Gosford**