



Central Coast Council

Minutes of the Ordinary Meeting of Council Held remotely – online on 13 July 2020

Present

Mayor Lisa Matthews and Councillors Greg Best, Jillian Hogan, Kyle MacGregor, Doug Vincent, Chris Burke, Chris Holstein, Bruce McLachlan, Jilly Pilon, Rebecca Gale, Louise Greenaway, Jeff Sundstrom, Richard Mehrtens and Jane Smith.

In Attendance

Gary Murphy (Chief Executive Officer), Boris Bolgoff (Director Roads, Transport, Drainage and Waste), Julie Vaughan (Director Connected Communities), Scott Cox (Director Environment and Planning), Jamie Loader (Director Water and Sewer), Ricardo Martello (Executive Manager Innovation and Futures), Carlton Oldfield (Acting Chief Finance Officer) and Shane Sullivan (Unit Manager Governance and Business Services).

The Mayor, Lisa Matthews, declared the meeting open at 6.31pm.

Councillor Best was absent from the commencement of the meeting at 6.31pm and joined the meeting at 6.35pm.

At the request of the Mayor, Mr Gary Murphy, Chief Executive Officer advised that the meeting will be held remotely in accordance with section 747A of The Local Government Act 1993 clause 1(a)(i). Councillors were also reminded to adhere to the relevant policies and procedures including the Code of Meeting Practice and Code of Conduct. The Mayor, Lisa Matthews, advised in accordance with the Code of Meeting Practice that the meeting is being recorded and read an acknowledgement of country statement.

The reports are recorded in their correct agenda sequence.

Apologies

Moved: **Councillor Vincent**
Seconded: **Councillor MacGregor**

Resolved

684/20 That Council note that Councillor Marquart was granted a leave of absence at the 22 June 2020 Ordinary Meeting for tonight's meeting.

For:
Unanimous

1.1 Disclosures of Interest

2.1 Agency Consultation Submission - Planning Proposal - 250 Reeves Street, Somersby

Councillor Sundstrom declared a pecuniary interest in the matter as he is an alternative delegate on the Joint Regional Planning Panel and may be required to consider this item in that forum. Councillor Sundstrom left the meeting at 6.44pm, returned at 6.56pm and did not participate in discussion on this matter.

Councillor MacGregor declared a pecuniary interest in the matter as he is a Council delegate on the Joint Regional Planning Panel and the panel will be considering this application. Councillor MacGregor left the meeting at 6.44pm, returned at 6.57pm and did not participate in discussion on this matter.

Councillor Burke declared a pecuniary interest in the matter as he is a Council delegate on the Joint Regional Planning Panel and the panel will be considering this application. Councillor Burke left the meeting at 6.45pm, returned at 6.56pm and did not participate in discussion on this matter.

Councillor Smith noted that she will not participate in this matter when it goes before the Joint Regional Planning Panel as she will have participated in discussion and debate of this item at Council. This is in accordance with the Joint Regional Planning Panel Code of Conduct (Clause 3.22).

3.7 Gosford Regional Library Design Opportunity

Councillor Holstein declared a significant non pecuniary interest in the matter as his employer is a tenant of Parkside. Councillor Holstein left the meeting at 7.49pm, returned at 8.34pm and did not participate in discussion on this matter.

4.7 Working Together Staying Strong COVID Grants – May 2020

Councillor Holstein declared a significant non pecuniary interest in the matter as he currently works for a not for profit organisation that was successful in receiving a grant.

Councillor Hogan declared a pecuniary interest in the matter as she works with most of the grant recipients in the community sector.

This item was resolved by the exception method.

Moved: **Councillor Gale**
Seconded: **Councillor Hogan**

Resolved

685/20 That Council receive the report on Disclosure of Interest and note advice of disclosures.

For:
Unanimous

1.2 Confirmation of Minutes of Previous Meeting

Moved: Councillor Holstein
Seconded: Councillor MacGregor

Resolved

686/20 That Council confirm the minutes of the Ordinary Meeting of Council held on the 22 June 2020 and the Extraordinary Meeting of the Council held on 29 June 2020.

For:
Unanimous

1.3 Notice of Intention to Deal with Matters in Confidential Session

Moved: Councillor Sundstrom
Seconded: Councillor Hogan

Resolved

687/20 That Council resolve that the following matters be dealt with in closed session, pursuant to s. 10A(2)(d) of the Local Government Act 1993 for the following reasons:

Item 7.1 – Warnervale Town Centre Contract

Reason for considering in closed session:

2(d) commercial information of a confidential nature that would, if disclosed:

(ii) confer a commercial advantage on a competitor of the Council

That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that this report and Attachment 1 remain confidential in accordance with section 10A(2)(d)(ii) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Council's ability to obtain value for money services for the Central Coast community.

For:
Mayor Matthews, Councillors Best, Burke, Hogan, Holstein, MacGregor, McLachlan, Mehrtens, Smith, Sundstrom and Vincent

Against:
Councillors Gale, Greenaway and Pilon

Procedural Motion – Exception

Moved: Councillor Vincent

Seconded: Councillor Gale

Resolved

688/20 That Council adopt the following items as a group and in accordance with the report recommendations:

Item #	Item Title
3.3	Response to Question with Notice - Big Prawn
3.5	Meeting Record of the Gosford Foundation Trust Management Committee meeting held 26 May 2020
3.6	Meeting Record of the Protection of the Environment Trust Management Committee meeting held on 26 May 2020
4.1	Meeting Record of the Water Management Advisory Committee meeting held 27 May 2020
4.2	Meeting Record of the Gosford CBD and Waterfront Advisory Committee meeting held on 14 May 2020
4.3	Meeting Record of the Companion Animals Advisory Committee meeting held 28 May 2020
4.4	Meeting Record of the Town Centre Advisory Committee meeting held on 19 May 2020
4.5	Meeting Record of the Status of Women Advisory Group meeting held 2 June 2020
4.6	Meeting Record of the Tourism Advisory Committee meeting held 3 June 2020
4.7	Working Together Staying Strong COVID Grants – May 2020
7.1	Warnervale Town Centre Contract (Confidential)

689/20 That Council discuss the following items individually:

Item #	Item Title
2.1	Agency Consultation Submission - Planning Proposal - 250 Reeves Street, Somersby
3.1	Land Transaction Policy
3.2	Continuation of Level 1 Water Restrictions
3.4	Councillor Remuneration
3.7	Gosford Regional Library Design Opportunity
6.1	Notice of Motion - Council request for Chief Executive Officer to

Item #	Item Title
	<i>investigate revenue options and modelling for Central Coast Council</i>
6.2	<i>Notice of Motion - Ruling out rotting red bins</i>
6.3	<i>Notice of Motion - Significant Tree Register</i>

For:
Unanimous

2.1 Agency Consultation Submission - Planning Proposal - 250 Reeves Street, Somersby

Councillor Sundstrom declared a pecuniary interest in the matter as he is an alternative delegate on the Joint Regional Planning Panel and may be required to consider this item in that forum. Councillor Sundstrom left the meeting at 6.44pm, returned at 6.56pm and did not participate in discussion on this matter.

Councillor MacGregor declared a pecuniary interest in the matter as he is a Council delegate on the Joint Regional Planning Panel and the panel will be considering this application. Councillor MacGregor left the meeting at 6.44pm, returned at 6.57pm and did not participate in discussion on this matter.

Councillor Burke declared a pecuniary interest in the matter as he is a Council delegate on the Joint Regional Planning Panel and the panel will be considering this application. Councillor Burke left the meeting at 6.45pm, returned at 6.56pm and did not participate in discussion on this matter.

Councillor Smith noted that she will not participate in this matter when it goes before the Joint Regional Planning Panel as she will have participated in discussion and debate of this item at Council. This is in accordance with the Joint Regional Planning Panel Code of Conduct (Clause 3.22).

Councillor Best left the meeting at 6.45pm and returned to the meeting at 6.49pm.

Moved: **Councillor Smith**
Seconded: **Councillor Greenaway**

Resolved

690/20 That Council note the following matters of concern in relation to this proposal and amend the submission:

a The site is located within the area relevant to Sydney Regional Environmental Plan No 8 (Central Coast Plateau Areas) [NSW] which includes the following aims:

(a) to provide for the environmental protection of the Central Coast

plateau areas and to provide a basis for evaluating competing land uses,

- (g) to protect the natural ecosystems of the region, and*
- (h) to maintain opportunities for wildlife movement across the region, and*
- (i) to discourage the preparation of draft local environmental plans designed to permit rural residential development,*

- b That SREP8 Clause 8(3) states that "A council shall not consent to development on land to which this plan applies where, in its opinion, the carrying out of the development shall result in the destruction of sedgeland".*
- c Noting that although Council is not the consent authority, Council is particularly concerned about the potential impact of development of this land upon sedgeland.*
- d Note that this location drains into the Narara Creek catchment and that potential impacts on flooding should be articulated and considered in the proposal.*
- e That Council note that the COSS Strategy identifies that the "primary purpose of the COSS is to maintain areas of native vegetation and habitat for native animals on public land in the eastern part of the Gosford Local Government Area" and that Council also note that the site is identified for acquisition as part of the Council's Coastal Open Space System (COSS) due to its significant environmental and cultural values.*
- f That Council's submission request further consultation with the Department of Planning, /industry and Environment on the mechanisms to bring appropriate lands related to this proposal into COSS.*

691/20 *That Council endorse the Agency Consultation Submission for the Planning Proposal at 250 Reeves Street, Somersby (refer to Attachments 3 and 4) amended to include points from (1).*

692/20 *That Council request the Chief Executive Officer forward the submission to the Department of Planning, Industry and Environment for consideration.*

693/20 *That Council request the Chief Executive Officer provide a briefing to Councillors during any exhibition period, and before a submission is prepared, to identify any further matters relevant to the proposal.*

For:

Mayor Matthews, Councillors Greenaway, Hogan, Holstein, Mehrtens, Smith and Vincent

Against:

Councillors Best, Gale, McLachlan and Pilon

3.1 Land Transaction Policy

Moved: Councillor Smith
Seconded: Councillor Vincent

Resolved

694/20 That Council place the draft Central Coast Council Land Transaction Policy on public exhibition for 28 days.

695/20 That Council consider a further report on the results of the public exhibition.

For: Mayor Matthews, Councillors Best, Burke, Greenaway, Hogan, Holstein, MacGregor, McLachlan, Mehrtens, Pilon, Smith, Sundstrom and Vincent	Against: Councillor Gale
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3.2 Continuation of Level 1 Water Restrictions

Moved: Councillor Gale
Seconded: Councillor Holstein

Resolved

696/20 That Council endorse the Chief Executive Officer (CEO) to not transition to Water Wise Rules once Mangrove Creek Dam (MCD) reaches 55%, noting that a reassessment of the decision would occur at a suitable Council meeting in November 2020.

697/20 That Council endorse the CEO to enact future increases in Water Restriction Levels (ie. Progressing from Water Wise Rules through to Level 5 Water Restrictions) in-line with the established triggers without a resolution from Council, noting a report to Council would be required if a trigger level were reached and the CEO did not enact the associated increase in Water Restriction Level.

698/20 That Council require that any decision to decrease Water Restriction Levels (ie. Progressing from Level 5 Water Restrictions through to Water Wise Rules) or remain on the current Water Restriction Level is to be made by way of a Council Resolution within one month of the relevant Water Restriction Level being reached.

699/20 That Council notes that future transitions between Water Wise Rules and Water Restriction Levels (up or down) will consider the storage-based trigger levels as a guide and decision point, and that staff will consider a broad range of factors influencing the security of the water supply and may make

recommendations that differ from the storage-based triggers from time to time.

For:
Unanimous

3.3 Response to Question with Notice - Big Prawn

This item was resolved by the exception method.

Moved: Councillor Vincent
Seconded: Councillor Gale

Resolved

700/20 That Council receive the report on the Big Prawn.

701/20 That Council resolve to cease further investigations on the matter.

For:
Unanimous

3.4 Councillor Remuneration

Councillor Greenaway left the meeting at 7.29pm and returned at 7.30pm.

Moved: Councillor Best
Seconded: Councillor McLachlan

- 1 *That Council note the determination made by the Local Government Remuneration Tribunal made 10 June 2020 in respect of Councillor and Mayoral fees.*
- 2 *That Council fix the annual fee to be paid to each Councillor to remain at the same level as determined for 2019/20 annual fee pursuant to s.248(2) of the Local Government Act 1993.*
- 3 *That Council fix the annual fee to be paid to the Mayor to remain at same level as determined for 2019/20 annual fee pursuant to s.249(3) of the Local Government Act 1993.*
- 4 *That Council determine, pursuant to s.249(5) of the Local Government Act 1993, that an annual fee remain at the same level as determined for 2019/2020 fees be paid to the Deputy Mayor, with that fee to be deducted from the annual fee paid to the Mayor in accordance with resolution 3 above.*

Amendment Moved: Councillor Holstein

Amendment Seconded: Councillor Smith

- 1 *That Council note the determination made by the Local Government Remuneration Tribunal made 10 June 2020 in respect of Councillor and Mayoral fees.*
- 2 *That Council fix the annual fee to be paid to each Councillor at \$32,040 pursuant to s.248(2) of the Local Government Act 1993.*
- 3 *That Council fix the annual fee to be paid to the Mayor at \$99,800 pursuant to s.249(3) of the Local Government Act 1993.*
- 4 *That Council determine, pursuant to s.249(5) of the Local Government Act 1993, that an annual fee of \$9,980 be paid to the Deputy Mayor, with that fee to be deducted from the annual fee paid to the Mayor in accordance with resolution 3 above.*

For:

Mayor Matthews, Councillors Greenaway, Hogan, Holstein, MacGregor, Mehrtens, Smith and Sundstrom

Against:

Councillors Best, Burke, Gale, McLachlan, Pilon and Vincent

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

Moved: Councillor Holstein

Seconded: Councillor Smith

Resolved

702/20 *That Council note the determination made by the Local Government Remuneration Tribunal made 10 June 2020 in respect of Councillor and Mayoral fees.*

703/20 *That Council fix the annual fee to be paid to each Councillor at \$32,040 pursuant to s.248(2) of the Local Government Act 1993.*

704/20 *That Council fix the annual fee to be paid to the Mayor at \$99,800 pursuant to s.249(3) of the Local Government Act 1993.*

705/20 *That Council determine, pursuant to s.249(5) of the Local Government Act 1993, that an annual fee of \$9,980 be paid to the Deputy Mayor, with that fee to be deducted from the annual fee paid to the Mayor in accordance with resolution 3 above.*

For:

Mayor Matthews, Councillors Greenaway, Hogan, Holstein, MacGregor, Mehrtens,

Against:

Councillors Best, Burke, Gale, McLachlan, Pilon and Vincent

Smith and Sundstrom

3.5 Meeting Record of the Gosford Foundation Trust Management Committee meeting held 26 May 2020

This item was resolved by the exception method.

Moved: ***Councillor Vincent***

Seconded: ***Councillor Gale***

Resolved

706/20 ***That Council note the Meeting Record of the Gosford Foundation Trust Management Committee held 26 May 2020 that is Attachment 1 to this report.***

707/20 ***That Council as Trustee approve the spend of \$910 per annum for the operation of a Gosford Foundation Trust website and that this be funded from the Fund.***

For:

Unanimous

3.6 Meeting Record of the Protection of the Environment Trust Management Committee meeting held on 26 May 2020

This item was resolved by the exception method.

Moved: ***Councillor Vincent***

Seconded: ***Councillor Gale***

Resolved

708/20 ***That Council note the Meeting Record of the Protection of the Environment Trust Management Committee held on 26 May 2020 that is Attachment 1 to this report.***

709/20 ***That Council as Trustee approve the spend of \$910 per annum for the operation of the website and that this be funded from the Public Fund.***

For:

Unanimous

3.7 Gosford Regional Library Design Opportunity

Councillor Holstein declared a significant non pecuniary interest in the matter as his employer

is a tenant of Parkside. Councillor Holstein left the meeting at 7.49pm, returned at 8.34pm and did not participate in discussion on this matter.

Councillor Greenaway left the meeting at 8.08pm and returned to the meeting at 8.10pm.
Councillor Burke left the meeting at 8.09pm and returned to the meeting at 8.11pm.
Councillor Sundstrom left the meeting at 8.10pm and returned to the meeting at 8.11pm.
Councillor Greenaway left the meeting at 8.11pm and returned to the meeting at 8.12pm.

Moved: Councillor Gale

Seconded: Councillor Sundstrom

- 1 *That Council note the report on the Gosford Regional Design Opportunity.*
- 2 *That Council request the Chief Executive Officer to continue to develop designs and full documentation for a standalone library consistent with the resolution of 9 December 2019.*

Amendment Moved: Councillor Vincent

Amendment Seconded: Councillor MacGregor

- 1 *That Council note the report on the Gosford Regional Design Opportunity.*
- 2 *That Council request the Chief Executive Officer to continue to develop designs and full documentation for a standalone library consistent with the resolution of 9 December 2019.*
- 3 *That Council request the Chief Executive Officer to investigate the inclusion of the development of designs that include additional provisions for parking including one level of basement parking which would equate up to 35 additional car parking spaces.*

*For:
Councillors MacGregor and Vincent*

*Against:
Mayor Matthews, Councillors Best, Burke,
Gale, Greenaway, Hogan, McLachlan,
Mehrtens, Smith and Sundstrom*

Abstained: Councillor Pilon

The Amendment was put to the vote and declared LOST.

Moved: Councillor Gale

Seconded: Councillor Sundstrom

Resolved

710/20 That Council note the report on the Gosford Regional Design Opportunity.

711/20 That Council request the Chief Executive Officer to continue to develop designs and full documentation for a standalone library consistent with the resolution of 9 December 2019.

For:
Mayor Matthews, Councillors Burke, Gale, Greenaway, Hogan, Mehrtens, Smith and Sundstrom

Against:
Councillors Best, MacGregor, McLachlan and Vincent

Abstained: Councillor Pilon

4.1 Meeting Record of the Water Management Advisory Committee meeting held 27 May 2020

This item was resolved by the exception method.

Moved: Councillor Vincent
Seconded: Councillor Gale

Resolved

712/20 That Council receive the report on Meeting Record of the Water Management Advisory Committee meeting held 27 May 2020.

For:
Unanimous

4.2 Meeting Record of the Gosford CBD and Waterfront Advisory Committee meeting held on 14 May 2020

This item was resolved by the exception method.

Moved: Councillor Vincent
Seconded: Councillor Gale

Resolved

713/20 That Council receive the report on Meeting Record of the Gosford CBD and Waterfront Advisory Committee meeting held on 14 May 2020.

For:
Unanimous

4.3 Meeting Record of the Companion Animals Advisory Committee meeting held 28 May 2020

This item was resolved by the exception method.

Moved: Councillor Vincent

Seconded: **Councillor Gale**

Resolved

714/20 That Council receive the report on Meeting Record of the Companion Animals Advisory Committee meeting held 28 May 2020.

For:
Unanimous

4.4 Meeting Record of the Town Centre Advisory Committee meeting held on 19 May 2020

This item was resolved by the exception method.

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

Resolved

715/20 That Council receive the report on Meeting Record of the Town Centre Advisory Committee meeting held on 19 May 2020.

For:
Unanimous

4.5 Meeting Record of the Status of Women Advisory Group meeting held 2 June 2020

This item was resolved by the exception method.

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

Resolved

716/20 That Council receive the report on Meeting Record of the Status of Women Advisory Group meeting held 2 June 2020.

For:
Unanimous

4.6 Meeting Record of the Tourism Advisory Committee meeting held 3 June 2020

This item was resolved by the exception method.

Moved: Councillor Vincent
Seconded: Councillor Gale

Resolved

717/20 That Council receive the report on Meeting Record of the Tourism Advisory Committee meeting held 3 June 2020.

For:
Unanimous

4.7 Working Together Staying Strong COVID Grants – May 2020

Councillor Holstein declared a significant non pecuniary interest in the matter as he currently works for a not for profit organisation that was successful in receiving a grant.

Councillor Hogan declared a pecuniary interest in the matter as she works with most of the grant recipients in the community sector.

This item was resolved by the exception method.

Moved: Councillor Vincent
Seconded: Councillor Gale

Resolved

718/20 That Council receive the report on the Working Together Staying Strong Grant Program May 2020 applications as outlined in the following report and Attachments 1 and 2.

For:
Unanimous

6.1 Notice of Motion - Council request for Chief Executive Officer to investigate revenue options and modelling for Central Coast Council

Councillor Holstein left the meeting at 8.34pm and did not return.

Moved: Councillor MacGregor
Seconded: Councillor Vincent

Resolved

719/20 That Council request the Chief Executive Officer to conduct a Councillor

workshop that discusses our revenue base and model and its relationship to expenditure within our organisation.

720/20 *That the Chief Executive Officer consider further options for revenue raising and expenditure in line with the following principles:*

- a Council ensures a high level of community engagement and consultation in order to effectively engage the community, including opportunities for participatory budgeting.*
- b That Council maintains a high level of services in order to meet community expectations including in areas such as garbage pick ups, bulk curb side collections, libraries, childcare centres, sporting and recreation facilities, community facilities, community based and senior citizen programmes.*
- c Council prioritises in-house delivery of services and functions in preference to contracting externally.*

721/20 *Prior to this workshop, the Chief Executive Officer circulate information to Councillors as the basis for discussion regarding the following:*

- a a review of current revenue sources and comparison with other comparable councils to compare our existing revenue base and model to other leading councils across NSW and Australia.*
- b a review of what other councils in other nations are doing to raise revenue that could be considered within the confines of the Local Government Act 1993 or any other relevant state or federal legislation relevant to our revenue raising capacity.*
- c new or alternative arrangements for increasing the revenue base for Central Coast Council.*
- d an outline of the mechanism of special rate variations for specific purposes ie a small levy of one dollar per rate payer to pay for footpaths or similar community infrastructure as part of our submission and plans for rate harmonisation.*
- e review of developer contributions that have already been received since 2012 and that these funds are being spent as intended in areas they were collected for.*
- f a review of whether developer contributions collected have been adequate to cover infrastructure and community development since their significant reductions over the past decade or more by former councils.*
- g opportunities for reductions in current costs through existing and*

emerging opportunities such as the production and on sale of renewable energy and efficiencies around economies of scale created through the amalgamation process.

- h the potential for the delivery of affordable housing and direct provision of accommodation to meet the needs of a population projected to grow by up to 100,000 by 2036.*
- i opportunities that may exist through the financial sector regarding record low interest rates on loans that are currently available.*
- j a draft engagement strategy for the workshop showing how Council will fully consult with the community in the lead up to rates harmonisation. The draft engagement strategy should ensure that Council fully consult with the community with genuine and detailed community consultation offering a variety of models for rate harmonisation as part of the consultation process for rates harmonisation ie. model a, b, c, as has been the case with taxation and revenue reform by government bodies in the past*

722/20 *That Council note the legacy of decisions made by the former Wyong Council to implement a Special Rate Variation as determined by IPART on Tuesday the 11th of June 2013. Resulting in a cumulative rise of 30.59% over 4 years from 2013/14, which was over 17.6% above the then rate peg and equated to a rise in rates of roughly 3% each year from 2013/14.*

723/20 *That Council request the Chief Executive Officer to report on the results of this investigation and workshop to Council by March 2021.*

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

Against:
Councillors Best, Burke, Gale, McLachlan and Pilon

6.2 Notice of Motion - Ruling out rotting red bins

Councillor Holstein left the meeting at 8.34pm and did not return.

Councillor Sundstrom left the meeting at 9.27pm and returned to the meeting at 9.29pm.

Moved: Councillor Best

Seconded: Councillor Gale

- 1 That Council notes with great concern that the recently exhibited Central Coast Waste Strategy makes numerous references encouraging the reduction of red bin pick up cycles as an environmental and cost saving device.*
- 2 That also Council notes under significant Green Group pressure a number of sister Councils have now already moved to withdraw services to a fortnightly red bin pick up.*

- 3 *That further to Council recently voting to increase rates by a further \$4.4 million, lifting the annual total rate take to \$335.5 million dollars, Council now not reduce its services through RULING OUT reducing the red bin pick up by 50% to fortnightly.*
- 4 *That Council recognises the COVID pressure that our Community is currently under and that this should not be magnified to escalating public health concerns through emissions from pungent red bins.*

Amendment Moved: Councillor Smith

Amendment Seconded: Councillor Vincent

- 1 *That Council note that staff are is currently reviewing the submissions received from the public exhibition period of the draft Central Coast Resource Management Strategy with a further report to come to Council.*
- 2 *That Council consider this matter as part of the finalisation of the Central Coast Resource Management Strategy.*

*For:
Councillors Greenaway, Hogan, MacGregor,
McLachlan, Mehrtens, Smith, Sundstrom and
Vincent*

*Against:
Mayor Matthews, Councillors Best, Burke,
Gale and Pilon*

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

Moved: Councillor Smith

Seconded: Councillor Vincent

Resolved

724/20 ***That Council note that staff are currently reviewing the submissions received from the public exhibition period of the draft Central Coast Resource Management Strategy with a further report to come to Council.***

725/20 ***That Council consider this matter as part of the finalisation of the Central Coast Resource Management Strategy.***

For:
**Councillors Greenaway, Hogan,
MacGregor, McLachlan, Mehrtens, Smith,
Sundstrom and Vincent**

Against:
**Mayor Matthews, Councillors Best,
Burke, Gale and Pilon**

6.3 Notice of Motion - Significant Tree Register

Councillor Holstein left the meeting at 8.34pm and did not return.

Councillor Sundstrom left the meeting at 9.53pm and returned to the meeting at 9.54pm.

Moved: Councillor Greenaway

Seconded: Councillor Hogan

Resolved

726/20 That Council acknowledges the valuable contribution of community members who nominate trees for the Significant Tree Register.

727/20 That Council notes that the Significant Tree Register lists a range of trees; some are native species, but others are of historical, cultural significance or heritage value.

728/20 That Council requests the Chief Executive Officer to take the appropriate steps to remove the \$250 fee from the Fees and Charges, noting that there had previously been no fee involved with the Significant Tree Register when it was maintained by Gosford City Council.

729/20 That Council request the Chief Executive Officer to investigate the opportunities for providing long term protection to the Trees listed on the register and that a (remote) meeting between relevant staff and any interested councillors be convened for this purpose before the end of August 2020. In order to progress this matter, two councillors are sufficient for the purposes of the meeting.

For:

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

Against:

Councillors Best, Burke, Gale and Pilon

The confidential report was adopted by the exception method (minute 617/20) and therefore the resolutions are reported as follows;

7.1 Warnervale Town Centre Contract

Moved: Councillor Vincent

Seconded: Councillor Gale

Resolved

730/20 That Council approve the following variations to the contract dated 1 August 2017 between Central Coast Council and Lirun Developments Pty Ltd for the sale of the Warnervale Town Centre site at Sparks Road Warnervale:

- A 12-month extension to the sunset dates under the contract for the issue of a Site Audit Statement and the registration of the plan of

- **consolidation and the plan of subdivision, to 1 August 2021; and**
Addition of a new special condition to provide that if methane gas levels detected in the landfill gas monitoring network exceed the validation criteria in January 2021, then Council can rescind the contract.

731/20 That Council note that any variation to the contract will be subject to the agreement of the purchaser.

732/20 That Council authorise the Chief Executive Officer to enter into negotiations with the purchaser for a period of 6-months, commencing immediately, to vary the existing contract or enter into a new contract to replace the existing contract for the sale of part of the Warnervale Town Centre site, excluding areas required for an additional landfill buffer area, in the event that methane gas levels detected in the landfill gas monitoring network exceed the validation criteria in January 2021.

733/20 That any new contract is to be substantially on the same terms as the existing contract, including pricing, except for amendments or pro-rata price adjustments necessary to give effect to the sale of part of the property.

734/20 That any new contract will be approved by Council resolution.

735/20 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that this report and its attachments remain confidential in accordance with section 10A(2)(g) of the Local Government Act as it contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege, and consideration of the matter in open Council would, on balance be contrary to the public interest as it would affect Council's ability to manage legal matters effectively and in the best interests of the Central Coast community.

For:

Unanimous

The Meeting closed at 10.23 pm.