



Central Coast Council

Minutes of the Ordinary Meeting of Council Held remotely - online on 11 May 2020

Present

Mayor Lisa Matthews and Councillors Greg Best, Jillian Hogan, Kyle MacGregor, Doug Vincent, Troy Marquart, Chris Burke, Chris Holstein, Bruce McLachlan, Jilly Pilon, Rebecca Gale, Louise Greenaway, Jeff Sundstrom, Richard Mehrstens 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 6.33pm.

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 MacGregor**

Seconded: **Councillor Sundstrom**

Resolved

358/20 That Council note there are no apologies or leaves of absence.

For:

Unanimous

Public Forum

The Mayor, Lisa Matthews advised that due to the technical constraints Council would not be holding the Public Forum prior to the meeting and those that wish to submit a written submission were welcome to do so. The following written submissions were received prior to the meeting, distributed to all Councillors and those indicated below were read out for the public record;

Item 2.1 - DA/56500/2019 - 216 - 220 Memorial Avenue Ettalong Beach - Five Storey Hotel Building with Ancillary Restaurant/Cafe, Bar and Function Facilities

Against

- Peter Gillis – read into meeting record
- Baher Awad – read into meeting record
- Bruce Madden

For

- Giovanni Cirillo – read into meeting record
- Vince Squillace – read into meeting record
- Matthew Wales

1.1 Disclosures of Interest

Item 3.1 – Landcare Program Strategy

Councillor Vincent declared a pecuniary interest in the matter as his employer in the past has supported volunteers in this program. Councillor Vincent left the meeting at 7.39pm, returned at 8.13pm and did not participate in discussion on this matter.

Councillor Sundstrom declared a less than significant non pecuniary interest in the matter as he has participated in the Copacabana Land Care. He chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

Item 3.2 - Constitution of Central Coast Local Planning Panel

Councillor Holstein declared a significant non pecuniary interest in the matter as one of the candidates is a relation. Councillor Holstein left the meeting at 8.14pm, returned at 8.50pm and did not participate in discussion on this matter.

Councillor Smith declared a less than significant non pecuniary interest in the matter as she knows a number of the applicants. She chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence her decision on the matter.

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she knows a number of the applicants. She chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence her decision on the matter.

Councillor Pilon declared a less than significant non pecuniary interest in the matter as she knows a number of the applicants. She chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence her decision on the matter.

Councillor Burke declared a less than significant non pecuniary interest in the matter as he may know some of the applicants. He chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

Councillor Vincent declared a less than significant non pecuniary interest in the matter as he may know some of the applicants . He chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

Item 3.5 – Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 3 March 2020

Councillor Mehrtens declared a less than significant non pecuniary interest in the matter as his employer is detailed to receive a letter in the recommendation. He chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

This item was dealt with by the exception method.

Item 6.3 – Notice of Motion – National Tree Planting Day Activities

Councillor Vincent declared a less than significant non pecuniary interest in the matter as he has participated with family members in the National Tree Planting Day Activities in the past. He chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

This item was deferred for consideration (minute 410/20) to the 25 May 2020 Ordinary Meeting.

Moved: **Councillor MacGregor**

Seconded: **Councillor Pilon**

Resolved

359/20 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 Burke

Resolved

360/20 That Council confirm the minutes of the Ordinary Meeting of Council held on 27 April 2020.

For:
Unanimous

1.3 Notice of Intention to Deal with Matters in Confidential Session

Moved: Councillor Holstein
Seconded: Councillor Sundstrom

Resolved

361/20 That Council resolve that the following matters be dealt with in closed session, pursuant to s. 10A(2)(e and c) of the Local Government Act 1993 for the following reasons:

Item 7.1 - Response to Notice of Motion - World Record Opportunity for The Entrance

Reason for considering in closed session:

2(e) contains information that would, if disclosed, prejudice the maintenance of law.

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)(e) of the Local Government Act as it contains information that would, if disclosed, prejudice the maintenance of law and because consideration of the matter in open Council would on balance be contrary to the public interest.

Item 7.2 - Decline of Tenders - Contract CPA/1578 Supply and Delivery of Hydrogen Peroxide

Reason for considering in closed session:

2(c) contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business :

That Council resolve, pursuant to s.11(3) of the Local Government Act 1993, that this report and Attachments remain confidential in accordance with section 10A(2)(c) of the Local Government Act as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Councils ability to obtain value for money services for the Central Coast community.

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

Against:
Councillors Best, Gale, Greenaway and Marquart

It is noted that both Confidential Items were dealt with by the Exception Method.

Procedural Motion – Exception

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

362/20 ***That Council adopt the following items as a group and in accordance with the report recommendations:***

<i>Item #</i>	<i>Item Title</i>
<i>3.5</i>	<i>Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 3 March 2020</i>
<i>3.6</i>	<i>Meeting Record of the Gosford Foundation Trust Management Committee held on 25 February 2020</i>
<i>4.1</i>	<i>Meeting Record of the Coastal Open Space System (COSS) Committee held on 27 November 2019</i>
<i>4.2</i>	<i>Meeting Record of the Coastal Open Space System (COSS) Committee held on 13 February 2020</i>
<i>4.3</i>	<i>Meeting Record of the Catchments and Coast Tuggerah Lakes Advisory Committee Meeting held on 26 February 2020</i>
<i>4.4</i>	<i>Meeting Record of the Terrigal Water Quality Sub-Committee held on 19 December 2019</i>
<i>4.6</i>	<i>Meeting Record of the Status of Women Advisory Committee held on 11 February 2020</i>
<i>4.7</i>	<i>Meeting Record of the Tourism Advisory Committee held on 19</i>

Item #	Item Title
	February 2020
4.9	Minutes of the Extraordinary Audit, Risk and Improvement Committee held on 20 February 2020 and the Ordinary Meeting held on 17 March 2020
4.10	Works at Gosford Chambers in Response to Safety Audit128
4.11	Early Childhood Immunisation Program
4.12	Response to Notice of Motion - Domestic and Family Violence
7.1	Response to Notice of Motion – World Record Opportunity for The Entrance
7.2	Decline of Tenders – Contract CPA/1578 - Supply and Delivery of Hydrogen Peroxide

363/20 That Council discuss the following items individually:

Item #	Item Title
2.1	DA/56500/2019 - 216 - 220 Memorial Avenue Ettalong Beach - Five Storey Hotel Building with Ancillary Restaurant/Cafe, Bar and Function Facilities
3.1	Landcare Program Strategy
3.2	Constitution of Central Coast Local Planning Panel
3.3	Internal Ombudsman Charter
3.4	Tourism Management Review
3.7	Meeting Record of the Protection of the Environment Trust Management Committee held on 25 February 2020
4.5	Meeting Record of the Companion Animals Advisory Committee held 27 February 2020
4.8	Meeting Record of the Water Management Advisory Committee meeting held on 20 February 2020
4.13	Response to Notice of Motion - Jayden's Message - Suicide Prevention 2020
4.14	Response to Notice of Motion - Nine Million (\$9,000,000) Agency Agreement / Body Hire
6.1	Notice of Motion - Council to Support Federal Government's COVID-19 Tracking App
6.2	Notice of Motion – Coast COVID Economic Crisis
6.3	Notice of Motion – National Tree Planting Day Activities

For:

Unanimous

2.1 DA/56500/2019 - 216 - 220 Memorial Avenue Ettalong Beach - Five Storey Hotel Building with Ancillary Restaurant/Cafe, Bar and Function Facilities

Councillor Sundstrom left the meeting at 7.10pm and returned at 7.12pm.

Moved: Councillor Mehrtens

Seconded: Councillor Gale

Resolved

364/20 That Council grant consent to the development of Hotel building with ancillary restaurant, bar and function facilities, on Lots 10, 11 and 12, DP 10650, 216 – 220 Memorial Avenue, Ettalong Beach, subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues, with the following amendment;

- **That the condition relating to the submission of a traffic and pedestrian plan be amended so as to require referral to Councils' Traffic Committee.**

365/20 That Council advise those who made written submissions of its decision.

366/20 That Council request that the Chief Executive Officer provide a report to Council in respect to Contributions Plan 72, its' financial status and what future parking proposals are available in Ettalong.

For:
Mayor Matthews, Councillors Best, Burke, Gale, Hogan, Holstein, Marquart, McLachlan, Mehrtens, Pilon and Sundstrom

Against:
Councillors Greenaway, MacGregor, Smith and Vincent

3.1 Landcare Program Strategy

Councillor Vincent declared a pecuniary interest in the matter as his employer in the past has supported volunteers in this program. Councillor Vincent left the meeting at 7.39pm, returned at 8.13pm and did not participate in discussion on this matter.

Councillor Sundstrom declared a less than significant non pecuniary interest in the matter as he has participated in the Copacabana Land Care. He chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

Councillor Burke left the meeting at 7.40pm and returned to the meeting at 7.42pm.

Councillor Greenaway left the meeting at 7.57pm and returned to the meeting at 7.58pm.
Councillor Greenaway left the meeting at 8.05pm and returned to the meeting at 8.06pm.

Moved: **Councillor Hogan**
Seconded: **Councillor MacGregor**

Resolved

367/20 That Council formally adopt the draft Central Coast Council Environmental Volunteer Program Strategy, specifically amended as follows:

- **The name of the Program has been changed from CCC Landcare Program to CCC Environmental Volunteer Program.**
- **Action Item 13 added to Strategy – investigate opportunities for funding additional support for the program, including external grant funding and third-party sponsorship.**
- **Action Item 14 added to Strategy – consider new technologies for managing the program e.g. phone apps to manage group activities.**

368/20 That Council endorse expanding the program through the recruitment of two additional full time equivalent (FTE) staff, at a projected cost of \$40,000 in capital and \$134,125 in operational expenditure per additional FTE, for the purpose of supporting additional volunteer groups as outlined within the strategy.

369/20 That Council request the Chief Executive Officer to thank the staff involved in developing the strategy.

For:	Against:
Mayor Matthews, Councillors Greenaway, Hogan, Holstein, MacGregor, Mehrtens, Smith, Sundstrom and Vincent	Councillors Best, Burke, Gale, Marquart, McLachlan and Pilon

3.2 Constitution of Central Coast Local Planning Panel

Councillor Holstein declared a significant non pecuniary interest in the matter as one of the candidates is a relation. Councillor Holstein left the meeting at 8.14pm, returned at 8.50pm and did not participate in discussion on this matter.

Councillor Smith declared a less than significant non pecuniary interest in the matter as she knows a number of the applicants. She chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence her decision on the matter.

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she knows a number of the applicants. She chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence her decision on the matter.

Councillor Pilon declared a less than significant non pecuniary interest in the matter as she knows a number of the applicants. She chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence her decision on the matter.

Councillor Burke declared a less than significant non pecuniary interest in the matter as he may know some of the applicants. He chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

Councillor Vincent declared a less than significant non pecuniary interest in the matter as he may know some of the applicants . He chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

Councillor Hogan left the meeting at 8.19pm and returned to the meeting at 8.22pm.

Moved: Councillor Smith
Seconded: Councillor MacGregor

- 1 *That Council note the background information in relation to Local Planning Panels generally, and the specific arrangements for constitution of the Central Coast Local Planning Panel;*
- 2 *That Council resolve to constitute the Central Coast Local Planning Panel in accordance with Section 2.17 of the Environmental Planning & Assessment Act 1979 and Section 124K of the Environmental Planning & Assessment Regulation 2000;*
- 3 *That Council resolve the appointment of the Central Coast Local Planning Panel expert/professional panel members as follows for a period of 14 months in accordance with Schedule 2 Clause 11 (1) of the Environmental Planning & Assessment Act 1979;*
 - *Mr Gregory Flynn*
 - *Ms Sue Francis*
 - *Mr Stephen Leathley*
 - *Ms Linda McClure*
 - *Mr Grant Christmas*
 - *Mr Garry Fielding*
- 4 *That Council resolve the appointment of the Central Coast Local Planning Panel community panel members (and alternates) as follows for a period of 14 months in accordance with Schedule 2 Clause 11 (1) of the Environmental Planning & Assessment Act 1979;*

<i>Ward</i>	<i>Community Panel Member</i>	<i>Alternate</i>
<i>Gosford East</i>	<i>Anthony Tuxworth</i>	<i>Stephen Glen</i>
<i>Gosford West</i>	<i>Lynette Hunt</i>	<i>Geoffrey Mitchell</i>
<i>Wyong</i>	<i>Paul Dignam</i>	<i>Glenn Watts</i>

<i>The Entrance</i>	<i>Scott McGrath</i>	<i>Mark Elsey</i>
<i>Budgewoi</i>	<i>David Kitson</i>	<i>Stephen Glen</i>

- 5 *That Council direct the Chief Executive Officer to monitor the performance of the Central Coast Local Planning Panel in accordance with Part 2, Division 5 Clause 2.20 (5) of the Environmental Planning & Assessment Act 1979 and provide a report to Council no later than the last meeting in July, 2021;*
- 6 *That Council agree to the Chief Executive Officer drafting correspondence to;*
- Appointed expert and community panel members to advise of their selection, requesting their acceptance of the position in writing; and*
 - Those who applied to become community panel members but where not successful; and*
 - The Minister for Planning & Public Spaces (and the Secretary of the Department of Planning Industry & Environment) to advise of the above outcomes*
- 7 *That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachments 5 and 6 remain confidential in accordance with section 10A(2)(a) of the Local Government Act as it contains personnel matters concerning particular individuals (other than Councillors), and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Councils ability to obtain value for money services for the Central Coast community.*
- 8 *That Council note that Central Coast Council has opposed the imposition of the Local Planning Panel.*

Amendment Moved: Councillor Marquart

Amendment Seconded: Councillor Gale

- 1 *That Council note the background information in relation to Local Planning Panels generally, and the specific arrangements for constitution of the Central Coast Local Planning Panel;*
- 2 *That Council resolve to constitute the Central Coast Local Planning Panel in accordance with Section 2.17 of the Environmental Planning & Assessment Act 1979 and Section 124K of the Environmental Planning & Assessment Regulation 2000;*
- 3 *That Council resolve the appointment of the Central Coast Local Planning Panel Chair, alternate Chairs, expert/professional panel members and community panel members (and alternate delegates) as set out in Attachment 1 to this report, for a period 3 years in accordance with Schedule 2 Clause 11 (1) of the Environmental Planning & Assessment Act 1979;*
- 4 *That Council resolve to rescind Council's 'Policy for Determining Development Applications Subject to Significant Public Objection' for the reasons set out in this report;*

- 5 That Council agree to the Chief Executive Officer drafting correspondence to:
- Appointed expert and community panel members to advise of their selection, requesting their acceptance of the position in writing; and
 - Those who applied to become community panel members but where not successful; and
 - The Minister for Planning & Public Spaces (and the Secretary of the Department of Planning Industry & Environment) to advise of the above outcomes
- 6 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachments 5 and 6 remain confidential in accordance with section 10A(2)(a) of the Local Government Act as it contains personnel matters concerning particular individuals (other than Councillors), and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Councils ability to obtain value for money services for the Central Coast community.

For:
Councillors Burke, Gale, Marquart, McLachlan
and Pilon

Against:
Mayor Matthews, Councillor Greenaway,
Hogan, MacGregor, Mehrtens, Smith,
Sundstrom and Vincent

Abstained;
Councillor Best

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

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

370/20 That Council note the background information in relation to Local Planning Panels generally, and the specific arrangements for constitution of the Central Coast Local Planning Panel;

371/20 That Council resolve to constitute the Central Coast Local Planning Panel in accordance with Section 2.17 of the Environmental Planning & Assessment Act 1979 and Section 124K of the Environmental Planning & Assessment Regulation 2000;

372/20 That Council resolve the appointment of the Central Coast Local Planning Panel expert/professional panel members as follows for a period of 14 months in accordance with Schedule 2 Clause 11 (1) of the Environmental Planning & Assessment Act 1979;

- **Mr Gregory Flynn**
- **Ms Sue Francis**

- **Mr Stephen Leathley**
- **Ms Linda McClure**
- **Mr Grant Christmas**
- **Mr Garry Fielding**

373/20 That Council resolve the appointment of the Central Coast Local Planning Panel community panel members (and alternates) as follows for a period of 14 months in accordance with Schedule 2 Clause 11 (1) of the Environmental Planning & Assessment Act 1979;

Ward	Community Panel Member	Alternate
Gosford East	Anthony Tuxworth	Stephen Glen
Gosford West	Lynette Hunt	Geoffrey Mitchell
Wyong	Paul Dignam	Glenn Watts
The Entrance	Scott McGrath	Mark Elsey
Budgewoi	David Kitson	Stephen Glen

374/20 That Council direct the Chief Executive Officer to monitor the performance of the Central Coast Local Planning Panel in accordance with Part 2, Division 5 Clause 2.20 (5) of the Environmental Planning & Assessment Act 1979 and provide a report to Council no later than the last meeting in July, 2021;

375/20 That Council agree to the Chief Executive Officer drafting correspondence to;

- **Appointed expert and community panel members to advise of their selection, requesting their acceptance of the position in writing; and**
- **Those who applied to become community panel members but where not successful; and**
- **The Minister for Planning & Public Spaces (and the Secretary of the Department of Planning Industry & Environment) to advise of the above outcomes**

376/20 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachments 5 and 6 remain confidential in accordance with section 10A(2)(a) of the Local Government Act as it contains personnel matters concerning particular individuals (other than Councillors), and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Councils ability to obtain value for money services for the Central Coast community.

377/20 That Council note that Central Coast Council has opposed the imposition of the Local Planning Panel.

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

Against:
Councillor Burke

Abstained:

Councillor Best, Gale, McLachlan and Pilon

The meeting was adjourned at 8.51pm, resuming at 9.02pm.

3.3 Internal Ombudsman Charter

Councillor Gale returned to the meeting at 9.05pm.

Councillor Greenaway left the meeting at 9.02pm and returned at 9.04pm.

Moved: Councillor Smith

Seconded: Councillor MacGregor

Resolved

378/20 That Council receive the report and adopt the draft Internal Ombudsman Charter with the following amendment to 8.1:

8.1 – The Internal Ombudsman is committed to managing people’s expectations and will inform them of the progress of the complaint at a minimum on a monthly basis and, if there is any delay, will provide a reason, until the matter has been either resolved or closed

379/20 That Council note the recent release of the NSW Audit Office – Report on Local Government 2019, and invite a representative from the Audit Office to provide a presentation to Councillors on the findings.

For:

Mayor Matthews, Councillors Best, Burke, Gale, Hogan, Holstein, MacGregor, Marquart, McLachlan, Mehrtens, Pilon, Smith, Sundstrom and Vincent

Abstained:

Councillor Greenaway

3.4 Tourism Management Review

Moved: Councillor Vincent

Seconded: Councillor Mehrtens

Resolved

380/20 That Council receive the report and attachment on the Tourism Management Review.

381/20 That Council request the Chief Executive Officer to appropriately resource a dedicated team within Council to provide internal coordination of the recommended model and management functions for the proposed tourism

management services to support the Destination Brand Strategy, Visitor Information Services and Tourism Opportunity Plan.

- 382/20** ***That Council resolve to undertake a procurement and/or tender processes for the proposed Tourism Management Operating Model, including digital and creative marketing, public relations and industry services as outlined in the recommended model.***
- 383/20** ***That Council request the Chief Executive Officer to develop a three-year action plan based on recommendations in the Tourism Management Review.***
- 384/20** ***That Council consider a further report about a possible regional committee structure after referral to the Tourism Advisory Committee.***
- 385/20** ***That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 1 remain confidential in accordance with section 10A(2)(d) of the Local Government Act as it contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Councils ability to obtain value for money services for the Central Coast community.***

For:

Unanimous

3.5 Meeting Record of the Gosford CBD and Waterfront Advisory Committee held on 3 March 2020

Councillor Mehrtens declared a less than significant non pecuniary interest in the matter as his employer is detailed to receive a letter in the recommendation. He chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

This item was resolved by the exception method.

Moved: Councillor Best

Seconded: Councillor Vincent

Resolved

- 386/20** ***That Council note the Meeting Record of the Gosford CBD and Waterfront Committee held on 3 March 2020.***
- 387/20** ***That Council make representation to the local State Member, Liesl Tesch, and Parliamentary Secretary for the Central Coast, Adam Crouch, requesting the continuation of the on demand service and expedite the bus network review if possible.***

For:
Unanimous

3.6 Meeting Record of the Gosford Foundation Trust Management Committee held on 25 February 2020

This item was resolved by the exception method.

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

388/20 That Council note the Meeting Record of the Gosford Foundation Trust Management Committee held 25 February 2020 that is Attachment 1 to this report.

389/20 That Council adopt the revised Terms of Reference for the Gosford Foundation Trust as set out in Attachment 2 to this report.

For:
Unanimous

3.7 Meeting Record of the Protection of the Environment Trust Management Committee held on 25 February 2020

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

390/20 That Council note the Meeting Record of the Protection of the Environment Trust Management Committee held on 25 February 2020 that is Attachment 1 to this report.

391/20 That Council as Trustee resolve to release the \$8,200 for Mr Bell to be able to complete the first stage of the project subject to the conditions noted below:

- a) Mr Bell to partner with a legal entity that has skills/experience in this type of project such as a Historical Society;**
- b) In principle agreement that a funding amount of \$8,200 would be allocated from the Protection of the Environment Trust on the basis that Mr Bell shows evidence of securing the balance of the funding;**
- c) If the project proceeds, that a normal funding agreement would be required in line with other projects funded by the Trust;**

- d) If the project doesn't reach conclusion, all material accrued is to be provided to Council.**

For:
Mayor Matthews, Councillors Greenaway, Hogan, Holstein, MacGregor, McLachlan, Mehrstens, Smith, Sundstrom and Vincent

Against:
Councillor Best, Burke, Gale, Marquart and Pilon

4.1 Meeting Record of the Coastal Open Space System (COSS) Committee held on 27 November 2019

This item was resolved by the exception method.

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

392/20 That Council receive the report on Meeting Record of the Coastal Open Space System (COSS) Committee held on 27 November 2019.

For:
Unanimous

4.2 Meeting Record of the Coastal Open Space System (COSS) Committee held on 13 February 2020

This item was resolved by the exception method.

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

That Council receive the report on Meeting Record of the Coastal Open Space System (COSS) Committee held on 13 February 2020 .

For:
Unanimous

4.3 Meeting Record of the Catchments and Coast Tuggerah Lakes Advisory Committee Meeting held on 26 February 2020

This item was resolved by the exception method.

Moved: **Councillor Best**
Seconded: **Councillor Vincent**

Resolved

393/20 ***That Council receive the report on Meeting Record of the Catchments and Coast Tuggerah Lakes Advisory Committee Meeting held on 26 February 2020.***

For:
Unanimous

4.4 **Meeting Record of the Terrigal Water Quality Sub-Committee held on 19 December 2019**

This item was resolved by the exception method.

Moved: **Councillor Best**
Seconded: **Councillor Vincent**

Resolved

394/20 ***That Council receive the report on Meeting Record of the Terrigal Water Quality Sub-Committee held on 19 December 2019.***

For:
Unanimous

4.5 **Meeting Record of the Companion Animals Advisory Committee held 27 February 2020**

Moved: **Councillor Best**
Seconded: **Councillor Gale**

Resolved

395/20 ***That Council receive the report on Meeting Record of the Companion Animals Advisory Committee held 27 February 2020.***

For:
Unanimous

4.6 Meeting Record of the Status of Women Advisory Committee held on 11 February 2020

This item was resolved by the exception method.

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

396/20 That Council receive the report on Meeting Record of the Status of Women Advisory Committee held on 11 February 2020.

For:
Unanimous

4.7 Meeting Record of the Tourism Advisory Committee held on 19 February 2020

This item was resolved by the exception method.

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

397/20 That Council receive the report on Meeting Record of the Tourism Advisory Committee held on 19 February 2020.

For:
Unanimous

4.8 Meeting Record of the Water Management Advisory Committee meeting held on 20 February 2020

Moved: Councillor Best
Seconded: Councillor MacGregor

Resolved

398/20 That Council receive the report on Meeting Record of the Water Management Advisory Committee meeting held on 20 February 2020.

For:
Unanimous

4.9 Minutes of the Extraordinary Audit, Risk and Improvement Committee held on 20 February 2020 and the Ordinary Meeting held on 17 March 2020

This item was resolved by the exception method.

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

399/20 That Council receive the report on Minutes of the Extraordinary Audit, Risk and Improvement Committee held on 20 February 2020 and the Minutes of the Ordinary Audit, Risk and Improvement Committee held on 17 March 2020.

For:
Unanimous

4.10 Works at Gosford Chambers in Response to Safety Audit

This item was resolved by the exception method.

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

400/20 That Council receive the report on Works at Gosford Chambers in Response to Safety Audit.

For:
Unanimous

4.11 Early Childhood Immunisation Program

This item was resolved by the exception method.

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

401/20 That Council receive and note the report on Early Childhood Immunisation Program.

For:
Unanimous

4.12 Response to Notice of Motion - Domestic and Family Violence

This item was resolved by the exception method.

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

402/20 That Council receive the report on Response to Notice of Motion - Domestic and Family Violence.

For:
Unanimous

4.13 Response to Notice of Motion - Jayden's Message - Suicide Prevention 2020

Moved: Councillor Best
Seconded: Councillor Gale

Resolved

403/20 That Council receive the report on Response to Notice of Motion - Jayden's Message - Suicide Prevention 2020.

404/20 That should content of this report create concerns for anyone reading, listening or watching that Council encourage them to contact Lifeline on 13 11 14.

For:
Unanimous

4.14 Response to Notice of Motion - Nine Million (\$9,000,000) Agency Agreement / Body Hire

Councillor Pilon left the meeting at 10.21pm and did not return.

Moved: Councillor Gale
Seconded: Councillor Best

Resolved

405/20 That Council receive the Response to Notice of Motion – Nine Million (\$9,000,000) Agency Agreement / Body Hire.

- 406/20** *That, as planned the nine million dollar agency agreement and body hire be referred to the Audit Risk and Improvement Committee (ARIC) on 17 June 2020 for investigation to ensure probity and good governance before reporting back to Council on any relevant matters.*
- 407/20** *That Council request the Chief Executive Officer to provide to Council the Internal Audit report as a result of the audit being undertaken on this issue.*
- 408/20** *That Council request the Chief Executive Officer to redistribute the report which contained the Chief Executive Officer delegations within 48 hours.*
- 409/20** *That Council include in the briefing schedule to be held on Monday 18 May 2020 discussion regarding the Chief Executive Officer financial delegation powers as presented in the report.*

For:

Unanimous

Procedural Motion - Deferral

Councillor Pilon left the meeting at 10.21pm and did not return.

Moved: **Councillor Smith**

Seconded: **Councillor Gale**

Resolved

410/20 *That Council defer the following items to the 25 May 2020 Ordinary Meeting;*

Item 6.1 - Notice of Motion - Council to Support Federal Government's COVID-19 Tracking App

Item 6.2 - Notice of Motion - Coast COVID Economic Crisis

Item 6.3 - Notice of Motion - National Tree Planting Day Activities

For:

Mayor Matthews, Councillors Burke, Gale, Greenaway, Hogan, MacGregor, Mehrstens, Smith, Sundstrom and Vincent

Against:

Councillors Best, Holstein, Marquart and McLachlan

6.1 **Notice of Motion - Council to Support Federal Government's COVID-19 Tracking App**

Council deferred the consideration of item 6.1 to the 25 May 2020 Ordinary Meeting (minute

410/20).

6.2 Notice of Motion - Coast COVID Economic Crisis

Council deferred the consideration of item 6.2 to the 25 May 2020 Ordinary Meeting (minute 410/20).

6.3 Notice of Motion - National Tree Planting Day Activities

Councillor Vincent declared a less than significant non pecuniary interest in the matter as he has participated with family members in the National Tree Planting Day Activities in the past. He chose to stay in the meeting and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

Council deferred the consideration of item 6.3 to the 25 May 2020 Ordinary Meeting (minute 410/20).

The confidential reports were adopted by the exception method (minute 362/20) and therefore the resolutions are reported as follows:

7.1 Response to Notice of Motion - World Record Opportunity for The Entrance

This item was resolved by the exception method.

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

- 411/20 That Council receive the report and note the updates provided on legal matters and the timeframes for project delivery.**
- 412/20 That Council progress with a project to commission a "large-scale landmark Pelican Sculpture" at The Entrance rather than pursuing the world's largest or tallest pelican.**
- 413/20 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)(e) of the Local Government Act as it contains information that would, if disclosed, prejudice the maintenance of law.**
- 414/20 The Council identifies the project as a continuing project and the 2020-21 capital works program be increased by the unspent budget as at 30 June 2020 to allow completion.**

For:
Unanimous

7.2 Decline of Tenders - Contract CPA/1578 Supply and Delivery of Hydrogen Peroxide

This item was resolved by the exception method.

Moved: Councillor Best
Seconded: Councillor Vincent

Resolved

415/20 That Council declines all tenders received for Contract CPA/1578 Supply and Delivery of Hydrogen Peroxide in accordance with cl.178 Local Government (General) Regulation 2005.

416/20 That in accordance with clause 178(2)(b) of the Local Government (General) Regulation 2005 Council invite fresh tenders based on the same or different details.

417/20 That Council resolve, pursuant to s.11(3) of the Local Government Act 1993, that this report and Attachments remain confidential in accordance with section 10A(2)(c) of the Local Government Act as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and because consideration of the matter in open Council would on balance be contrary to the public interest as it would affect Councils ability to obtain value for money services for the Central Coast community.

For:
Unanimous

The Meeting closed at 10.29 pm.