

AMENDED ITEM

Item No: 1.2
Title: Confirmation of Minutes of Previous Meeting
Department: Governance

27 July 2020 Ordinary Council Meeting

Trim Reference: F2020/00039 - D14061538



Summary

Confirmation of minutes of the Ordinary Meeting of Council held on 13 July 2020.

Recommendation

That Council confirm the minutes of the Ordinary Meeting of Council held on the 13 July 2020 and of the Extraordinary meeting of Council held on the 20 July 2020.

Attachments

- | | | |
|----------|--|-----------|
| 1 | Minutes - Ordinary Meeting - 13 July 2020 | D14061715 |
| 2 | Minutes - Extraordinary Meeting - 20 July 2020 | D14084685 |



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

620/20 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

614/20 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

615/20 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

616/20 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, Mehrstens, Smith, Sundstrom and Vincent

Against:
Councillors Gale, Greenaway and Pilon

Procedural Motion – Exception

Moved: Councillor Vincent

Seconded: Councillor Gale

Resolved

617/20 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)

618/20 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 investigate revenue options and modelling for Central Coast Council

Item #	Item Title
6.2	Notice of Motion - Ruling out rotting red bins
6.3	Notice of Motion - Significant Tree Register

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

619/20 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:**
 - i 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.*
- 620/20** *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).*
- 621/20** *That Council request the Chief Executive Officer forward the submission to the Department of Planning, Industry and Environment for consideration.*
- 622/20** *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

623/20 That Council place the draft Central Coast Council Land Transaction Policy on public exhibition for 28 days.

624/20 That Council consider a further report on the results of the public exhibition.

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

3.2 Continuation of Level 1 Water Restrictions

Moved: Councillor Gale
Seconded: Councillor Holstein

Resolved

625/20 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.

626/20 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.

627/20 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.

628/20 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

629/20 That Council receive the report on the Big Prawn.

630/20 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

- 631/20** ***That Council note the determination made by the Local Government Remuneration Tribunal made 10 June 2020 in respect of Councillor and Mayoral fees.***
- 632/20** ***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.***
- 633/20** ***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.***
- 634/20** ***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, Smith and Sundstrom

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

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

635/20 That Council note the Meeting Record of the Gosford Foundation Trust Management Committee held 26 May 2020 that is Attachment 1 to this report.

636/20 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

637/20 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.

638/20 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, Mehrstens, Smith and Sundstrom

Abstained: Councillor Pilon

The Amendment was put to the vote and declared LOST.

***Moved:* Councillor Gale**
***Seconded:* Councillor Sundstrom**

Resolved

639/20 ***That Council note the report on the Gosford Regional Design Opportunity.***

640/20 ***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:

Against:

**Mayor Matthews, Councillors Burke, Gale,
Greenaway, Hogan, Mehrrens, Smith and
Sundstrom**

**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

641/20 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

642/20 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

643/20 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

644/20 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

645/20 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

646/20 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

647/20 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

648/20 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.

- 649/20** *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 programs.*
 - c Council prioritises in-house delivery of services and functions in preference to contracting externally.*
- 650/20** *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***

651/20 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.

652/20 That Council request the Chief Executive Officer to report on the results of this investigation and workshop to Council by March 2021.

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

653/20 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.

654/20 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

- 655/20** *That Council acknowledges the valuable contribution of community members who nominate trees for the Significant Tree Register.*
- 656/20** *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.*
- 657/20** *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.*
- 658/20** *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

- 659/20** *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.

- 660/20 That Council note that any variation to the contract will be subject to the agreement of the purchaser.**
- 661/20 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.**
- 662/20 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.**
- 663/20 That any new contract will be approved by Council resolution.**
- 664/20 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.



Central Coast Council

Minutes of the
Extraordinary Meeting of Council
Held remotely - online
on 20 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), Julie Vaughan (Director Connected Communities), Scott Cox (Director Environment and Planning), Jamie Loader (Director Water and Sewer), Ricardo Martello (Executive Manager Innovation and Futures), Jay Spare (for Director Roads, Transport, Drainage and Waste) and Carlton Oldfield (Acting Chief Finance Officer).

The Mayor, Lisa Matthews, declared the meeting open at 6.35pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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 Gale**
Seconded: **Councillor Pilon**

672/20 That Council note that Councillor Marquart was an apology.

For:
Unanimous

The Mayor, Lisa Matthews read an acknowledgement of country statement.

1.1 Disclosure of Interest

2.1 Update: Wamberal and The North Entrance

Councillor Pilon declared a less than significant non pecuniary interest in the matter as she owns property on Ocean View Drive, Wamberal. She chose to stay in the meeting and participate in discussion and voting on this matter as the issues being discussed is specific to the emergency crisis and erosion issues at Wamberal and North Entrance and her property is not exposed to these current issues and as a ratepayer and resident of Wamberal on Ocean View Drive, like hundreds of others, and a Ward Councillor representing effected residents in both Wamberal and North Entrance she is capable of managing this situation and speaking on behalf of the community.

Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he is known to the residents that are affected by the recent events, however he is not currently managing any property in the location and he is also a beachfront property owner but is not affected by the current events. 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.

Moved: **Councillor Burke**

Seconded: **Councillor Gale**

Resolved

673/20 That Council receive the report on Disclosure of Interest and note advice of disclosures.

For:

Unanimous

2.1 Update: Wamberal and The North Entrance

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Moved: Councillor Holstein

Seconded: Councillor Smith

Resolved

674/20 That Council acknowledge the distress of residents currently impacted by the severe weather experienced over the past week resulting in severe erosion along the coastline, in particular, Wamberal and North Entrance beaches.

675/20 That Council note a community meeting was held yesterday with Wamberal residents who are currently directly impacted by the local emergency.

676/20 That Council, together with the relevant agencies, will be holding an information session with affected residents of the North Entrance on Tuesday.

677/20 That Council acknowledge the event has been declared a local emergency and as such NSW Police, as the Local Emergency Operations Controller (LEOCON), is leading in the coordination efforts of State Emergency Services, Council and other government agencies responding to the local emergency. The work on the ground is a collaborative approach from all government agencies involved in the local emergency response efforts, particularly:

- NSW State Emergency Service;
- Department of Public Works,
- Department of Family and Community Services;
- NSW Fire and Rescue;
- Council staff;
- and other key emergency services

678/20 That Council continue to liaise with emergency service agencies to provide assistance to Wamberal and North Entrance residents affected.

679/20 That Council will not take regulatory action in respect of any coastal protection works carried out at Wamberal and The Entrance North, as part of this current emergency response phase in the next four weeks, by a person which has been designed and approved by a qualified coastal engineer and certified as not likely to have a significant adverse impact on other land, and which are not more than is reasonably required for protection of the person's property.

The Council is not thereby approving such work as it is not the consent authority and not representing that such works will be effective to protect the subject property or not adversely affect other properties.

680/20 That Council note that any such works will be carried out at the expense of affected residents.

- 681/20** *That Council request a full list of regulatory responsibilities of each of the government agencies involved in the response efforts.*
- 682/20** *That Council call on the NSW Government to declare a natural disaster for the Central Coast that would mean residents who have been impacted by the recent event can seek assistance and support to recover. Funding would also be made available to Council to repair infrastructure impacted by the storms.*
- 683/20** *That Council call for a meeting with the NSW Premier, Minister for Planning, Minister for the Environment, NSW Coastal Council, relevant State Members of Parliament, NSW Police, NSW State Emergency Services, Central Coast Council Chief Executive Officer, relevant Council staff, Mayor and interested Councillors to fast track and resolve agreed actions.*
- 684/20** *That Council request that the NSW Government provide an update on the Wamberal Beach Management Options: Cost Benefit and Distribution Analysis Report finalised August 2017, including fast tracking the recommendations of that report.*
- 685/20** *That Council requests Council staff provide a status on the Coastal Management Program required under the Coastal Zone Management Plan, including what actions Council staff are currently implementing under the Emergency Action Sub Plan.*
- 686/20** *That Council produce a factsheet for the public on the recovery efforts and make available on council website and social media outlets.*

For:
Unanimous

Procedural Motion – Extension of Time

Moved: **Councillor Holstein**
Seconded: **Councillor Best**

Resolved

- 687/20** *That Council extend the meeting for a period of 30 minutes to further consider item 2.1 – Update: Wamberal and The North Entrance the time being 7.15pm.*

For:
Unanimous

The meeting was adjourned at 7.15pm and resumed at 7.23pm.

The Meeting closed at 8.23 pm.