



Central Coast Council

Minutes of the
Extraordinary Meeting of Council
Held remotely - online
on 20 October 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

Jamie Loader (Acting Chief Executive Officer), Boris Bolgoff (Director Roads, Transport, Drainage and Waste), Julie Vaughan (Director Connected Communities), Scott Cox (Director Environment and Planning), Ricardo Martello (Executive Manager Innovation and Futures), , Krystie Bryant (Executive Manager People and Culture), Mark Margin (Acting Chief Information Officer) and Shane Sullivan (Unit Manager Governance and Business Services).

The Mayor, Lisa Matthews, declared the meeting open at 6.50pm.

At the request of the Mayor, Mr Jamie Loader, Acting 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) and section 413L of The Local Government (General) Regulation 2005. 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

Time commenced: 6.51pm

Moved: *Councillor Gale*

Seconded: *Councillor Smith*

Resolved

1040/20 *That Council accept the apology received from Councillor Marquart for tonight's Extraordinary Meeting.*

For:

Unanimous

1.1 Disclosures of Interest

Time commenced: 6.52pm

Councillor Burke left the meeting at 6.55pm and did not vote on this item.

Moved: Councillor Best

Seconded: Mayor Matthews

Resolved

1041/20 That Council receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

For:

Unanimous

1.2 Notice of Intention to Deal with Matters in Confidential Session

Time commenced: 6.56pm

Councillor Burke left the meeting at 6.55pm and returned at 6.56pm.

Moved: Councillor MacGregor

Seconded: Councillor Hogan

Resolved

1042/20 That Council resolve that the following matters be dealt with in closed session, pursuant to s. 10A(2) of the Local Government Act 1993 for the following reasons:

Item 2.1 – Financial Update

That Council resolve that this matter be dealt with in close session pursuant to s10A(2)(g) of the Local Government Act 1993 for the following reason, it concerns:

2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

In accordance with section 10A(2)(g) of the Local Government Act 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 manage legal matters effectively and in the best interests of the Central Coast community.

For:
**Mayor Matthews, Councillors Best,
Greenaway, Hogan, Holstein, MacGregor,
McLachlan, Mehrtens, Smith and
Sundstrom**

Against:
Councillors Burke, Gale and Pilon
Abstained: Councillor Vincent

Confidential Session

Moved: **Mayor Matthews**
Seconded: **Councillor Hogan**

Resolved

1043/20 That the meeting move into Confidential Session.

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

At this stage of the meeting being 6.57 pm the meeting moved into Confidential Session with the members of the press and public excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993.

The meeting was adjourned at 6.58pm and resumed at 7.08pm.

Procedural Motion – Open Session

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

Resolved

1044/20 That the meeting move into Open Session.

For:
Unanimous

The meeting resumed in open session at 9.19pm and the Chief Executive Officer reported on proceedings of the confidential session of the ordinary meeting as follows:

2.1 Financial Update

Time commenced: 7.08pm

Councillor Mehrtens declared a less than significant non-pecuniary interest in this matter for the reason that his employer is a Member of Parliament. He chose to remain in the meeting for the reason that his interest will not influence his decision making in the meeting. (declared at 8:14pm).

Moved: Councillor Best
Seconded: Councillor McLachlan

Resolved

- 1045/20 That Council conduct an Extraordinary Meeting (remotely) at 1.30pm on Wednesday, 21 October 2020 for the purpose of making a determination with regard to the use of restricted funds.**
- 1046/20 That Council make urgent representations to the Minister for Local Government seeking permission for the partial utilisation of restricted funds to make staff payroll for the week ending 18 October 2020 and that should the Minister's permission not be forthcoming 2,157 Council staff may not be paid.**
- 1047/20 That Council request that the acting Chief Executive Officer take immediate action to secure a commercial loan including an overdraft as well as pursue the State Government for emergency financial support.**
- 1048/20 That Council resolve that this matter be dealt with in close session pursuant to s10A(2)(g) of the Local Government Act 1993 for the following reason, it concerns:**
- 2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.**
- In accordance with section 10A(2)(g) of the Local Government Act 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 manage legal matters effectively and in the best interests of the Central Coast community.**

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

Against:
Councillors Gale and Vincent

The Meeting closed at 9.23 pm.