



## Central Coast Council

Minutes of the  
**Extraordinary Meeting of Council**  
Held remotely - online  
on 21 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 Bryan (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 1.43pm.

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: 1.44pm

**Moved:** *Councillor Hogan*

**Seconded:** *Councillor Gale*

### Resolved

**1049/20** *That Council accept the apology received from Councillor Marquart for today's Extraordinary Meeting.*

**For:**  
*Mayor Matthews, Councillors Best, Burke,*

**Against:**  
*Councillor Greenaway*

**Hogan, Holstein, Gale, MacGregor,  
McLachlan, Mehrrens, Pilon, Smith,  
Sundstrom and Vincent**

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**Disclosures of Interest**

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Time commenced: 1.46pm

**Moved: Councillor MacGregor  
Seconded: Councillor Burke**

**Resolved**

**1050/20 That Council receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.**

**For:  
Unanimous**

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**Notice of Intention to Deal with Matters in Confidential Session**

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**Moved: Mayor Matthews  
Seconded: Councillor Vincent**

**Resolved**

**1051/20 That Council resolve that Item 2.1 – Financial Update be dealt with in open session.**

**For: Mayor Matthews, Councillors Best, Burke,  
Hogan, Holstein, Gale, MacGregor,  
McLachlan, Mehrrens, Pilon, Smith,  
Sundstrom and Vincent**

**Abstained:  
Councillor Greenaway**

**Procedural Motion - Confidential Session**

Councillor Greenaway left the meeting at 2.40pm and returned at 2.40pm.

**Moved: Councillor Greenaway  
Seconded: Councillor MacGregor**

**Resolved**

**1052/20 That the meeting move into Confidential Session to consider legal advice in accordance with section 10A(2)(g) of the Local Government Act 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, the time being 2.36pm.*

**For:**

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

**Against:**

**Councillors Best, Pilon and Gale**

At this stage of the meeting being 2.36pm 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.

### **Procedural Motion – Open Session**

Councillor Gale left the meeting 4.10pm and did not return.

**Moved:**

**Councillor Smith**

**Seconded:**

**Mayor Matthews**

**Resolved**

**1053/20 That the meeting move into Open Session, the time being 4.46pm.**

**For:**

**Unanimous**

The meeting resumed in open session at 4.46pm with the members of the press and public present.

### **2.1 Financial Update**

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Time commenced: 1.58pm

Councillor Gale left the meeting at 4.10pm and did not return.

**Moved:**

**Councillor Smith**

**Seconded:**

**Councillor MacGregor**

**Resolved**

**1054/20 That Council note the actions taken in response to the Council resolution from the Extraordinary Meeting held 20 October 2020 and continue to expedite the securing of a commercial loan and overdraft.**

- 1055/20** *That Council accept the Office of Local Government's early provision of Council's Financial Assistance Grant Payments.*
- 1056/20** *That Council notes that Council will be processing the payroll in line with the standard process.*
- 1057/20** *That Council note the media release issued today from the Minister of Local Government, Ms Shelley Hancock.*
- 1058/20** *That the Mayor, Deputy Mayor and any interested Councillors meet tomorrow with the Acting Chief Executive Officer and independent legal representation to begin preparing a response to be submitted to the Minister within 7 days from official notification.*
- 1059/20** *That the Mayor note the receipt of notification from the Industrial Relations Commission and this item be tabled.*
- 1060/20** *That Council request DMB Pty Ltd to provide further information to Councillors including a briefing on Monday 26 October 2020 from DMB Pty Ltd, with the briefing to be recorded and provided to those Councillors unable to attend (subject to confidentiality).*
- 1061/20** *That Council notes the advice from the Acting Chief Executive Officer that funds are available to pay current wages in a lawful manner contrary to previous advice.*
- 1062/20** *That Council authorise the Mayor to commission legal advice from a firm not already utilised by Council to provide advice to specifically for the governing body on their responsibilities as members of the governing body in the current financial circumstances and in relation to the notice of intention to issue a suspension order.*
- 1063/20** *The advice should include suggestions for pro-active strategies to manage the legal and financial risk to the Council and governing body in the current circumstances.*
- 1064/20** *The advice is to be provided to all Councillors in written form promptly at the time of receipt and by way of briefing.*

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

**Abstained:**  
**Councillor Pilon**

**The Meeting** closed at 5.27 pm.