



Central Coast Council

Minutes of the
Ordinary Meeting of Council
Held remotely - online
on 26 October 2020

Present

Mayor Lisa Matthews and Councillors Greg Best, Jillian Hogan, Kyle MacGregor, Chris Burke, Chris Holstein, Bruce McLachlan, Jilly Pilon, Louise Greenaway, Jeff Sundstrom, Richard Mehrstens, Doug Vincent 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 6.32pm.

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.

The Mayor, Lisa Matthews, advised that Councillors Gale and Marquart have formally submitted their resignations in accordance with section 234(1)(b) of the Local Government Act effective immediately.

Apologies

Time commenced: 6.35pm

Moved: **Councillor Smith**

Seconded: **Councillor Burke**

Resolved

- 1065/20** *That Council note that no apologies or leaves of absence have been submitted for tonight's Ordinary Meeting or future meetings.*
- 1066/20** *That Council note the resignations of Councillors Marquart and Gale.*
- 1067/20** *That Council formally thanks former Councillors Marquart and Gale for their contributions during their term of Council.*

For:
Unanimous

1.1 Disclosures of Interest

Time commenced: 6.42pm

3.4 Deferred Item - The Entrance Channel - Studies and Reports

Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he was a member of the Tuggerah Lakes Breakthrough Association and as such he has an association with Angus Jackson. 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.

6.2 Deferred Item - Code of Conduct Investigation Report - INV25/2019

Councillor Smith declared a less than significant non pecuniary interest in the matter as she is referred to as Mayor at the time of the incident referred to in the report. 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 Best declared a significant non pecuniary interest in the matter as he is the subject identified in this item. Councillor Best left the meeting at 11.53pm and did not return.

Moved: **Councillor Best**
Seconded: **Councillor MacGregor**

Resolved

- 1068/20** *That Council receive the report on Disclosure of Interest and note advice of disclosures.*

For:
Unanimous

1.2 Confirmation of Minutes of Previous Meetings

Time commenced: 6.45pm

Moved: Councillor MacGregor

Seconded: Councillor Mehrtens

1069/20 That Council confirm the minutes of the Ordinary Meeting of Council held on the 12 October 2020 and the Extraordinary Meetings held on 19 October 2020, 20 October 2020 and 21 October 2020.

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

Abstained:
Councillor Greenaway

1.3 Notice of Intention to Deal with Matters in Confidential Session

Time commenced: 6.46pm

Moved: Councillor Best

Seconded: Councillor Holstein

Resolved

1070/20 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 6.1 – Deferred Item - Mayoral Minute – Staff Matter

Reason for considering in closed session:

2(a) contains personnel matters concerning particular individuals (other than councillors)

Item 6.2 – Deferred Item - Code of Conduct Investigation Report – INV25/2019

Reason for considering in closed session:

2(i) alleged contraventions of any code of conduct requirements applicable under [section 440](#).

Item 6.3 – Deferred Item - Code of Conduct Investigation Report – INV6/2020

Reason for considering in closed session:

2(i) alleged contraventions of any code of conduct requirements applicable under [section 440](#).

That Council resolve in accordance with section 10A(2)(a) and (i) of the Local Government Act that this matter be considered in closed session of Council as it relates to alleged contraventions of the Code of Conduct made under section 440. On balance consideration of this matter in open Council would not be in the public interest as it contains confidential information and the matter remains undetermined by Council at this time.

For:

Mayor Matthews, Councillors Best, Burke, Hogan, Holstein, Greenaway, MacGregor, McLachlan, Mehrrens, Smith, Sundstrom and Vincent

Against:

Councillor Pilon

1.4 Mayoral Minute - Minister's Notice of Intention to Issue a Suspension Order and Council's Submission in Reply - 26 October 2020

Time commenced: 6.47pm

Councillor Best left the meeting at 6.52pm and returned 6.52pm.

Councillor Pilon left the meeting at 7.06pm and returned at 7.07pm.

Councillor Pilon left the meeting at 7.28pm and returned at 7.29pm

Councillor Greenaway left the meeting at 8.03pm and returned at 8.04pm.

Moved: Mayor Matthews

- 1 *That Council formally table the notice (Attachment 1) dated Wednesday 21 October from the Minister for Local Government issuing a notice of intention to issue a suspension order.*
- 2 *That Council, subject to any final editorial amendments to ensure correctness and clarity of response, adopts as the response to the Notice, Attachment 2 – Draft Submission.*
- 3 *That Council authorises the Mayor to consult with Councillors for further inclusion of information prior to submission.*
- 4 *That Council authorises the Mayor and Deputy Mayor, in consultation with independent legal advisers, to finalise the attached draft submission to ensure correctness and clarity of the response.*
- 5 *That Council provide the final submission to the Minister for Local Government by close of business on 28 October 2020.*
- 6 *That Council include the reports, presentations or investigations or other relevant*

materials from DMB Pty Ltd or any other external and internal experts be presented to the Minister for Local Government, Ms Shelley Hancock.

- 7 *That the Acting Chief Executive Officer provide DMB Pty Ltd authorisation to;*
- a further investigate the financial controls and reporting within the Central Coast Council.*
 - b to have access to all financial staff within the Central Coast Council to ask questions relating to the current financial situation.*
 - c provide urgent local government specific finance and accounting training to Directors and financial staff within Central Coast Council.*
- 8 *That Council request the final submission be placed on Councils website and the Chief Executive Officer give consideration to the proactive release of the attachments to the submission in accordance with the GIPA Act.*

Amendment Moved: Councillor Best

Amendment Seconded: Councillor McLachlan

- 1 *That Council notes the Minister for Local Government, Ms Shelley Hancock show cause notice under section S438K of the Local Government Act calling on Council to demonstrate why it should not be suspended.*
- 2 *That further to the recent resignations of Councillors and that this Council has lost the communities confidence and some \$250 million dollars of restricted funds, Council recognises that there is no creditable financial way forward under this elected Council and therefore accepts the Minister's offer of suspension/administration.*
- 3 *That further this Council has clearly acted unlawfully in accessing some \$250 million dollars of restricted funds leaving Council with no alternative but to refer this illegal act formally to the Independent Commission Against Corruption.*
- 4 *That Council notes in taking the steps above this Council puts the interests of its ratepayers first and expedites an end to the financial bleeding of this Council.*
- 5 *That in the event that this Council is suspended and administration takes place that Council requests the Minister to maintain the democratic process and not penalise the community through affording them the opportunity to elect their new Council and preserve the democratic procedure as scheduled in the September 2021 Local Government Elections.*

*For:
Councillors Best, Burke, Holstein, McLachlan
and Pilon*

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

The amendment was put to the vote and declared LOST.

Moved: Mayor Matthews

Resolved

1071/20 That Council formally table the notice (Attachment 1) dated Wednesday 21 October from the Minister for Local Government issuing a notice of intention to issue a suspension order.

1072/20 That Council, subject to any final editorial amendments to ensure correctness and clarity of response, adopts as the response to the Notice, Attachment 2 – Draft Submission.

1073/20 That Council authorises the Mayor to consult with Councillors for further inclusion of information prior to submission.

1074/20 That Council authorises the Mayor and Deputy Mayor, in consultation with independent legal advisers, to finalise the attached draft submission to ensure correctness and clarity of the response.

1075/20 That Council provide the final submission to the Minister for Local Government by close of business on 28 October 2020.

1076/20 That Council include the reports, presentations or investigations or other relevant materials from DMB Pty Ltd or any other external and internal experts be presented to the Minister for Local Government, Ms Shelley Hancock.

1077/20 That the Acting Chief Executive Officer provide DMB Pty Ltd authorisation to;

a further investigate the financial controls and reporting within the Central Coast Council.

b to have access to all financial staff within the Central Coast Council to ask questions relating to the current financial situation.

c provide urgent local government specific finance and accounting training to Directors and financial staff within Central Coast Council.

1078/20 That Council request the final submission be placed on Councils website and the Chief Executive Officer give consideration to the proactive release of the attachments to the submission in accordance with the GIPA Act.

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

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

Procedural Motion – Motion of Urgency

Time commenced: 8.11pm

Moved: Councillor Smith

Seconded: Mayor Matthews

Resolved

1079/20 That Council consider a motion of urgency regarding Council Transparency for our Community with this matter being urgent due to relating to transparency regarding the current financial situation.

For:

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

Against:

Councillors Best, Burke, McLachlan and Pilon

The Mayor declared it is appropriate that Council should consider the matter as a matter of urgency.

U6/20 Motion of Urgency - Council Transparency for our Community

Time commenced: 11.29pm

Councillor Best left the meeting at 11.53pm and did not return.

Moved: Councillor Smith

Seconded: Councillor Vincent

Resolved

1080/20 In view of the current financial crisis this Council recognises:

- 1 That the role of the elected Councillors as the governing body of Council is to direct and control the affairs of this Council in accordance with the Local Government Act 1993.**
- 2 That all confidential information which has any bearing on the current financial crisis is available to all of the Councillors in accordance with the Code of Conduct and Section 664 of the Local Government Act 1993 as it is necessary to fulfil their functions to make informed decisions in a reasonable and diligent manner.**
- 3 Any material that is deemed to be confidential must be accompanied by formal legal advice from legal counsel advising why that document or information is required to be confidential and for what period of time.**

1081/20 That this Council demonstrates maximum transparency toward our community in the information and processes dealing with the current financial crisis facing Central Coast Council. The following applies whether or not an Administrator has temporarily taken the place of the elected Council or the elected Council remain in place acting under a performance improvement order. The Council shall as a minimum require:

- 1 The establishment of a prominent and easy to find web page on Council's website that provides up to date information about Council's financial status and access to non-confidential relevant reports, minutes and other information, including information to be made public as a result of this resolution.**
- 2 The substantive report from the Forensic Audit is to be provided to the Mayor, Chief Executive Officer and Chair of the Audit, Risk and Improvement Committee simultaneously on completion, and made available to all Councillors, subject to the need for confidentiality in relation to particular items.**
- 3 On the completion of the Forensic Audit a report will be provided to Council noting its completion and resolving if it will be released to the public at that time.**
- 4 A public report is to be provided which outlines the root cause of the current financial crisis and actions to be taken, subject to any need for confidentiality in relation to particular items. The report will allow the public to understand the essential findings and the situation, as it is then known, of Council's financial position. The public report must be released to the public within 7 days of the knowledge of the root cause being delivered to the Council.**
- 5 As an outcome of the of the investigations of DMB Pty Ltd, a public report is to be provided which reports on the findings of the investigations whilst maintaining confidentiality as appropriate.**
- 6 All correspondence between the NSW Government and Council related to the current financial crisis will be forwarded to the Councillors at the time it is received or sent.**
- 7 From this point onwards, until otherwise determined, Council will conduct a Council meeting (either Ordinary or Extraordinary as required) which is open to the public on a fortnightly basis.**
- 8 Each (fortnightly) Council meeting during the next 12 months will receive a report that details;**
 - i. the financial position of council at that time**
 - ii. progress against the 100 day action plan**

- iii. *progress of the Forensic Audit, until completed*
- iv. *an outline of any other relevant strategy in response to the Financial Crisis and progress against those strategies*
- v. *progress against any Performance Improvement Order that is in place.*

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

Against:
Councillor Burke

Procedural Motion

Time commenced: 11.53pm

Moved: *Councillor Smith*
Seconded: *Mayor Matthews*

Resolved

1082/20 *That Council move into confidential session to consider legal advice regarding item U6/20 – Motion of Urgency - Council Transparency for our Community the time being 11.53pm.*

1083/20 *That Council also consider items 6.1 - Deferred Item - Mayoral Minute - Staff Matter, 6.2 - Deferred Item - Code of Conduct Investigation Report - INV25/2019 and 6.3 - Deferred Item - Code of Conduct Investigation Report – INV6/2020 in confidential session before returning to open session.*

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

Against:
Councillors Best, McLachlan, Pilon and Vincent

Procedural Motion – Exception

Time commenced: 8.17pm

Moved: *Councillor Smith*
Seconded: *Councillor MacGregor*

Resolved

1084/20 *That Council withdraw item 5.2 - Notice of Motion - State advice, Council restricted funds, legal advice and moving forward as per clause 10.3 of the*

**Code of Meeting Practice as it was dealt with at the 20 October 2020
Extraordinary Meeting as a Motion of Urgency.**

1085/20 That Council adopt the following items as a group and in accordance with the report recommendations:

Item #	Item Title
3.1	<i>Pecuniary Interest Disclosure Returns 2019-2020</i>
3.2	<i>Meeting Record of the Water Management Advisory Committee meeting held 12 August 2020</i>
3.3	<i>Meeting Record of the Gosford Foundation Trust Management Committee meeting held 22 September 2020</i>

1086/20 That Council discuss the following items individually:

Item #	Item Title
2.1	<i>Draft Land Transaction Policy - Outcome of Public Exhibition</i>
2.2	<i>100 Day Action Plan – Status Report</i>
3.4	<i>Deferred Item - The Entrance Channel - Studies and Reports</i>
3.5	<i>Deferred Item - The Entrance Beach North - Coastal Erosion Update</i>
5.1	<i>Notice of Motion - Affordable Housing</i>
5.3	<i>Deferred Item - Notice of Motion - Leveraging Jobs Hub off \$250M State Government Rail Investment at Kangy Angy</i>
5.4	<i>Deferred Item - Notice of Motion - Tradie led COVID recovery for the Central Coast</i>
6.1	<i>Deferred Item - Mayoral Minute - Staff Matter</i>
6.2	<i>Deferred Item - Code of Conduct Investigation Report - INV25/2019</i>
6.3	<i>Deferred Item - Code of Conduct Investigation Report – INV6/2020</i>
U6/20	<i>Motion of Urgency – Council Transparency for our Community</i>

**For:
Unanimous**

2.1 Draft Land Transaction Policy - Outcome of Public Exhibition

Time commenced: 8.24pm

Councillor Sundstrom left the meeting at 8.24pm and returned at 8.27pm.

Councillor Hogan left the meeting at 8.24pm and returned at 8.28pm.

Moved: Councillor Smith

Seconded: Councillor MacGregor

Resolved

1087/20 That Council adopt the draft Land Transaction Policy as contained within this report with the following amendments:

a Principles

5 The following principles are provided to define duties and obligations of Council and Council staff. It should be noted that there will be occasions where an exception to the principle is required for the best outcome of all parties. Such exceptions require approval at a Council meeting.

b Dedications

11 Land dedications must be treated in the same way as a land acquisition or sale by Council. In seeking Council resolution to support the decision, the report to Council must include details of the long-term maintenance costs, benefits of the land dedication (including social, environmental and /or economic), outcome of due diligence investigations, financial impact analysis and an independent valuation ~~where appropriate~~ (unless the value of the land does not justify a valuation). Appropriate records must be kept detailing the purpose of the dedication and any conditions or restrictions of the dedication.

c Market Value

16 Land transactions will occur at market value, as assessed by a registered independent valuer appointed by Council, unless the value of the land does not justify a valuation. Council resolutions should allow scope for negotiation to ensure market value is secured.

d Review of land portfolio

17 A strategic review of Council's land portfolio needs be undertaken periodically by Council. A review of Council's land portfolio should be a public process with all considerations listed below being documented and reported to Council for approval.

1088/20 That Council revoke the following policies of the former Gosford City Council:

- a Land and Property Transactions Policy (to be replaced by Land Transaction Policy)**
- b Acceptance of Care, Control & Management of Public lands acquired by other Authorities (to be replaced by Land Transaction Policy)**
- c Citywide Business Improvement Districts (no longer needed)**
- d Easements/Leases/Licences-Utilities, Authorities and Companies (no longer needed)**

1089/20 That Council revoke the following policy of the former Wyong Shire Council:

- a Policy for Property Transactions – Sales and Acquisitions (to be replaced by Land Transaction Policy)**

For:

Unanimous

2.2 100 Day Action Plan - Status report

Time commenced: 8.35pm

Councillor Best left the meeting at 8.52pm and returned at 8.53pm.

Moved: Councillor MacGregor

Seconded: Councillor Sundstrom

Resolved

1090/20 That the report on Central Coast Council's serious financial situation be received and noted.

For:

Mayor Matthews, Councillors Hogan, Holstein, Greenaway, MacGregor, Mehrrens, Smith, Sundstrom and Vincent

Against:

Councillors Best, Burke, McLachlan and Pilon

3.1 Pecuniary Interest Disclosure Returns 2019-2020

This item was resolved by the exception method.

Moved: Councillor Smith

Seconded: Councillor MacGregor

Resolved

1091/20 That Council receive the report on Pecuniary Interest Disclosure Returns 2019-2020 and note that the Chief Executive Officer has tabled Pecuniary Interest Disclosure Returns, pursuant to Clause 4.25 of Council's Code of Conduct.

**For:
Unanimous**

3.2 Meeting Record of the Water Management Advisory Committee meeting held 12 August 2020

This item was resolved by the exception method.

**Moved: Councillor Smith
Seconded: Councillor MacGregor**

Resolved

1092/20 That Council receive the report on Meeting Record of the Water Management Advisory Committee meeting held 12 August 2020.

**For:
Unanimous**

3.3 Meeting Record of the Gosford Foundation Trust Management Committee meeting held 22 September 2020

This item was resolved by the exception method.

**Moved: Councillor Smith
Seconded: Councillor MacGregor**

Resolved

1093/20 That Council receive the report on Meeting Record of the Gosford Foundation Trust Management Committee meeting held 22 September 2020.

**For:
Unanimous**

3.4 Deferred Item - The Entrance Channel - Studies and Reports

Time commenced: 8.59pm

Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he was a member of the Tuggerah Lakes Breakthrough Association and as such he has an association with Angus Jackson. 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 Sundstrom left the meeting at 9.07pm and returned at 9.09pm.

Moved: Councillor McLachlan

Seconded: Councillor Holstein

Resolved

1094/20 That Council receive the report on Deferred Item - The Entrance Channel - Studies and Reports.

1095/20 That Council acknowledges the key findings of the report that shows a southern training wall may have merit to restrain the entrance channel from migrating southwards where it can become perched on the rock shelf (PBP 1988). However, a single training wall would still not provide for safe navigation and would be associated with some loss of amenity and aesthetics (PBP 1994).

1096/20 That Council receive a report from staff identifying the opinion of both the Tuggerah Lakes expert panel and Manly Hydraulics Laboratory in relation to the provision of a southern training wall.

For:

Unanimous

The meeting was adjourned at 9.26pm and resumed at 9.34pm.

3.5 Deferred Item - The Entrance Beach North - Coastal Erosion Update

Time commenced: 9.34pm

Moved: Councillor McLachlan

Seconded: Mayor Matthews

Resolved

1097/20 That Council note the information contained within this information report.

For:

Unanimous

5.1 Notice of Motion - Affordable Housing

Time commenced: 9.50pm

Councillor Greenaway left the meeting at 10.27pm and returned at 10.29pm.
Councillor Best left the meeting at 10.32pm and returned at 10.32pm.

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

1098/20 That Council requests the Chief Executive Officer to prepare a "Council Affordable Housing Land (CAHL) Proposal" meeting the criteria as outlined in the Affordable Housing Strategy.

1099/20 As part of the process of developing the CAHL, the Chief Executive Officer conduct a workshop with Councillors prior to the end of February 2021 that includes:

- a) economic information / modelling of identified suitable sites**
- b) options to deliver affordable housing including partnerships with providers**
- c) an outline of a process that ensures transparency and good governance**

1100/20 That the draft CAHL be reported to Council no later than the last meeting in March 2021 before being exhibited for 28 days.

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

Against:
Councillor Best, Burke, Pilon and McLachlan

Abstained: Councillor Greenaway

5.2 Notice of Motion - State advice, Council restricted funds, legal advice and moving forward

This item was withdrawn in accordance with clause 10.3 of the Code of Meeting Practice (minute 1084/20).

5.3 Deferred Item - Notice of Motion - Leveraging Jobs Hub off \$250M State Government Rail Investment at Kangy Angy

Time commenced: 10.34pm

Moved: Councillor Best
Seconded: Councillor McLachlan

- 1 *That Council congratulates the key contractors, their some 300 employees and the State Government for their \$250 million intensity rail hub investment at Kangy Angy that will employ more than 300 FTEs.*
- 2 *That further Council recognises the outstanding contribution by the former Wyong Council and its staff in being able to competitively secure such an extraordinary jobs boost for our region.*
- 3 *That despite this Council's strident opposition and repeated representations against this massive investment and jobs initiative, Council now look to leverage from this project through the establishment of a Local Rail Hub Business Network not unlike the vision Wyong Council staff had for the job-generating proposed Airport Hub at Warnervale.*
- 4 *That Council in partnership with the State, the Regional Development Australia (RDA) and the broader business community with a view to bring together a taskforce to investigate this unique opportunity and potential jobs bonanza.*
- 5 *That Council request the Chief Executive Officer to report on such an initiative providing preliminary advice and possible direction that Council may wish to consider.*

For:
Councillors Best, Burke, Holstein, McLachlan
and Pilon

Against:
Mayor Matthews, Councillors Greenaway,
MacGregor, Mehrtens and Smith

Abstained: Councillors Hogan, Sundstrom
and Vincent

A division was called by Councillors Best and McLachlan

For:
Councillors Best, Burke, Holstein, McLachlan
and Pilon

Against:
Mayor Matthews, Councillors Greenaway,
MacGregor, Mehrtens and Smith

Abstained: Councillors Hogan, Sundstrom
and Vincent

The motion was put to the vote and declared LOST.

5.4 Deferred Item - Notice of Motion - Tradie led COVID recovery for the Central Coast

Time commenced: 11.00pm

Councillor Burke left the meeting at 11.02pm and returned at 11.04pm.

Moved: Councillor McLachlan
Seconded: Councillor Best

Resolved

- 1101/20 That Central Coast Council recognises the local economy is one of its core pillar responsibilities, and that COVID 19 economic impacts now require Council to urgently provide economic leadership and stimulus to the Central Coast Region.**
- 1102/20 That Council acknowledges the key role of its planning department and its ability via fast tracking of the DA process, an immediate boost to construction, our second largest workforce on the Central Coast.**
- 1103/20 That Council finances, even with maximum Rate Rise percentages allowed, is projecting at \$50M budget loss for 2020, resulting in a cut backs to Capital Works programmes across the Coast.**
- 1104/20 That any increased efficiency of the planning department, can play a vital role in increasing Council revenues, through collection of development contributions, fees and charges.**
- 1105/20 That Council via the Chief Executive Officer now investigate and report back to Council, measures to assist in the fast tracking of DA assessments, including allocating additional resources to the planning department, in order to reduce DA assessment turnaround times.**

For:

Mayor Matthews, Councillors Best, Burke, Holstein, McLachlan, Pilon, Smith, Sundstrom and Vincent

Against:

Councillors Hogan, Greenaway, MacGregor and Mehrrens

At this stage of the meeting being 11.53pm 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 resumed in open session at 1.16am on Tuesday 26 October 2020 and the Acting Chief Executive Officer reporting on proceedings of the confidential session of the ordinary meeting as follows:

6.2 Deferred Item - Code of Conduct Investigation Report - INV25/2019

Time commenced: 12.28am on Tuesday 26 October 2020

Councillor Best left the meeting at 11.53pm and did not return.

Councillor Hogan left the meeting at 12.49am and returned at 12.51am.

Moved: Mayor Matthews
Seconded: Councillor Sundstrom

Resolved

1106/20 That Council defer this item to allow the subject Councillor the opportunity to make a verbal submission to Council in regard to this matter as required under the Code of Conduct.

1107/20 That Council provide the Councillor with another letter advising of the opportunity to make a verbal submission.

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

Against:
Councillors Greenaway, MacGregor,
Mehrtens and Smith

6.3 Deferred Item - Code of Conduct Investigation Report - INV6/2020

Time commenced: 12.24am on Tuesday 26 October 2020

Councillor Best left the meeting at 11.53pm and did not return.

Moved: Mayor Matthews
Seconded: Councillor Burke

Resolved

1108/20 That noting the resignation of former Councillor Marquart, Council notes that this matter no longer requires a determination of Council.

1109/20 That this matter now be referred to the Office of the Internal Ombudsman for any appropriate action.

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

Against:
Councillors Hogan and Vincent

The Meeting closed at 1.20am on Tuesday 26 October 2020.