



Central Coast Council

Minutes of the Ordinary Council Meeting of Council Held in the Council Chamber 2 Hely Street, Wyong on 9 March 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 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), Dr Liz Develin (Director Governance), Jamie Loader (Director Water and Sewer), Ricardo Martello (Executive Manager Innovation and Futures) and Craig Norman (Chief Finance Officer).

The Mayor, Lisa Matthews, declared the meeting open at 6.53pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

The reports are recorded in their correct agenda sequence.

Apologies

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

Resolved

159/20 That Council accept the leave of absence from Councillor Best for the Ordinary Meeting to be held on 23 March 2020.

For:
Unanimous

1.1 Disclosures of Interest

Councillor Gale left the chamber at 7.00pm and returned at 7.02pm. She was not present for voting of this item.

Item 2.1 – Deferred Item - Outcomes of Public Exhibition of draft Central Coast Local Environmental Plan and draft Central Coast Development Control Plan

Councillor MacGregor declared a less than significant non pecuniary interest in the matter as he knows one of the speakers through Central Coast Cricket. He chose to stay in the chamber 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 pecuniary interest for the item which was dealt with in seriatim as a community member presenting in the public forum had a perception that the Councillor had a conflict of interest in relation to her property and his employment. Councillor Vincent left the chamber during her address to Council in the public forum and left the chamber at 8.37pm and returned at 8.38pm for consideration of the item. He was not present for the relevant part and did not participate in voting on the relevant part.

Item 3.3 – Community Facilities Review

Councillor Hogan declared a pecuniary interest in the matter as her employer utilises a council building. She left the chamber at 8.52pm, returned at 9.05pm and did not participate in discussion or voting of the matter.

Councillor Gale declared a pecuniary interest in the matter as she was previously a board member at Coast Community Connections, is currently a member at the Peninsula Leisure Centre and her child will be attending a Council child centre in the near future. She left the chamber at 8.52pm, returned at 9.05pm and did not participate in discussion or voting of the matter.

Item 8.1 – Local Preference Policy (Confidential)

Councillor Marquart declared a pecuniary interest in the matter as he is the Managing Director of Shoreline Sports Floors which completes local work for the Central Coast Council. He left the chambers at 10.09pm, returned at 10.27pm and did not participate in discussion or voting.

Councillor Pilon declared a pecuniary interest in the matter as her business Trimlite may potentially do work for Central Coast Council. She left the chambers at 10.09pm, returned at 10.27pm and did not participate in discussion or voting.

Moved: Councillor MacGregor

Seconded: Councillor Hogan

Resolved

160/20 *That Council receive the report on Disclosure of Interest and note advice of disclosures.*

For:

Unanimous

1.2 Confirmation of Minutes of Previous Meeting

Councillor Gale left the chamber at 7.00pm and returned at 7.02pm. She was not present for consideration of this item.

Moved: **Councillor MacGregor**

Seconded: **Councillor Smith**

Resolved

161/20 *That Council confirm the amended minutes of the Ordinary Meeting of Council held on 24 February 2020.*

For:

Unanimous

1.3 Notice of Intention to Deal with Matters in Confidential Session

Councillor Gale left the chamber at 7.00pm and returned at 7.02pm. She was not present for consideration of this item.

Moved: **Councillor Mehrtens**

Seconded: **Councillor Smith**

Resolved

162/20 *That Council resolve that the following matters be dealt with in closed session, pursuant to s. 10A(2)(d)(i) of the Local Government Act 1993 for the following reasons:*

Item 8.1- Local Preference Policy

Reason for considering in closed session:

2(d) commercial information of a confidential nature that would, if disclosed:

(i) prejudice the commercial position of the person who supplied it.

That Council resolve, pursuant to section 11(3) of the Local Government Act

1993, that this report and the attachments to this report remain confidential in accordance with section 10A(2d) commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it.

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

Against:
Councillors Best and Pilon

Abstained:
Greenaway and Marquart

Procedural Motion – Exception

Moved: Councillor MacGregor
Seconded: Councillor Gale

Resolved

163/20 That Council adopt the following items as a group and in accordance with the report recommendations:

Item #	Item Title
3.2	Fire Safety report 155 -157 The Entrance Road The Entrance
3.6	Grant Funding Update as at 31 December 2019
4.1	Meeting Record of the Employment and Economic Development Committee held on 17 December 2019
4.2	Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 18 December 2019
4.3	Meeting Record of the Catchments and Coast Committee Brisbane Water and Gosford Lagoons held on 19 December 2019
4.4	Meeting Record of the Social Inclusion Advisory Committee Meeting held on 13 February 2020

164/20 That with the exception of the reports listed below, Council adopt the recommendations contained in the reports listed above:

Item #	Item Title
1.4	Mayoral Minute - Request for State Funds for a Permanent Solution to The Entrance Channel
2.1	Deferred Item - Outcomes of Public Exhibition of draft Central Coast Local Environmental Plan and draft Central Coast Development Control Plan
3.1	After Hours Call Centre Service - Alternative Service Delivery Models

Item #	Item Title
3.3	Community Facilities Review
3.4	Presentation of Financial Reports and related Auditor's Reports for Central Coast Council and Central Coast Council Water Supply Authority for the period 1 July 2018 to 30 June 2019
3.5	2019 Election Commitments Update
3.7	Proposed Sale of 357A Ocean Beach Road, Umina Beach
3.8	2020 National General Assembly of Local Government
3.9	Urban Spatial Plan - Framework for a Local Strategic Planning Statement
6.2	Notice of Motion - Nine Million (\$9,000,000) Agency Agreements / Body Hire
6.3	Notice of Motion - Investigation of Newcastle Airport opportunities to benefit Central Coast
6.4	Notice of Motion - Gosford Waterfront Marina
6.5	Notice of Motion - Council request for Chief Executive Officer to investigate revenue options and modelling for Central Coast Council
7.1	Rescission Motion - Draft Aviation HUB
8.1	Local Preference Policy

165/20 That Council note that Councillor Best has withdrawn item 6.1 – Notice of Motion – Notice of Motion - Trees in flight path - Council's liabilities due to advice from the Aero Club.

For:
Unanimous

Procedural Motion – Adjournment of Meeting

Moved: Mayor Matthews
Seconded: Councillor MacGregor

166/20 That Council adjourn the meeting for a period of 30 mins the time being 7.06pm.

For:
Unanimous

The meeting resumed at 7.38pm.

1.4 Mayoral Minute - Request for State Funds for a Permanent Solution to The Entrance Channel

Moved: Mayor Matthews

Resolved

167/20 That Council note the ongoing cleanup efforts by Council staff and community workers as a result of the recent floods on the Central Coast.

168/20 That Council note as of 27 February 2020, 4,200 tonnes of additional storm waste has been sent to Council waste facilities collected from affected properties, 2,500 tonnes of wrack has been cleared from our foreshores and over 1,200 tonnes of debris has been collected from our beaches, with more expected to be cleared over the coming weeks.

169/20 That Council request the State Government and the opposition leader to allocate \$50 million from the 2020-2021 state budget towards a permanent solution for The Entrance Channel (not limited to those solutions in the media article attached dated November 2013 and that is consistent with the state expert panel).

For:

Unanimous

2.1 Deferred Item - Outcomes of Public Exhibition of draft Central Coast Local Environmental Plan and draft Central Coast Development Control Plan

Councillor MacGregor declared a less than significant non pecuniary interest in the matter as he knows one of the speakers through Central Coast Cricket. He chose to stay in the chamber and participate in discussion and voting on this matter as it does not prejudice or influence his decision on the matter.

Moved: Councillor Smith

Seconded: Councillor Sundstrom

Resolved

170/20 That Council support the following changes to the draft CCLEP and CCDCP as follows:

Draft CCLEP

a Height of Building Map currently applying to the R2 Low Density Residential zone under Gosford Local Environmental Plan (GLEP 2014) will be retained and included in the CCLEP Height of Building Map.

b That the CCLEP retain the Minimum Lot size of 550 sq m for lands

currently zoned R2 in the former Gosford LGA with a minimum lot size of 550 sq m through the use of an overlay map.

- c Replace the proposed CCLEP Clause 4.1F with the Gosford LEP 2014 clause 4.1B.*
- d Amend the Dwelling Opportunity Map to only include land zoned E2 Environmental Conservation under GLEP 2014 immediately prior to the commencement of the CCLEP.*
- e Amend the Heritage Map to include Lot 1 DP 716236 Central Coast Hwy, West Gosford in Item 173 "Kendalls Glen" reserve, rock and memorial.*
- f Amend the Heritage Map to include Calga Aboriginal Cultural Landscape' on Lot 1 DP 1006218 38 Darkinjung Rd, Calga; Part Lot 40 DP 1087374 1 Darkinjung Rd, Calga; Part Lot 45 DP 1197008 Pacific Hwy, Calga; Part Lot 108 DP 755221 69 Cooks Rd, Glenworth Valley; Lot 1 DP 805358 2306 Peats Ridge Rd, Calga; Part Lot 2 DP 805358 2308 Peats Ridge Rd, Calga; Part Lot 235 DP 822125 1 Darkinjung Rd, Calga.*
- g Residential flat buildings, multi dwelling housing and serviced apartments be prohibited in the B6 Enterprise Corridor zone and Serviced apartments be prohibited in the B7 Business Park zone.*
- h Clause 7.14 be amended to ensure that the total gross floor area able to be used for shop top housing remains at 50% of the total gross floor area of that part of the building used only for shop top housing and ground floor business or retail premises.*
- i CCLEP Schedule 5 Item Number 173 'Kendalls Glen Memorial' be retitled "Kendalls Glen" reserve, rock and memorial and applied to Lot 1 DP 716236 Central Coast Hwy, West Gosford and road reserve.*
- j Include as an item of state heritage significance 'Calga Aboriginal Cultural Landscape' situated on Lot 1 DP 1006218 38 Darkinjung Rd, Calga; Part Lot 40 DP 1087374 1 Darkinjung Rd, Calga; Part Lot 45 DP 1197008 Pacific Hwy, Calga; Part Lot 108 DP 755221 69 Cooks Rd, Glenworth Valley; Lot 1 DP 805358 2306 Peats Ridge Rd, Calga; Part Lot 2 DP 805358 2308 Peats Ridge Rd, Calga; Part Lot 235 DP 822125 1 Darkinjung Rd, Calga as per the recent listing on the State Heritage Register.*
- k Clause 4.2A and 7.22 – insert the word 'house' which has been unintentionally omitted when referring to a 'dwelling house'.*
- l Lot 1 DP 394499 37 Althorp St, East Gosford be zoned R1 General Residential.*

- m Lot 27 DP 264579 26A Strand Ave, Narara be zoned E2 Environmental Conservation.*
- n Lot 1 DP 363605 165 Koolang Rd, Green Point and Lot 299 DP755234 150 Koolang Rd, Green Point be zoned SP1 Special Activities Sanitary Depot.*
- o Zone the GPSO portion of Lot 8 DP 802107 Central Coast Hwy, Kariong from 2(a) Residential to R2 Low Density Residential and 5E Arterial Road to E2 Environmental Management.*
- p Clause 7.22 be amended to apply only to land currently zoned E2 Environmental Conservation under the GLEP 2014.*
- q That Council introduce an additional provision to the CCLEP which does not alter the permissibility of Home Occupation (Sex Services) from the current WLEP 2013 and GLEP 2014 within the land that they currently apply.*

CCDCP

- r Amend the draft CCDCP to continue the current setbacks for the former Gosford LGA for Residential zones.*

171/20 *That Council include the following as part of the consultation for the LSPS:*

- Drafting of character statements for the former Wyong LGA in a similar format to those of the former Gosford LGA*
- Review the proposed permitted uses in zones*

172/20 *That Council refer the changes proposed in the draft CCLEP / CCDCP to relevant Council Advisory Committees for their consideration (including but not limited to changes to permitted uses in zones).*

173/20 *That Council;*

- a defer finalisation of the draft Consolidated LEP and Consolidated DCP until after the LSPS has been finalised*
- b consider a further report to Council that aligns the draft Consolidated LEP / DCP with the adopted Local Strategic Planning Statement including;*
 - i any proposed changes to the CCLEP / CCDCP*
 - ii any further work necessary, if applicable*
 - iii outlining how the draft CCLEP / DCP aligns with each Action in Council's Community Strategic Plan*

174/20 *That Council request that the Mayor seek a meeting with relevant staff from the Department of Planning, Interested Councillors, the Chief Executive*

Officer and Council staff to discuss and outline a process to take key strategic planning processes forward.

For:

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

Against:

Councillors Gale, Pilon, Burke and Marquart

Procedural Motion – Extension of Time

Moved: Mayor Matthews

Seconded: Councillor Vincent

Resolved

175/20 That Council in accordance with c10.31 of the Code of Meeting Practice extend the time for debate on item 2.1 - Deferred Item - Outcomes of Public Exhibition of draft Central Coast Local Environmental Plan and draft Central Coast Development Control Plan for a period of 5 minutes the time being 7.20pm.

For:

Unanimous

Procedural Motion – In Seriatim

Moved: Councillor Vincent

Seconded: Councillor MacGregor

Resolved

176/20 That Council deal with the following resolution by in seriatim;

That staff provide a briefing on the submissions made to the exhibition period of the draft CCLEP and draft CCDCP including but not limited to the following matters;

- a removing the amalgamation provisions in respect to Orchard Road, Kangy Angy and***
- b rezoning the southern section of Wyreema Road, Warnervale back to R2 (currently R1)***
- c The additions to correct Wycob Property permissibility.***

For:

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

Against:

Councillor Marquart

McLachlan, Gale, Pilon and Burke

Councillor Vincent declared a pecuniary interest for the item which was dealt with in seriatim as a community member presenting in the public forum had a perception that the Councillor had a conflict of interest in relation to her property and his employment. Councillor Vincent left the chamber during her address to Council in the public forum and left the chamber at 8.37pm and returned at 8.38pm for consideration of the item. He was not present for the relevant part and did not participate in voting on the relevant part.

Moved: Councillor Smith

Seconded: Councillor Sundstrom

Resolved

177/20 That staff provide a briefing on the submissions made to the exhibition period of the draft CCLEP and draft CCDCP including but not limited to the following matters;

- a removing the amalgamation provisions in respect to Orchard Road, Kangy Angy and**
- b rezoning the southern section of Wyreema Road, Warnervale back to R2 (currently R1)**
- c The additions to correct Wycob Property permissibility.**

For:

Mayor Matthews, Best, Holstein, Smith, Sundstrom, Mehrtens, Hogan, MacGregor, Greenaway and McLachlan

Against:

Councillors Gale, Pilon, Burke and Marquart

3.1 After Hours Call Centre Service - Alternative Service Delivery Models

Moved: Councillor MacGregor

Seconded: Councillor Mehrtens

- 1 That Council commence the process for the After Hours Call Centre Service, as noted for Model 1.**
- 2 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 1 to this report remain confidential in accordance with section 10A(2)(a) of the Local Government Act as it contains personnel matters concerning particular individuals.**

Amendment Moved: Councillor Best

Amendment Seconded: Councillor Marquart

- 1 That Council commence the tender process for the After Hours Call Centre Service, as noted for Model 2.**
- 2 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that**

Attachment 1 to this report remain confidential in accordance with section 10A(2)(a) of the Local Government Act as it contains personnel matters concerning particular individuals.

*Amendment For:
Councillors Best, Holstein, Smith, Greenaway,
McLachlan, Gale, Pilon, Burke and Marquart*

*Amendment Against:
Mayor Matthews, Councillors Vincent,
Sundstrom, Mehrstens, Hogan and
MacGregor*

The Amendment was declared CARRIED and became the Motion.

Moved: Councillor Best
Seconded: Councillor Marquart

Resolved

178/20 That Council commence the tender process for the After Hours Call Centre Service, as noted for Model 2.

179/20 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 1 to this report remain confidential in accordance with section 10A(2)(a) of the Local Government Act as it contains personnel matters concerning particular individuals.

**For:
Councillors Best, Holstein, Smith,
Greenaway, McLachlan, Gale, Pilon, Burke
and Marquart**

**Against:
Mayor Matthews, Councillors Vincent,
Sundstrom, Mehrstens, Hogan and
MacGregor**

3.2 Fire Safety report 155 -157 The Entrance Road The Entrance

This item was resolved by the exception method.

Moved: Councillor MacGregor
Seconded: Councillor Gale

Resolved

180/20 That Council resolve to exercise its power to issue an Order under Part 2 of Schedule 5 of the Environmental Planning and Assessment Act 1979 with respect to the matters raised within the fire safety inspection report received from Fire and Rescue NSW.

181/20 That Council give notice of its determination to the Commissioner of Fire and Rescue NSW.

**For:
Unanimous**

3.3 Community Facilities Review

Councillor Hogan declared a pecuniary interest in the matter as her employer utilises a council building. She left the chamber at 8.52pm, returned at 9.05pm and did not participate in discussion or voting of the matter.

Councillor Gale declared a pecuniary interest in the matter as she was previously a board member at Coast Community Connections, is currently a member at the Peninsula Leisure Centre and her child will be attending a Council child centre in the near future. She left the chamber at 8.52pm, returned at 9.05pm and did not participate in discussion or voting of the matter.

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

- 182/20 That Council receive the report on the Community Facilities Review and its recommendations.**
- 183/20 That Council place the Draft Facilities Leasing and Licencing Policy on public exhibition for a period of 60 days.**
- 184/20 That Council write to all organisations directly affected by the Policy advising of the exhibition period and noting that staff are available to explain how the draft Policy is relevant to their circumstances.**
- 185/20 That Council include in the draft policy the airport as an excluded facility and note that this policy should be considered in any future lease or licence (or equivalent) negotiations.**
- 186/20 That Council request the Chief Executive Officer to consider submissions received during the exhibition period and provide a report back to Council:**
- a Addressing the submissions received from the public during the exhibition period.**
 - b Proposing appropriate amendments to the Policy with considerations of those submissions and seeking adoption of the Policy by Council.**
- 187/20 That Council acknowledge and thank staff for their work in developing the draft Strategy.**

For: Mayor Matthews, Holstein, Smith, Vincent, Sundstrom, Mehrtens, MacGregor, Greenaway, McLachlan, Burke and Marquart

Abstained: Councillors Best and Pilon

The Mayor vacated the chair at 9.05pm and the Deputy Mayor assumed the chair for Item 3.4.

3.4 Presentation of Financial Reports and related Auditor's Reports for Central Coast Council and Central Coast Council Water Supply Authority for the period 1 July 2018 to 30 June 2019

Mr Aaron Green, Assistant Auditor-General and Ms Cassie Malone, Audit Leader from the Audit Office of NSW were present during consideration of this item.

Moved: Councillor Best

Seconded: Councillor Marquart

Resolved

188/20 That Council note that the 2018-19 Central Coast Council audited financial reports including the auditor's reports have been presented to this meeting of the Council, in accordance with s. 419(1) of the Local Government Act 1993 ("LG Act").

189/20 That Council note that the external auditor, addressed the Council on the auditor's report on Central Coast Council's 2018-19 Financial Reports in accordance with s. 419(2) of the LG Act.

190/20 That Council adopt the audited 2018-19 financial reports for Central Coast Council as presented in accordance with ss. 413(2)(c) and 377(1)(k) of the LG Act, and cl. 215(1)(a) of the Local Government (General) Regulation 2005.

191/20 That Council include the audited 2018-19 Central Coast Council Consolidated Financial Reports as an Addendum to Council's 2018-19 Annual Report in accordance with s.428(4)(a) of the LG Act.

192/20 That Council publish on Council's website the 2018-19 Annual Report including audited 2018-19 Central Coast Council Financial Reports and a copy be provided to the Minister of Local Government in accordance with s. 428 (5) of the LG Act.

193/20 That Council adopt the audited 2018-19 financial reports for Central Coast Council Water Supply Authority as presented in accordance with section 41B of the Public Finance and Audit Act 1983 (PF&A Act) and the Public Finance and Audit Regulation, the Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board, the Local Government Act 1993 (NSW) and the Local Government Code of Accounting Practice.

**For:
Mayor Matthews, Councillors Best,
Holstein, Smith, Sundstrom, Mehrtens,**

**Abstained:
Councillor Greenaway and Vincent**

**Hogan, MacGregor, McLachlan, Gale,
Pilon, Burke and Marquart**

The Deputy Mayor vacated the chair at 9.16pm and the Mayor resumed the chair.

3.5 2019 Election Commitments Update

Councillor Greenaway left the chamber at 9.18pm and returned at 9.19pm. She was not present for voting of this item.

**Moved: Councillor Holstein
Seconded: Councillor MacGregor**

Resolved

194/20 That Council receive the report on 2019 Election Commitments Update.

195/20 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 1 to this report 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 would confer a commercial advantage on a competitor of the Council 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**

3.6 Grant Funding Update as at 31 December 2019

This item was resolved by the exception method.

**Moved: Councillor MacGregor
Seconded: Councillor Gale**

Resolved

196/20 That Council receive the report on Grant Funding Update as at 31 December 2019.

197/20 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachment 3 to this report 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 would confer a commercial advantage on a competitor of the Council 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

3.7 Proposed Sale of 357A Ocean Beach Road, Umina Beach

Councillor MacGregor left the chamber at 9.20pm and returned at 9.22pm. He was not present for consideration of this item.

Moved: Councillor Mehrtens
Seconded: Councillor Holstein

Resolved

198/20 That Council endorse the sale of the operational Council owned land at 357A Ocean Beach Road, Umina Beach (Lot 100 in DP 1201961).

199/20 That Council offer 357A Ocean Beach Road, Umina Beach (Lot 100 in DP 1201961) to the adjoining neighbour for no less than the price provided by an independent valuation as contained within Attachment 5.

200/20 That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that Attachments 3, 4 and 5 to this report 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 would confer a commercial advantage on a competitor of the Council 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, Best, Holstein,
Sundstrom, Mehrtens, Hogan, McLachlan,
Gale, Pilon, Burke and Marquart

Against:
Councillors Vincent and Greenaway

Abstained:
Councillor Smith

3.8 2020 National General Assembly of Local Government

Moved: Councillor Best
Seconded: Councillor Sundstrom

Resolved

201/20 *That Council endorse the submission of the following motions to the 2020 National General Assembly of Local Government to be held 14-17 June 2020 in Canberra;*

Motion submitted by Councillor Best:

That there be a national approach to the implementation of a cat curfew in order to protect native animals, recognising that nationally millions of native animals are lost and that state and local borders are no barrier to cats.

Motion submitted by Councillor Greenaway:

That ALGA write to Water Services Association of Australia to initiate discussions around standardising water restrictions so that the definition of each level is consistent in each council area regardless of whether that area is serviced by a council or by a water authority or water corporation.

202/20 *That Council endorse the following Councillor attendees and Council voting delegate;*

Voting Delegate: Councillor MacGregor

Attendees: Mayor Matthews, Councillors Best, Burke, Gale, Greenaway, McLachlan, Pilon, Smith, Sundstrom and Vincent (subject to availability)

*For:
Unanimous*

3.9 Urban Spatial Plan - Framework for a Local Strategic Planning Statement

Moved: Councillor Smith

Seconded: Councillor MacGregor

Resolved

203/20 *That Council note the summary of submissions received for the Draft Urban Spatial Plan – Framework for a Local Strategic Planning Statement.*

204/20 *That Council note the submissions received will be considered in the development of Council's Local Strategic Planning Statement.*

*For:
Unanimous*

4.1 Meeting Record of the Employment and Economic Development Committee held on 17 December 2019

This item was resolved by the exception method.

Moved: *Councillor MacGregor*

Seconded: *Councillor Gale*

Resolved

205/20 That Council receive the report on Meeting Record of the Employment and Economic Development Committee held on 17 December 2019.

For:

Unanimous

4.2 Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 18 December 2019

This item was resolved by the exception method.

Moved: *Councillor MacGregor*

Seconded: *Councillor Gale*

Resolved

206/20 That Council receive the report on Meeting Record of the Catchments and Coast Committee Tuggerah Lakes held on 18 December 2019.

For:

Unanimous

4.3 Meeting Record of the Catchments and Coast Committee Brisbane Water and Gosford Lagoons held on 19 December 2019

This item was resolved by the exception method.

Moved: *Councillor MacGregor*

Seconded: *Councillor Gale*

Resolved

207/20 That Council receive the report on Meeting Record of the Catchments and Coast Committee Brisbane Water and Gosford Lagoons held on 19 December 2019.

For:

Unanimous

4.4 Meeting Record of the Social Inclusion Advisory Committee Meeting held on 13 February 2020

This item was resolved by the exception method.

Moved: Councillor MacGregor

Seconded: Councillor Gale

Resolved

208/20 That Council receive the report on Meeting Record of the Social Inclusion Advisory Committee Meeting held on 13 February 2020.

For:

Unanimous

6.1 Notice of Motion - Trees in flight path - Council's liabilities?

With the concurrence of the meeting, Councillor Best withdrew 6.1 from consideration due to advice from the Aero Club in relation to this item (minute 165/20).

6.2 Notice of Motion - Nine Million (\$9,000,000) Agency Agreements / Body Hire

Moved: Councillor Best

Seconded: Councillor Marquart

- 1 *That further to Council now receiving its 2018-2019 Accounts, nine months after the end of the financial year, it is noted on Page 30 the expenditure of some \$9 million under the line item "Agency Hire"??*
- 2 *That Council notes the 224 page Section 430 Investigation Report into Body Hire Arrangements in the Former Wyong Shire Council 2007-2010 that identified "evidence of serious and systemic maladministration." LINK*
- 3 *That Council urgently writes to the Office of Local Government (OLG) advising them of Council's concerns as to the real possibility that Body Hire Arrangements may have also arisen at Central Coast Council and ask the OLG to 'independently' advise on the legality and governance that underpins these arrangements.*
- 4 *That Council request the Chief Executive Officer as a matter of urgency report to Council detailing numbers of persons working under these arrangements, the type of*

contractual arrangements, what tendering was conducted, what interviewing process took place, their roles and their work station locations.

- 5 *That pending advice from the OLG, no further Body Hire or Agency Agreements be entered into.*
- 6 *That Council request the Chief Executive Officer confirm as to whether these multi-million dollar arrangements have now been continued into the 2019-2020 Accounts.*

Amendment Moved: Councillor Smith
Amendment Seconded: Councillor MacGregor

- 1 *That Council note the additional information provided by the Chief Executive Officer in Attachment 1 to this report.*
- 2 *That Council request the Chief Executive Officer provide a report by the end of April 2020 detailing numbers of persons working under these arrangements, the type of contractual arrangements, their roles and their work station locations.*
- 3 *That Council request ARIC to include on its annual program of works an update on this as part of the ARIC Annual Report.*
- 4 *That Council request the Chief Executive Officer provide a comparison with other similar sized Councils which have gone through the amalgamation process.*

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

Amendment Against: Councillors Best, McLachlan, Gale, Pilon, Burke and Marquart

The Amendment was declared CARRIED and became the Motion.

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

- 209/20** ***That Council note the additional information provided by the Chief Executive Officer in Attachment 1 to this report.***
- 210/20** ***That Council request the Chief Executive Officer provide a report by the end of April 2020 detailing numbers of persons working under these arrangements, the type of contractual arrangements, their roles and their work station locations.***
- 211/20** ***That Council request ARIC to include on its annual program of works an update on this as part of the ARIC Annual Report.***
- 212/20** ***That Council request the Chief Executive Officer provide a comparison with***

other similar sized Councils which have gone through the amalgamation process.

For:

Unanimous

Procedural Item - Deferral

Moved: *Mayor Matthews*

Seconded: *Councillor MacGregor*

Resolved

213/20 *That Council defer consideration of the following items to the 23 March 2020 Ordinary Meeting;*

Item #	Item Title
6.4	<i>Notice of Motion - Gosford Waterfront Marina</i>
6.5	<i>Notice of Motion - Council request for Chief Executive Officer to investigate revenue options and modelling for Central Coast Council</i>

214/20 *That Council defer consideration of the following item to the 27 April 2020 Ordinary Meeting;*

Item #	Item Title
7.1	<i>Rescission Motion - Draft Aviation HUB</i>

For:

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

Abstained:

Councillors Best and Pilon

6.3 Notice of Motion - Investigation of Newcastle Airport opportunities to benefit Central Coast

Councillor Gale left the chamber at 10.28pm and did not return to the Meeting. She was not present for consideration of this item.

Councillor Best left the chamber at 10.29pm and did not return to the Meeting. He was not present for consideration of this item.

Moved: *Councillor Smith*

Seconded: Councillor Holstein

- 1 *The Chief Executive Officer undertake preliminary investigations into opportunities for a formal relationship with Newcastle Airport that benefits the Central Coast including, but not limited to:
 - a *increased tourism opportunities including marketing and facilitating visitation to the Central Coast region*
 - b *arrangements regarding air freight traffic that benefit Central Coast businesses and industry*
 - c *any other opportunities for investment or favourable arrangements that deliver a positive financial return that benefits the Central Coast community and / or Central Coast Council**
- 2 *The Chief Executive Officer provide a briefing to Councillors in June, 2020 that outlines options to be further explored and next steps.*
- 3 *The Chief Executive Officer provide a further report to Council by the end July, 2020.*

Amendment Moved: Councillor Pilon

Amendment Seconded: Councillor Marquart

- 1 *That Council request the Chief Executive Officer undertake preliminary investigations into opportunities for a formal relationship with Newcastle Airport that benefits the Central Coast including, but not limited to:
 - a) *increased tourism opportunities including marketing and facilitating visitation to the Central Coast region*
 - b) *arrangements regarding air freight traffic that benefit Central Coast businesses and industry*
 - c) *any other opportunities for investment or favourable arrangements that deliver a positive financial return that benefits the Central Coast community and / or Central Coast Council**
- 2 *That Council request Chief Executive Officer provide a briefing to Councillors in June, 2020 that outlines options to be further explored and next steps.*
- 3 *That Council request the Chief Executive Officer provide a further report to Council by the end July, 2020.*
- 4 *That Council request the Chief Executive Officer to also investigate a two way relationship between Newcastle and Warnervale Airports and provide opportunities where these airports may benefit and compliment each other.*
- 5 *That Council request the Chief Executive Officer to provide in his report the opportunities that Warnervale Airport can benefit the Central Coast Region and*

surrounding areas.

Amendment For:
Councillors McLachlan, Pilon, Burke and Marquart

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

Abstained:
Councillor Holstein

A Division was called by Councillor Pilon at 10.40pm.

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

Moved: Councillor Smith
Seconded: Councillor Holstein

Resolved

215/20 The Chief Executive Officer undertake preliminary investigations into opportunities for a formal relationship with Newcastle Airport that benefits the Central Coast including, but not limited to:

- a increased tourism opportunities including marketing and facilitating visitation to the Central Coast region**
- b arrangements regarding air freight traffic that benefit Central Coast businesses and industry**
- c any other opportunities for investment or favourable arrangements that deliver a positive financial return that benefits the Central Coast community and / or Central Coast Council**

216/20 The Chief Executive Officer provide a briefing to Councillors in June, 2020 that outlines options to be further explored and next steps.

217/20 The Chief Executive Officer provide a further report to Council by the end July, 2020.

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

Against:
Councillor Marquart
Abstained:
Councillor McLachlan

Council deferred the consideration of item 6.4 to the Ordinary Meeting to be held on 23 March 2020 (minute 213/20).

6.5 Notice of Motion - Council request for Chief Executive Officer to investigate revenue options and modelling for Central Coast Council

Council deferred the consideration of item 6.5 to the Ordinary Meeting to be held on 23 March 2020 (minute 213/20).

7.1 Rescission Motion - Draft Aviation HUB

Council deferred the consideration of item 7.1 to the Ordinary Meeting to be held on 27 April 2020 (minute 214/20).

Procedural Motion – Move into Confidential Session

Moved: Councillor Mehrtens
Seconded: Councillor Smith

Resolved

218/20 That the meeting move into Confidential Session the time being 10.10pm.

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

Against:
Councillors Best and Pilon
Abstained:
Greenaway and Marquart

At this stage of the meeting being 10.10pm 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 as the items listed come within the following provisions:-

8.1 Local Preference Policy

Pursuant to s10A(2)(d)(i) of the Local Government Act 1993, that this report remain confidential as it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

Procedural Motion – Move into Open Session

Moved: **Councillor Mehrtens**

Seconded: **Councillor Smith**

Resolved

219/20 ***That the meeting move into Open Session the time being 10.27pm.***

For:

Unanimous

Open Session

8.1 Local Preference Policy

Councillor Marquart declared a pecuniary interest in the matter as he is the Managing Director of Shoreline Sports Floors which completes local work for the Central Coast Council. He left the chambers at 10.09pm, returned at 10.27pm and did not participate in discussion or voting.

Councillor Pilon declared a pecuniary interest in the matter as her business Trimlite may potentially do work for Central Coast Council. She left the chambers at 10.09pm, returned at 10.27pm and did not participate in discussion or voting.

The meeting resumed in open session at 10.27 pm and the Director Governance reported on proceedings of the confidential session of the ordinary meeting as follows:

Moved: **Councillor MacGregor**

Seconded: **Councillor Vincent**

Resolved

220/20 ***That Council amend the Central Coast Council Policy for Procurement CCC005 to include additional Local Supplier Support.***

221/20 ***That Council trial for a period of 12 months a Local Preference Weighting for Tenders. Following the trial, a further report be tabled outlining benefits, costs and include a recommendation as to its continuation.***

222/20 ***That Council apply the local preference weighting of 20% to the component of all tenders demonstrated as being sourced by local suppliers and include a financial impact cap of \$150,000 (GST Exclusive) per tender.***

223/20 ***That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that this report and attachment 1 to this report remain confidential in accordance with section 10A(2)(d) of the Local Government Act as it contains information that would, if disclosed, contains commercial information of a***

confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it.

For:

Unanimous

Procedural Motion – Extension of Meeting

Moved: Mayor Matthews

Seconded: Councillor MacGregor

Resolved

224/20 *That Council in accordance with c18.2 of the Code of Meeting Practice extend the Ordinary Meeting until 10.40pm to allow consideration of item 6.3 – Notice of Motion - Investigation of Newcastle Airport opportunities to benefit Central Coast the time being 10.30pm.*

For:

Unanimous

The Meeting closed at 10.41 pm.