



Central Coast Council

Minutes of the
Ordinary Meeting of Council
Held in the Council Chamber
49 Mann Street, Gosford
on 11 November 2019

Present

Mayor Lisa Matthews and Councillors Greg Best, Jillian Hogan, Kyle MacGregor, Doug Vincent, Troy Marquart, Chris Holstein, Bruce McLachlan, Jilly Pilon, Louise Greenaway, Jeff Sundstrom 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 6.31pm 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 Mayor, Lisa Matthews made the following acknowledgements;

Remembrance Day

That noting today, 11 November is Remembrance Day a minutes silence was observed to commemorate and remember all Australians who have died as a result of war.

Fire Emergency

The current fire emergency currently being experienced was noted and thanks were extended to those career and volunteer fire fighters, including Council staff who have been on the front line in these fires.

Presentation

Councillor Holstein having attended the Central Coast Group Training Awards evening on behalf of Council presented an award he had accepted at that event on behalf of Council.

The reports are recorded in their correct agenda sequence.

Apologies

Moved: **Councillor Best**
Seconded: **Councillor Pilon**

Resolved

1065/19 **That Council accept the apologies received from Councillors Burke, Gale Collins and Mehrstens.**

For:
Unanimous

1.1 Disclosures of Interest

Item 2.2 - DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace

Councillor McLachlan declared a pecuniary interest in the matter on the basis that he knows an adjoining landowner as they are a former employee. Councillor McLachlan left the chamber at 7.10pm, returned at 7.38pm and did not participate in discussion or voting on this item.

Item 2.4 - Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong

Councillor MacGregor declared a pecuniary interest in the matter on the basis that he is a Joint Regional Planning Panel delegate and may receive a fee for consideration of this item. Councillor MacGregor left the chamber at 7.45pm, returned at 8.02pm and did not participate in discussion or voting on this item.

Councillor Sundstrom declared a pecuniary interest in the matter on the basis that he is a Joint Regional Planning Panel delegate and may receive a fee for consideration of this item. Councillor Sundstrom left the chamber at 7.45pm, returned at 8.02pm and did not participate in discussion or voting on this item.

Item 2.5 - Amended Planning Proposal Request - Glenworth Valley

Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he knows the owners. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict will not affect his judgement.

Item 3.3 - Annual Report 2018-19

Councillor Vincent declared a pecuniary interest in the matter on the basis that his employer is providing corporate sponsorship and community funding to local projects. Councillor Vincent left the chamber at 8.12pm, returned at 8.21pm and did not participate in discussion or voting on this item.

Item 3.4 - Adoption of amendment to 2019-20 Fees and Charges - Level 3 Sportsfields

Councillor Vincent declared a less than significant non pecuniary interest in the matter as he has family members that play sports on the Central Coast. Councillor Vincent chose to remain in the chamber as the conflict is a region wide fee adoption.

Councillor MacGregor declared a less than significant non pecuniary interest in the matter as he plays amateur/club sport and do not use the fields . Councillor MacGregor chose to remain in the chamber as the conflict is a region wide decision that he can manage.

Item 3.7 - Community Support Grant Program - August 2019

Councillor Hogan declared a less than significant non pecuniary interest in the matter as she knows some of the recipients of grants through her work and being a Councillor. Councillor Hogan chose to remain in the chamber and participate in discussion and voting as she will manage the conflict by being objective.

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she associates with community groups who may be a recipient of the grant. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting as the conflict is minor and will not prevent her from participating in an unbiased way.

Councillor Sundstrom declared a less than significant non pecuniary interest in the matter as he participates in the activities of Copacabana Bush Care. Councillor Sundstrom chose to remain in the chamber and participate in discussion and voting as he will make all deliberations based on the merits of the matter.

Item 6.2 - Deferred Item - Notice of Motion - Green Power Blackout

Councillor Smith declared a less than significant non pecuniary interest in the matter as she knows one of the speakers from the public forum who has been involved in a project with Marine Discovery Centre. Councillor Smith chose to remain in the chamber and participate in discussion and voting as the conflict is minor and will not affect her deliberations.

Moved: **Councillor MacGregor**

Seconded: **Councillor Greenaway**

Resolved

1066/19 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 Best
Seconded: Councillor MacGregor

Resolved

1067/19 That Council confirm the amended minutes of the Ordinary Meeting of Council held on 28 October 2019.

For:
Unanimous

1.3 Notice of Intention to Deal with Matters in Confidential Session

Moved: Councillor MacGregor
Seconded: Councillor Hogan

Resolved

1068/19 That Council receive the report and note that no matters have been tabled to deal with in a closed session.

For:
Unanimous

Procedural Motion – Exception

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

1069/19 That Council adopt the following items en-mass and in accordance with the report recommendations:

<p>Item 3.4 - Adoption of amendment to 2019-20 Fees and Charges - Level 3 Sportsfields</p>

Item 3.6 - 2019-20 Heritage Grant Program Round 1
Item 3.7 - Community Support Grant Program - August 2019
Item 3.9 - Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 24 September 2019
Item 4.1 - Meeting Record of the Employment and Economic Development Committee held 11 September 2019
Item 4.2 - Meeting Record of Gosford CBD and Waterfront Advisory Committee held 18 September 2019
Item 4.3 - Response to Notice of Motion - Sculptures by the Sea
Item 4.5 - Grant Funding Update as at 30 September 2019
Item 6.3 - Notice of Motion - Reclassification

1070/19 That with the exception of the reports listed below, Council adopt the recommendations contained in the reports listed above:

Item 2.1 - Deferred Item - Draft Tuggerah to Wyong Economic Corridor Strategy
Item 2.2 - DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace
Item 2.3 - DA 55728/2018 - 54 Assisted Care Apartments & Ancillary Maintenance/Staff building - 6 Tarragal Glen Avenue, Erina
Item 2.4 - Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong
Item 2.5 - Amended Planning Proposal Request - Glenworth Valley
Item 3.1 - Deferred Item - Draft 2018-19 Financial Reports for Central Coast Council and Central Coast Council Water Supply Authority
Item 3.2 - Fraud and Corruption Control Policy
Item 3.3 - Annual Report 2018-19
Item 3.5 - Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale
Item 3.8 - Appointments to the Water Management Advisory Committee
Item 4.4 - Local Government Elections 2020
Item 6.1 - Deferred Item - Notice of Motion - Water Security Emergency
Item 6.2 - Deferred Item - Notice of Motion - Green Power Blackout
Item 6.4 - Notice of Motion - Advisory Committee Terms of Reference
Item 6.5 - Notice of Motion - Cat Curfew for the Central Coast
Item 6.6 - Notice of Motion - Redress Scheme

**For:
Unanimous**

2.1 Deferred Item - Draft Tuggerah to Wyong Economic Corridor Strategy

Moved: Councillor Smith
Seconded: Councillor MacGregor

- 1 That Council prepare a Transport Study for the Tuggerah to Wyong Economic Corridor to be undertaken in conjunction with the public exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy.
- 2 That the Transport Report includes;
 - capacity of the transport network,
 - demand based on the proposed Strategy
 - Measures of efficiency, sustainability and liveability
 - Consultation with key agencies and transport stakeholders
 - Known commitments for transport infrastructure and timeframes for delivery
 - Options for transport improvements (short, medium and long term) that will improve future measures of efficiency and liveability
- 3 An adjustment of the 2019/20 financial budget of \$50,000 be made for the Transport Study.
- 4 That Council remove the reference to the airport from the draft as it is not consistent with the intent of the previous resolution of Council.
- 5 That Council, for the purpose of community consultation, endorse the public exhibition of the amended draft Tuggerah to Wyong Economic Corridor Strategy (including Action 3.7) for a minimum period of 40 days.
- 6 That Council conduct two workshops (one day and one evening) that includes a presentation of the draft documents and an opportunity for comments.
- 7 Following exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy, Council consider a further report on results of the community consultation and the Transport Study.

Amendment Moved: Councillor Holstein
Amendment Seconded: Councillor Best

- 1 That Council, for the purposes of community consultation, endorse the public exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy for a minimum period of 28 days.
- 2 That following exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy Council consider a further report on results of the community consultation.

Amendment For:
Councillors Best, Holstein, McLachlan, Pilon
and Marquart

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

The Amendment was put to the vote and declared LOST.

The motion was then put.

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

1071/19 That Council prepare a Transport Study for the Tuggerah to Wyong Economic Corridor to be undertaken in conjunction with the public exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy.

1072/19 That the Transport Report includes;

- capacity of the transport network,
- demand based on the proposed Strategy
- Measures of efficiency, sustainability and liveability
- Consultation with key agencies and transport stakeholders
- Known commitments for transport infrastructure and timeframes for delivery
- Options for transport improvements (short, medium and long term) that will improve future measures of efficiency and liveability

1073/19 An adjustment of the 2019/20 financial budget of \$50,000 be made for the Transport Study.

1074/19 That Council remove the reference to the airport from the draft as it is not consistent with the intent of the previous resolution of Council.

1075/19 That Council, for the purpose of community consultation, endorse the public exhibition of the amended draft Tuggerah to Wyong Economic Corridor Strategy (including Action 3.7) for a minimum period of 40 days.

1076/19 That Council conduct two workshops (one day and one evening) that includes a presentation of the draft documents and an opportunity for comments.

1077/19 Following exhibition of the draft Tuggerah to Wyong Economic Corridor Strategy, Council consider a further report on results of the community consultation and the Transport Study.

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

Against:
Councillors Best, Holstein, McLachlan,
Pilon and Marquart

2.2 DA/1284/2018 - Five Lot Subdivision and Construction of Five Dwellings (Small Lot Housing) - 38 Caravel Street & 27 Columbus Street, Hamlyn Terrace

Councillor McLachlan declared a pecuniary interest in the matter on the basis that he knows an adjoining landowner as they are a former employee. Councillor McLachlan left the chamber at 7.10pm, returned at 7.38pm and did not participate in discussion or voting on this item.

Moved: Councillor Smith
Seconded: Councillor Greenaway

Resolved

1078/19 That Council refuse the development application for the following reasons;

- a It is inconsistent with the objectives of the R2 low density residential zone.**
- b That the minimum lot size for corner lots does not comply Part 4 - subdivision of Wyong Development Control Plan 2013 (66% variation).**
- c That the development is not in the public interest.**

1079/19 That if the decision of the Council is appealed in the NSW Land and Environment Court that any mediation outcome comes back to Council for determination.

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

Against:
Councillors Best, Holstein, Pilon and Marquart

2.3 DA 55728/2018 - 54 Assisted Care Apartments & Ancillary Maintenance/Staff building - 6 Tarragal Glen Avenue, Erina

Moved: Councillor Greenaway
Seconded: Councillor Sundstrom

Resolved

1080/19 That Council grant consent subject to the conditions detailed in the schedule attached to the report with the inclusion of the additional condition 1.3 below and having regard to the matters for consideration detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant issues;

Additional Condition 1.3

Prior to the appointment of any certifying authority, to ensure adequate provision is made for the demolition of the existing hardstand car parking area located on the north western corner of Worthing Creek Reserve (directly south of the proposed development) and further, to ensure adequate rehabilitation of this portion of Worthing Creek Reserve is undertaken, a revised Demolition Plan and revised Landscape Plan is required to be submitted to Central Coast Council for approval prior to the issue of a Construction Certificate.

The Demolition Plan is to indicate the removal of all built elements associated with the hardstand car parking area.

The Landscape Plan must be prepared by a qualified Landscape Architect or Landscape Designer, clearly identifying the following:-

- a The scale to which they are drawn and the true north point;***
- b The location of the site boundary lines;***
- c The finished ground levels relative to Australian Height Datum (AHD);***
- d Details of any park furniture proposed;***
- e A planting schedule including:***
 - i Botanical and common names of all proposed plant species;***
 - ii Mature height and diameter of all proposed species; and***
 - iii The pot size and number of all proposed species.'***

1081/19 That Council advise those who made written submissions of its decision.

For:

Unanimous

2.4 Planning Proposal - RPP Independent Proposal Review - Planning Proposal Authority Consideration - DLALC Planning Proposals Somersby & Kariong

Councillor MacGregor declared a pecuniary interest in the matter on the basis that he is a Joint Regional Planning Panel delegate and may receive a fee for consideration of this item. Councillor MacGregor left the chamber at 7.45pm, returned at 8.02pm and did not participate in discussion or voting on this item.

Councillor Sundstrom declared a pecuniary interest in the matter on the basis that he is a Joint Regional Planning Panel delegate and may receive a fee for consideration of this item. Councillor Sundstrom left the chamber at 7.45pm, returned at 8.02pm and did not participate in discussion or voting on this item.

Moved: Mayor Matthews

Seconded: Councillor Pilon

Resolved

1082/19 That Council advise the Regional Planning Panel that it does not seek to

accept the role of the Planning Proposal Authority for the Planning Proposal relating to Lot 481 DP118463 (250 Reeves Street) Somersby and, if requested, the Planning Proposal relating to Lot 512 DP727686 (148 Woy Woy Road) Kariong.

1083/19 *That the Department of Planning, Industry and Environment (DPIE) be advised of the decision.*

1084/19 *That the Chief Executive Officer ensures that there is a Councillor briefing and a report to Council before a Council submission is finalised.*

For:
Mayor Matthews, Councillors Hogan, McLachlan, Pilon and Marquart

Against:
Councillors Holstein, Smith, Vincent and Greenaway

Abstained: Councillor Best

The motion was CARRIED on the casting vote of the Mayor.

2.5 Amended Planning Proposal Request - Glenworth Valley

Councillor McLachlan declared a less than significant non pecuniary interest in the matter as he knows the owners. Councillor McLachlan chose to remain in the chamber and participate in discussion and voting as the conflict will not affect his judgement.

Moved: Councillor Smith
Seconded: Councillor Sundstrom

Resolved

1085/19 *That Council defer consideration of this item for a site inspection to be conducted and a briefing at the monthly planning workshop to be provided.*

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

Against:
Councillors Best and McLachlan

3.1 Deferred Item - Draft 2018-19 Financial Reports for Central Coast Council and Central Coast Council Water Supply Authority

Moved: Councillor Best
Seconded: Councillor MacGregor

Resolved

1086/19 *That Council defer consideration of the Draft 2018-19 Financial Reports for Central Coast Council and Central Coast Council Water Supply Authority to the Ordinary Meeting to be held at a date to be determined prior to the 29 February 2020 and note that a report will be provided for Council's consideration in the Business Paper.*

For: <i>Mayor Matthews, Councillors Best, Holstein, Smith, Sundstrom, MacGregor, Greenaway, McLachlan, Pilon and Marquart</i>	Against: <i>Councillors Vincent and Hogan</i>
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3.2 Fraud and Corruption Control Policy

Moved: *Councillor Smith*
Seconded: *Councillor Hogan*

Resolved

1087/19 *That Council defer consideration of this item to the 25 November 2019 Ordinary Meeting to allow further minor amendments to wording within the Framework and the name of the Framework.*

For: <i>Mayor Matthews, Councillors Holstein, Smith, Vincent, Sundstrom, Hogan, MacGregor and Greenaway</i>	Against: <i>Councillors Best, McLachlan, Pilon and Marquart</i>
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3.3 Annual Report 2018-19

Councillor Vincent declared a pecuniary interest in the matter on the basis that his employer is providing corporate sponsorship and community funding to local projects. Councillor Vincent left the chamber at 8.12pm, returned at 8.21pm and did not participate in discussion or voting on this item.

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

Resolved

1088/19 *That Council adopt the Annual Report 2018-19.*

1089/19 *That Council authorise the Chief Executive Officer to make final editorial amendments to the Annual Report 2018-19 to ensure correctness and clarity with the inclusion of the Chief Executive Officer's Message, Mayor's Message and Financial Performance Summary following adoption of the audited financial statements.*

1090/19 That Council upload the Annual Report 2018-19 on Council's website.

1091/19 That Council advise the Minister for Local Government of Council's URL link to access the Annual Report.

For:

Unanimous

3.4 Adoption of amendment to 2019-20 Fees and Charges - Level 3 Sportsfields

Councillor Vincent declared a less than significant non pecuniary interest in the matter as he has family members that play sports on the Central Coast. Councillor Vincent chose to remain in the chamber as the conflict is a region wide fee adoption.

Councillor MacGregor declared a less than significant non pecuniary interest in the matter as he plays amateur/club sport and do not use the fields . Councillor MacGregor chose to remain in the chamber as the conflict is a region wide decision that he can manage.

This item was resolved by the exception method.

Moved: Councillor Smith

Seconded: Councillor MacGregor

Resolved

1092/19 That Council note that the proposed fees for level 3 sportsfields, per day, per field in 2019-20 were publicly exhibited from 13 September 2019 to 11 October 2019 in accordance with ss.610F and 705 of the Local Government Act 1993.

1093/19 That Council further note that there were 5 submissions received during the public exhibition of the proposed fees for level 3 sportsfields for the 2019-20 financial year.

1094/19 That Council determine, pursuant to s.610F of the Local Government Act 1993, to approve the exhibited proposed fees for 2019-20.

For:

Unanimous

3.5 Response to Notice of Motion - Proposed Sale - 4 and 10 Warren Road, Warnervale

Moved: Councillor Greenaway

Seconded: Councillor Vincent

Resolved

1095/19 *That Council defer consideration of this item until the 25 November 2019 Ordinary Meeting to allow a meeting to be held with interested Councillors and to provide specific information as to how this land had previously been sold without biocertification issues being resolved.*

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

Against:
Councillors Best, McLachlan, Pilon and Marquart

3.6 2019-20 Heritage Grant Program Round 1

This item was resolved by the exception method.

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

Resolved

1096/19 *That Council allocate \$64,437.75 from the 2019-20 grants budget to the projects as outlined in the following report and Attachment 1.*

For:
Unanimous

3.7 Community Support Grant Program - August 2019

Councillor Hogan declared a less than significant non pecuniary interest in the matter as she knows some of the recipients of grants through her work and being a Councillor. Councillor Hogan chose to remain in the chamber and participate in discussion and voting as she will manage the conflict by being objective.

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she associates with community groups who may be a recipient of the grant. Councillor Greenaway chose to remain in the chamber and participate in discussion and voting as the conflict is minor and will not prevent her from participating in an unbiased way.

Councillor Sundstrom declared a less than significant non pecuniary interest in the matter as he participates in the activities of Copacabana Bush Care. Councillor Sundstrom chose to remain in the chamber and participate in discussion and voting as he will make all deliberations based on the merits of the matter.

This item was resolved by the exception method.

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

1097/19 That Council allocate \$84,038.77 from the 2019-20 grants budget to the community grant programs as outlined in the following report and Attachment 1.

1098/19 That Council decline applications for the reasons indicated in Attachment 2 the applicants be advised and where relevant, directed to alternate funding.

For:
Unanimous

3.8 Appointments to the Water Management Advisory Committee

Councillor Hogan left the chamber at 8.39pm during consideration of this item and as a result took no part in voting.

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

1099/19 That Council appoint the following Councillors as representatives on the Central Coast Water Management Advisory Committee;

- Councillor Holstein
- Councillor Smith
- Councillor MacGregor
- Councillor Greenaway

1100/19 That Council endorse the recommendation included in the confidential attachment that is Attachment 2 to this report titled "Water Management Advisory Committee – Full EOI Applications and Convenor Recommendation".

1101/19 That Council resolve, pursuant to s10A(2)(a) of the Local Government Act 1993, that Attachment 2 to this report remain confidential as it contains personnel matters concerning particular individuals (other than councillors), and because consideration of the matter in open Council would be, on balance, contrary to the public interest as it may compromise the personal information of Central Coast community members.

For: Mayor Matthews, Councillors Best, Holstein, Smith, Vincent, Sundstrom, MacGregor,
Against: Councillor Marquart

Greenaway, McLachlan and Pilon

3.9 Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 24 September 2019

This item was resolved by the exception method.

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

1102/19 *That Council receive the report on Meeting Record of the Pedestrian Access and Mobility Advisory Committee held on 24 September 2019 that is Attachment 1 to this report.*

1103/19 *That the Terms of Reference be amended to provide that a Quorum for a meeting of the Pedestrian Access and Mobility Advisory Committee is half the Advisory Group Community Members plus two Councillor Members, noting that Terms of Reference for other Advisory Groups will be similarly reviewed.*

For:
Unanimous

4.1 Meeting Record of the Employment and Economic Development Committee held 11 September 2019

This item was resolved by the exception method.

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

1104/19 *That Council receive the report on Meeting Record of the Employment and Economic Development Committee held 11 September 2019.*

For:
Unanimous

4.2 Meeting Record of Gosford CBD and Waterfront Advisory Committee held 18 September 2019

This item was resolved by the exception method.

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

1105/19 That Council receive the report on Meeting Record of Gosford CBD and Waterfront Advisory Committee held 18 September 2019.

For:
Unanimous

4.3 Response to Notice of Motion - Sculptures by the Sea

This item was resolved by the exception method.

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

1106/19 That Council receive the report on Response to Notice of Motion - Sculptures by the Sea.

For:
Unanimous

4.4 Local Government Elections 2020

Councillor Hogan returned to the chamber at 9.04pm during consideration of this item.

Moved: Councillor Holstein
Seconded: Councillor MacGregor

Resolved

1107/19 That Council receive the report on Local Government Elections 2020, and note the additional memo issued to Councillors on Friday, 8 November 2019 regarding the Contract for the Administration of the Local Government Elections 2020.

1108/19 That Councillors take the opportunity at their annual workshop to discuss the aspect of potential questions for a poll or referendum.

For: Mayor Matthews, Holstein, Smith, Vincent, Sundstrom, Hogan, MacGregor, Greenaway and Pilon	Against: Councillor Best, McLachlan and Marquart
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The meeting was adjourned at 9.06pm and reconvened at 9.16pm.

4.5 Grant Funding Update as at 30 September 2019

This item was resolved by the exception method.

Moved: Councillor Smith
Seconded: Councillor MacGregor

Resolved

1109/19 That Council receive the report on Grant Funding Update as at 30 September 2019.

1110/19 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

6.1 Deferred Item - Notice of Motion - Water Security Emergency

Moved: Councillor Best
Seconded: Councillor Pilon

- 1 *That with New South Wales now almost entirely in drought resulting in many sister Councils such as Armidale, Tamworth, Orange, Tenterfield, Cobar and Bathurst, facing 'zero day' (entirely running out of drinking water) in the next six months, Council move to an emergency footing around our remaining water supply.*
- 2 *That with the Central Coast facing scheduled Level 1 water restrictions and with less than four years water supply remaining (no rain), the Hunter going into restrictions on September 19th for the first time in 25 years and Sydney triggering water restrictions. This Council now takes a proactive stance and triggers our restrictions early commencing at Level 2 at 50% of Mangrove Creek Dam (MCD), thereby saving significant consumption.*
- 3 *That Council recognises (through the attached Restrictions Matrix) that simply moving to Level 2 restrictions still allows our Community to water gardens and wash vehicles whilst substantially extending our dam life, prior to run out.*

- 4 *That Council recognises the importance of civic leadership and the lessons learnt from the 2002-2007 drought when MCD reached 10.3%.*
- 5 *That with MCD now at 53.84% Council uses the remaining time to 50% MCD to ramp up the Community awareness and education prior to any water restrictions triggering.*
- 6 *That Council notes the dire situation in the Hunter and their ramping up of preparations to construct their own Desalination Plant.*
- 7 *That Council notes as our water crisis is inextricably linked to Climate, and that Council's recently declared a 'Climate Emergency' the expansion of this emergency footing to include water is a fundamental progression.*
- 8 *That Council notes the construction of our approved Desalination Plant on Lakes Beach will take in the order of three years to construct at a cost of more than \$100 million.*
- 9 *That further Council notes in the event that our last option Desalination Plant is rejected, Council will need to identify (subject to no rain) a likely 'Zero Day' point for the Central Coast and what options will exist to then rail freight drinking water.*
- 10 *That Council request the Chief Executive Officer to provide a report on the current water infrastructure and exactly how many litres of drinking water we are losing per day.*

For:
Councillors Best, McLachlan, Pilon and Marquart

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

The motion was put to the vote and declared LOST. The foreshadowed Motion was then put.

Moved: Councillor Greenaway
Seconded: Councillor Vincent

Resolved

- 1111/19 That Council request the Chief Executive Officer to expedite the report around rain water tanks.**
- 1112/19 That Council advise as to whether the storm water harvesting scheme in Terrigal is working and if not when Council can expect it will be functional.**
- 1113/19 That Council refer the water level restriction triggers levels to the Water Advisory Committee for consideration.**

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

Against:
Councillors Best, McLachlan, Pilon and Marquart

6.2 Deferred Item - Notice of Motion - Green Power Blackout

Councillor Smith declared a less than significant non pecuniary interest in the matter as she knows one of the speakers from the public forum who has been involved in a project with Marine Discovery Centre. Councillor Smith chose to remain in the chamber and participate in discussion and voting as the conflict is minor and will not affect her deliberations.

Moved: Councillor Best

Seconded: Councillor Marquart

- 1 *That Council notes the Community outrage at the 'growing' Solar Blackout now occurring across the Coast due to Council's Tree DCP that prohibits vegetation removal over residential Solar Panels.*
- 2 *That further Council notes that many thousands of responsible Central Coast Residents have been encouraged by this Council to invest millions in supporting Solar Green Energy.*
- 3 *That Council as a matter of urgency investigate and review our DCP / Policy Settings to reflect a more common sense approach around Vegetation Policy and Energy initiatives.*
- 4 *That Council request the General Manager to furnish a report to this end for Council's consideration.*

For:
Councillors Best, McLachlan, Pilon and Marquart

Against:
Mayor Matthews, Councillors Holstein, Smith, Sundstrom, Hogan, MacGregor and Greenaway

Abstained: Councillor Vincent

The motion was put to the vote and declared LOST.

6.3 Notice of Motion - Reclassification

This item was resolved by the exception method.

Moved: Councillor Smith

Seconded: Councillor MacGregor

Resolved

- 1114/19 That Council request staff to provide a progress report and recommendations for the 9 December 2019 Ordinary Council meeting, in relation to resolution 874/18 relating to a proposal to reclassify the properties listed in that resolution from operational to community land.***

For:
Unanimous

6.4 Notice of Motion - Advisory Committee Terms of Reference

Moved: Councillor Smith
Seconded: Councillor MacGregor

- 1 *That the Terms of Reference for Advisory Committees be amended to provide that a quorum for the conduct of a meeting is as follows:*
 - a *Half the non-Councillor representatives and two Councillors for those Groups with four or more Councillor representatives; and*
 - b *Half the non-Councillor representatives and one Councillor for those Groups with fewer than four Councillor representatives.*
- 2 *That the Terms of Reference for Advisory Committees be amended to provide that the Committees provide advice to both Council and staff noting that this change will not have a practical impact upon the way in which the Committees currently operate.*
- 3 *That staff prepare a Councillor Update with an estimate of the in-kind contribution of the Advisory Committee members (including Councillors), noting the expertise provided, the contribution of agency staff and including estimates of costs associated with attendance, travel and preparation time.*
- 4 *That Council resolve that the current Advisory Committees continue until the next term of Council has reviewed the Advisory Committees and appointments.*

Amendment Moved: Councillor Marquart
Amendment Seconded: Councillor Best

- 1 *That the Terms of Reference for Advisory Committees be amended to provide that a quorum for the conduct of a meeting is as follows:*
 - a *Half the non-Councillor representatives and two Councillors for those Groups with four or more Councillor representatives; and*
 - b *Half the non-Councillor representatives and one Councillor for those Groups with fewer than four Councillor representatives.*
- 2 *That the Terms of Reference for Advisory Committees be amended to provide that the Committees provide advice to both Council and staff noting that this change will not have a practical impact upon the way in which the Committees currently operate.*
- 3 *That staff prepare a Councillor Update with an estimate of the in-kind contribution of the Advisory Committee members (including Councillors), noting the expertise provided, the contribution of agency staff and including estimates of costs associated with attendance, travel and preparation time.*
- 4 *That Council resolve that the current Advisory Committees continue until the next term of Council has reviewed the Advisory Committees and appointments.*

- 5 *That Council will confirm and publish the part B declarations of interest and selection criteria for each and every committee member subject to legal advice.*

Amendment For:
Councillors Best, McLachlan, Pilon and Marquart

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

The Amendment was put to the vote and declared LOST.

The motion was then put.

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

Resolved

1115/19 ***That the Terms of Reference for Advisory Committees be amended to provide that a quorum for the conduct of a meeting is as follows:***

- a Half the non-Councillor representatives and two Councillors for those Groups with four or more Councillor representatives; and***
- b Half the non-Councillor representatives and one Councillor for those Groups with fewer than four Councillor representatives.***

1116/19 ***That the Terms of Reference for Advisory Committees be amended to provide that the Committees provide advice to both Council and staff noting that this change will not have a practical impact upon the way in which the Committees currently operate.***

1117/19 ***That staff prepare a Councillor Update with an estimate of the in-kind contribution of the Advisory Committee members (including Councillors), noting the expertise provided, the contribution of agency staff and including estimates of costs associated with attendance, travel and preparation time.***

1118/19 ***That Council resolve that the current Advisory Committees continue until the next term of Council has reviewed the Advisory Committees and appointments.***

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

Against:
Councillors Best, McLachlan, Pilon and Marquart

6.5 Notice of Motion - Cat Curfew for the Central Coast

Moved: Councillor MacGregor

Seconded: Councillor Hogan

- 1 That Council note that various councils across NSW and Australia are either lobbying the Government to amend current legislation to bring in a mandatory cat curfew or are introducing their own cat curfew policies.
- 2 That Central Coast Council consider options for the introduction of a cat curfew within the Central Coast LGA or similar council policy mechanisms in order to reduce the impact of roaming cats within our LGA.
- 3 That Council receive a report back on the potential implementation of a cat curfew or similar policy mechanisms within a reasonable timeframe i.e. six months from the date of this council meeting.
- 4 That Council refer the report to the Companion Animal Committee and report back to Council.

Amendment Moved: Councillor Best

Amendment Seconded: Councillor Pilon

That Council respectfully request the Companion Animal Committee to continue to deal with this matter and to report back to Council.

Amendment For:
Councillors Best, McLachlan and Pilon

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

Amendment Abstained: Councillor Holstein

The Amendment was put to the vote and declared LOST.

The motion was then put.

Moved: Councillor MacGregor

Seconded: Councillor Hogan

Resolved

1119/19 That Council note that various councils across NSW and Australia are either lobbying the Government to amend current legislation to bring in a mandatory cat curfew or are introducing their own cat curfew policies.

1120/19 That Central Coast Council consider options for the introduction of a cat curfew within the Central Coast LGA or similar council policy mechanisms in order to reduce the impact of roaming cats within our LGA.

1121/19 *That Council receive a report back on the potential implementation of a cat curfew or similar policy mechanisms within a reasonable timeframe i.e. six months from the date of this council meeting.*

1122/19 *That Council refer the report to the Companion Animal Committee and report back to Council.*

For:
Unanimous

Procedural Motion – Extend Meeting

Moved: Mayor Matthews
Seconded: Councillor MacGregor

Resolved

1123/19 *That Council extend the meeting for a period of 10 minutes the time being 10.34pm.*

For:
Unanimous

6.6 Notice of Motion - Redress Scheme

Moved: Councillor Hogan
Seconded: Councillor Sundstrom

Resolved

1124/19 *That Council defer consideration of this item until the 25 November 2019 Ordinary Meeting.*

For:
Unanimous

The Meeting closed at 10.38pm.