



## Central Coast Council

Minutes of the  
**Extraordinary Council Meeting of Council**  
Held in the Council Chamber  
2 Hely Street, Wyong  
on 23 March 2020

Mayor Lisa Matthews and Councillors Jillian Hogan, Kyle MacGregor, Troy Marquart, Chris Burke, Chris Holstein, 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), Ricardo Martello (Executive Manager Innovation and Futures), Craig Norman (Chief Finance Officer) and Shane Sullivan (Unit Manager Governance and Business Services).

The Mayor, Lisa Matthews, declared the meeting open at 6.42pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor advised the community that due to the Coronavirus (COVID19) situation a decision was made in consultation with the Chief Executive Officer and Deputy Mayor Smith to cancel the 23 March 2020 Ordinary Meeting and this decision was made under clause 5.14 of the Code of Meeting Practice. This Extraordinary Meeting was called in response to a request from the Mayor and the Deputy Mayor made in accordance with clause 3.4 of the Code of Meeting Practice.

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

The reports are recorded in their correct agenda sequence.

### **Apologies**

**Moved:**                **Councillor Hogan**  
**Seconded:**        **Councillor Holstein**

### **Resolved**

**225/20        That Council note Councillor Best was granted a leave of absence for the Ordinary Meeting 23 March 2020.**

**226/20        That Council accept the apologies submitted by Councillors Gale, Pilon, McLachlan and Vincent.**

**For:**  
**Unanimous**

## **1.1 Disclosures of Interest**

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### **Item 3.1 – Proposal to Purchase Land known as the Davistown Wetlands**

Councillor Holstein declared a significant non pecuniary interest in the matter as one of the land owners is a landlord for his wife's business premises. He left the chamber at 7.02pm, returned at 7.03pm and did not participate in discussion or voting of the matter.

### **Item 3.5 – Community Support Grant Program - January 2020**

Councillor Hogan declared a less than significant non pecuniary interest in the matter as she knows of or may have worked with different community groups over the years. She chose to stay in the chamber and participate in discussion and voting on this matter as she will be objective in any decision making.

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she knows potential recipients but not particularly well. She chose to stay in the chamber and participate in discussion and voting on this matter as the conflict is minor and will not affect her ability to discharge her public duty impartially.

### **Item 4.1 - Independent Proposal Review, 148 Woy Woy Road Kariong (Confidential)**

Councillor MacGregor declared a pecuniary interest in the matter and did not participate in discussion on the matter.

This item was resolved by the exception method.

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

**Resolved**

**227/20 That Council receive the report on Disclosure of Interest and note advice of disclosures.**

**For:**  
**Unanimous**

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

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**Moved:** Councillor Burke  
**Seconded:** Councillor Hogan

**Resolved**

**228/20 That Council resolve that the following matters be dealt with in closed session, pursuant to s. 10A(2)(e and c) of the Local Government Act 1993 for the following reasons:**

**Item 4.1 – Independent Proposal Review – 300 Woy Woy Road, Kariong**

***Reason for considering in closed session:***

***2(e) contains information that would, if disclosed, prejudice the maintenance of law.***

***That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that this report and Attachment remain confidential in accordance with section 10A(2)(e) of the Local Government Act contains information that would, if disclosed, prejudice the maintenance of law 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.***

**Item 4.2 – CPA/2853 - Tender Evaluation - Replacement of Amenities Blocks**

***Reason for considering in closed session:***

***2(c) contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business :***

***That Council resolve, pursuant to s.11(3) of the Local Government Act 1993, that this report remain confidential in accordance with section 10A(2)(c) of the Local Government Act as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business 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***

**Procedural Motion – Exception**

Councillor MacGregor left the chamber at 6.52pm and returned at 6.53pm during voting on this item as he declared a pecuniary interest on item 4.1 – Independent Proposal Review, 148 Woy Woy Road Kariong.

***Moved: Councillor Smith***

***Seconded: Councillor Sundstrom***

***Resolved***

***229/20 That Council adopt the following items as a group and in accordance with the report recommendations:***

<b>Item #</b>	<b>Item Title</b>
<b>1.3</b>	<b>Mayoral Minute - Call for Federal and State Governments to direct economic stimulus packages to local governments</b>
<b>4.1</b>	<b>Independent Proposal Review, 148 Woy Woy Road Kariong</b>
<b>4.2</b>	<b>CPA/2853 - Tender Evaluation - Replacement of Amenities Blocks</b>

**230/20** ***That with the exception of the reports listed below, Council adopt the recommendations contained in the reports listed above:***

<b>Item #</b>	<b>Item Title</b>
<b>2.1</b>	<b>Draft Local Strategic Planning Statement</b>
<b>3.1</b>	<b>Proposal to Purchase Land Known as the Davistown Wetlands</b>
<b>3.2</b>	<b>Draft Central Coast Economic Development Strategy</b>
<b>3.3</b>	<b>Exhibition of Draft Operational Plan 2020-21</b>
<b>3.4</b>	<b>Public Exhibition of Waste Resourcing Management Strategy</b>
<b>3.5</b>	<b>Community Support Grant Program – January 2020</b>

**For:**  
**Unanimous**

**1.3** **Mayoral Minute – Call for Federal and State Governments to direct economic stimulus packages to local governments**

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This item was resolved by the exception method.

**Moved:** **Councillor Smith**  
**Seconded:** **Councillor Sundstrom**

**Resolved**

**231/20** ***That Council call on the Federal and State Governments to direct economic stimulus packages to local government in response to the global COVID-19 pandemic.***

**232/20** ***That Council note the NSW Government stimulus packages must include substantial funding and resources for Councils to help drive local economic recovery, ensuring local employment and support of local businesses across NSW, as well as ongoing investment in public infrastructure and community services for the public good.***

**For:**  
**Unanimous**

## **2.1 Draft Local Strategic Planning Statement**

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**Moved:** Councillor Smith  
**Seconded:** Councillor Sundstrom

### **Resolved**

- 233/20** That Council note the current global COVID-19 pandemic significantly impacts the proposed community consultation process for the Local Strategic Planning Statement, which is a similar situation for all non-metropolitan Councils around NSW.
- 234/20** That Council request the Chief Executive Officer write to the NSW Department of Planning, Industry and Environment as a matter of urgency requesting a 12 month extension for the adoption of the LSPS based upon the current enforced restrictions relating to the COVID 19 Pandemic to allow Council to undertake appropriate community consultation.
- 235/20** That Council note the following resolutions from 8 October 2019;
- 976/19** That Council adopt a Ward based approach to the Local Strategic Planning Statement.
- 977/19** That the Chief Executive Officer develop an outline for community engagement for each Ward in consultation with Ward Councillors, noting that this may include the consultation already proposed for Social Planning Areas.
- 236/20** That the draft LSPS be amended to include additional Chapters for each Ward that includes a map of the Ward and outlines proposed Land Use for that Ward, the planning priorities and actions as they apply to that particular Ward
- 237/20** That the Chief Executive Officer engage a consultant to develop character statements for those areas that don't currently have them, in line with resolution 171/20 from 9 March, 2020

**For:**  
**Unanimous**

## **3.1 Proposal to Purchase Land known as the Davistown Wetlands**

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Councillor Holstein declared a significant non pecuniary interest in the matter as one of the land owners is a landlord for his wife's business premises. He left the chamber at 7.02pm, returned at 7.03pm and did not participate in discussion or voting of the matter.

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

**Resolved**

**238/20 That Council, in response to the evolving situation with Coronavirus (COVID – 19), defer consideration of this item to a future Ordinary Council Meeting.**

**For:**

**Unanimous**

**3.2 Draft Central Coast Economic Development Strategy**

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**Moved: Councillor Mehrtens**

**Seconded: Councillor Smith**

**Resolved**

**239/20 That Council, in response to the evolving situation with Coronavirus (COVID – 19), defer consideration of this item to a future Ordinary Council Meeting.**

**For:**

**Unanimous**

**3.3 Exhibition of Draft Operational Plan 2020-21**

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**Moved: Councillor Smith**

**Seconded: Councillor Hogan**

**Resolved**

**240/20 That Council endorse the draft Operational Plan, including Fees and Charges, for the 2020-21 financial year for the purposes of public exhibition from Tuesday 31 March to Monday 27 April 2020 and invite public submissions in accordance with the Local Government Act 1993.**

**241/20 That Council give public notice of the draft Operational Plan 2020-21, including Fees and Charges, in accordance with s.405(3) of the Local Government Act 1993, and publicly exhibit that draft Operational Plan 2020-21 in accordance with that public notice.**

**242/20 That Council resolve, for the purpose of s. 405(4) of the Local Government Act 1993, that maps showing the parts of the Central Coast local government area to which each category and sub-category of ordinary and special rates proposed in the draft Operational Plan 2020-21 be made available in Council's Gosford and Wyong Administration Offices.**

**243/20 That Council authorise the Chief Executive Officer to make appropriate**

*amendments to the draft Operational Plan 2020-21, including Fees and Charges, to correct numerical or typographical errors.*

- 244/20** *That Council consider final adoption of the draft Operational Plan 2020-21, including Fees and Charges, and making of rates and charges at a meeting of the Council by the end of June 2020.*
- 245/20** *That Council notes that this Draft Operational Plan has been developed prior to the realisation of COVID-19 (Coronavirus) impacts. Council recognises that if the economy moves into recession there will be impacts on the Central Coast economy, which will likely impact local businesses and residents and therefore the revenue base and also place cost pressures on operations.*
- 246/20** *Council notes that the assessment of this potential impact is currently being determined. Further updates will be provided during and after public exhibition.*
- 247/20** *That subject to the provisions of S562(3)(b) of the Local Government Act that Council defer any further recovery action on outstanding rates and fees and charges this quarter and look to extend the hardship provisions to businesses which have closed and ratepayers that have lost their jobs and are not receiving an regular income and upon confirmation of business closure or confirmation from employers confirming the ratepayer is no longer employed or will be on unpaid leave Council will look at waiving interest until 31 May 2020.*

**For:**

**Unanimous**

### **3.4 Public Exhibition of Waste Resource Management Strategy**

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**Moved:** Councillor Hogan  
**Seconded:** Councillor MacGregor

**Resolved**

- 248/20** *That Council exhibit the draft Waste Resource Management Strategy for a minimum of 28 days for the purpose of Community Consultation.*
- 249/20** *That, following exhibition of the draft Waste Resource Management Strategy, Council considers a further report on results of community consultation.*

**For:**

**Unanimous**

### **3.5 Community Support Grant Program - January 2020**

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Councillor Hogan declared a less than significant non pecuniary interest in the matter as she knows of or may have worked with different community groups over the years. She chose to stay in the chamber and participate in discussion and voting on this matter as she will be objective in any decision making.

Councillor Greenaway declared a less than significant non pecuniary interest in the matter as she knows potential recipients but not particularly well. She chose to stay in the chamber and participate in discussion and voting on this matter as the conflict is minor and will not affect her ability to discharge her public duty impartially.

**Moved: Councillor Smith**  
**Seconded: Councillor Greenaway**

#### **Resolved**

**250/20 That Council support the recommendations in principle to allocate \$27,697 from the 2019/20 grants budget to the community support grant program as outlined in the following report and Attachment 1.**

**251/20 That Council request the Chief Executive Officer to review the proposals and identify those that may not be able to proceed at this stage due to the COVID-19 pandemic and only allocate to those able to deliver proposed projects.**

**252/20 That Council decline applications for the reasons indicated in Attachment 2 the application be advised and where relevant, directed to alternate funding.**

**For:**  
**Unanimous**

The Unit Manager Governance and Business Services reported on the Confidential Items adopted by the exception method as follows:

### **4.1 Independent Proposal Review, 148 Woy Woy Road Kariong**

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Councillor MacGregor declared a pecuniary interest in the matter and did not participate in discussion on the matter.

This item was resolved by the exception method.

**Moved: Councillor Smith**  
**Seconded: Councillor Sundstrom**

#### **Resolved**

**253/20 That Council adopt the draft submission as attached.**



**254/20** *That Council request the Chief Executive Officer forward the submission to the Hunter and Central Coast Regional Planning Panel for consideration.*

**255/20** *That Council resolve, pursuant to section 11(3) of the Local Government Act 1993, that this report and Attachment remain confidential in accordance with section 10A(2)(e) of the Local Government Act contains information that would, if disclosed, prejudice the maintenance of law 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**

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#### **4.2 CPA/2853 - Tender Evaluation - Replacement of Amenities Blocks**

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This item was resolved by the exception method.

**Moved:** **Councillor Smith**

**Seconded:** **Councillor Sundstrom**

**Resolved**

**256/20** *That Council declines all tenders received for Contract CPA/2853 - Tender Evaluation - Replacement of Amenities Blocks in accordance with cl.178 Local Government (General) Regulation 2005.*

**257/20** *That Council enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender, as per cl.178(3) of the 'Regulation'.*

**258/20** *The Council identifies the projects as continuing projects and the 2020-21 capital works program be increased by the unspent budget as at 30 June 2020 to allow completion.*

**259/20** *That Council resolve, pursuant to s.11(3) of the Local Government Act 1993, that this report remain confidential in accordance with section 10A(2)(c) of the Local Government Act as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business 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**

The Mayor advised the Councillors that due to the current situation with COVID-19 the Chief Executive Officer will continue to hold telephone conferences to ensure that Councillors are up to date with any relevant information.

The Chief Executive Officer advised the meeting that further information has been sought from the Office of Local Government regarding the conducting of future meetings and until further advice has been received the next scheduled meeting for 27 April 2020 will be held at the Wyong Council Chambers.

**The Meeting** closed at 7.34 pm.