



CENTRAL COAST COUNCIL

**MINUTES OF THE
EXTRAORDINARY MEETING OF COUNCIL**

**HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 25 MAY 2016
COMMENCING AT 5.00PM**

PRESENT

Mr Ian Reynolds

IN ATTENDANCE

Interim General Manager, General Counsel, Communications Coordinator, IT and Operations Manager, IT Infrastructure Administrator and two administration staff.

The Administrator, Ian Reynolds, declared the meeting open at 5.00pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Administrator, Ian Reynolds, delivered the opening prayer and read an acknowledgment of country statement.

At the commencement of the ordinary meeting report nos 1.1, 1.2, 1.3, 3.4 and 2.1 were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosure of Interest

RESOLVED on the motion of Mr REYNOLDS:

1/16 That the Administrator receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

1.2 Proposed Briefings and Inspections

RESOLVED on the motion of Mr REYNOLDS:

2/16 That the Administrator receive the report on Proposed Briefings and Inspections.

1.3 Address By Invited Speakers

RESOLVED on the motion of Mr REYNOLDS:

3/16 That the Administrator receive the amended report on Invited Speakers.

4/16 That the Administrator agree meeting practice be varied to allow reports from Directors and/or the Interim General Manager to be dealt with following an Invited Speaker's address.

2.1 Mayoral Minute - Update on Key Development Proposals on the Central Coast

RESOLVED on the motion of Mr REYNOLDS:

5/16 That the Administrator request that the Interim General Manager provide a report on the status of the following projects proposed for locations on the Central Coast:

- a The Performing Arts Centre development at Gosford**
- b The Australian Tax Office administration building development at Gosford**
- c The hosting of V8 Supercar motorsport events at Gosford**
- d Development of the Warnervale Town Centre**
- e Link Road to Warnervale**
- f Proposed Mardi to Warnervale Water Pipeline**

2.2 Mayoral Minute - Operational Plan for the 2016/17 Rating Year

RESOLVED on the motion of Mr REYNOLDS:

- 6/16 *That Council note that it is required to adopt an Operational Plan, in accordance with the Local Government Act 1993, for the 2016/17 rating year.*
- 7/16 *That Council direct the Interim General Manager to ensure that the draft Operational Plan that is publicly exhibited in accordance with the Local Government Act is consistent with the long term financial plans that form part of the Strategic Plans adopted by the former Gosford City Council and the former Wyong Shire Council.*

3.1 Quarterly Budget Review, Former Gosford City Council

RESOLVED on the motion of Mr REYNOLDS:

- 8/16 *That the report be received and endorsed.*
- 9/16 *That the proposed budget adjustments included in this report be endorsed and included in the 2015/16 budget.*
- 10/16 *That the proposed transfers to and from reserves included in the report be endorsed.*

3.2 Code of Conduct and Related Matters

RESOLVED on the motion of Mr REYNOLDS:

- 11/16 *That Council adopt, for the purpose of s. 440(3) of the Local Government Act 1993, the "Central Coast Council Code of Conduct" that is attachment 1 to this report.*
- 12/16 *That Council adopt, for the purpose of s. 440AA(3) of the Local Government Act 1993, the "Central Coast Council Procedure for the Administration of the Code of Conduct" that is attachment 2 to this report.*
- 13/16 *That Council note that the adopted "Central Coast Council Code of Conduct" and the adopted "Central Coast Council Procedure for the Administration of the Code of Conduct" are functionally identical to the model code and the model procedure prescribed by cl. 193 of the Local Government (General) Regulation 2005.*
- 14/16 *That Council resolve, in accordance with Part 3 of the adopted "Central Coast Council Procedures for the Administration of the Code of Conduct", to establish a panel of Code of Conduct Reviewers identical to the panels previously appointed by the former Gosford City Council and the former Wyong Shire Council, with that term of that panel to conclude on 30 April*

2018 unless terminated earlier.

15/16 *That Council request that the Interim General Manager advise each appointee of their appointment as a Code of Conduct Reviewer.*

3.3 **Determination of Water, Sewerage and Stormwater Drainage Fees and Charges for 2016/17 in respect to the former Gosford Local Government Area**

RESOLVED on the motion of Mr REYNOLDS:

16/16 *That Council note that it expects to raise approximately \$72 million from water, sewerage and stormwater drainage service charges levied in the former Gosford local government area in the 2016/17 rating year.*

17/16 *That Council resolve that it will continue to classify all land within the former Gosford local government area for the purpose of levying charges according to the following factors:*

- i. the purpose for which the land is actually being, or is capable of being, used (i.e. residential, non-residential, or retirement village)*
- ii. the intensity with which the land is being used (i.e. number of properties on the land).*

18/16 *That Council resolve that it will continue to levy charges on the following bases, as applicable to each charge:*

- i. the availability of the service*
 - a the classification of land*
 - b the size of the water meter registering supply*
 - c the cost of providing the service (i.e. sewage discharge factor)*
- ii the usage of the service*
 - a the volume of water supplied (as measured or estimated by Council)*
 - b the degree of use (i.e. sewage discharge factor)*

19/16 *That Council resolve to levy water, sewerage and stormwater drainage fees and charges for 2016/17 rating year on land within the former Gosford local government area as determined by IPART, as presented in Attachment 1.*

20/16 *Council adopt a CPI increase, which Council is entitled to apply, pursuant to section 310(2) of the Water Management Act 2000, to the fees and charges (not service charges) levied within the former Gosford local government area for exempt properties, laboratory charges and recycled water as presented in Attachment 2.*

3.4 Proposed Transfer of Land at Kangy Angy to Transport NSW

Mr Mike Campbell, representing Community Environment Network, addressed the meeting at 5.03pm, answered questions and retired at 5.08pm.

Mr Neil Bolte, local resident, addressed the meeting at 5.08pm, answered questions and retired at 5.16pm.

Tabled item: D12346037 – *“Letter - PJ Donnellan & Co Solicitors and Attorneys to Kangy Angy Residents Action Group Re: Kangy Angy Residents Action Group Objection to Intercity Fleet Maintenance Facility at Kangy Angy - Dated 24 May 2016”*

RESOLVED on the motion of Mr REYNOLDS:

- 21/16** *That the Council authorise the transfer of the land known as Lot 34 DP 2877, Lot 35 DP 2877, Lot 36 DP 2877, Lot 37 DP 2877, Lot 38 DP 2877, Lot 39 DP 2877, Lot 40 DP 2877, (having an address of 55 Orchard Road Kangy Angy) to Transport for NSW for an amount not less than market value as determined by a licensed valuer.*
- 22/16** *That the Council authorise the Common Seal of the Council to be affixed to the formal documents for the transfer of the land.*
- 23/16** *That the Council authorise the Interim General Manager to execute all documents.*
- 24/16** *That Council determine the attachment to this report remain confidential after the closing of this meeting, for the reasons that 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 (s. 10A(2)(c) of the Local Government Act 1993).*

PROCEDURAL MOTION

RESOLVED on the motion of Mr REYNOLDS:

- 25/16** *To suspend the standing orders of Council and provide the public background information and context about the new Council.*

RESOLVED on the motion of Mr REYNOLDS:

- 26/16***To resume standing orders of Council.*

PROCEDURAL MOTION

RESOLVED on the motion of Mr REYNOLDS:

27/16 That with the exception of Items 2.1, 2.2, 3.5 and 3.7, I adopt the recommendations contained in the remaining reports. For the sake of clarity, that means that Items 3.1, 3.2, 3.3, 3.6 and 3.8 have been dealt with in accordance with the recommendations of the Council staff.

3.5 Committees of the Former Gosford and Wyong Councils

RESOLVED on the motion of Mr REYNOLDS:

28/16 That Council note this report.

29/16 That Council resolve to dissolve the following committees and revoke all delegations (if any) to members of those committees:

- a. The Audit Committee of the former Gosford City Council; and**
- b. The Audit and Risk Committee of the former Wyong Shire Council.**

30/16 That Council request that the Interim General Manager write to each member of the committees referred to in resolution 2 above to inform them of that resolution and thank them for their valuable contributions to the Central Coast community.

31/16 That Council request that the Interim General Manager provide an urgent report to the ordinary meeting of Council on 8 June 2016 on proposed committees of this Council.

3.6 Interim Salary Arrangement for Council

RESOLVED on the motion of Mr REYNOLDS:

32/16 That Council receive and note this report.

33/16 That Council resolves to engage Winton Consulting Pty Limited to provide services to assist in the harmonisation of the salary systems of the former Wyong Shire Council and the former Gosford City Council.

34/16 That Council notes, for the purposes of s. 55(3)(i) of the Local Government Act 1993, that due to the following extenuating circumstances, a satisfactory result would not be achieved by inviting tenders for these services:

- a The amalgamation of the former Wyong and Gosford local government areas on the 12 May 2016 has created an urgent need to harmonise the**

salary systems and key HR policies of the former Wyong Shire Council and former Gosford City Council and leaves insufficient time to invite tenders;

- b The ability for Winton Consulting Pty Limited to provide the services of Dr Rod Harrison PhD ,who brings extensive experience as a (former) member of the NSW Industrial Relations Commission.*

3.7 Code of Meeting Practice and Location of Council Meetings

RESOLVED on the motion of Mr REYNOLDS:

35/16 That Council resolve, in accordance with Clause 2.1.9 of the current Code of Meeting Practice, to conduct future Ordinary Meetings of Council at the Council Chambers at the following locations:

- a For ordinary meetings to be held on the second Wednesday of any month, at the Council Chambers of the former Gosford City Council (located at 49 Mann Street, Gosford) with the first such meeting to commence at 5pm on Wednesday 8 June 2016 and no such meeting to be held in January of any year; and*
- b For ordinary meetings to be held on the fourth Wednesday of any month, at the Council Chambers of the former Wyong Shire Council, (located at 2 Hely Street, Wyong) with the first such ordinary meeting to commence at 5pm on Wednesday 22 June 2016 and no such meeting to be held in December of any year.*

36/16 That Council resolve, for the purposes of clause 9.3.1 of the current Code of Meeting Practice, that all future ordinary and extraordinary meetings of the Council are to be audio recorded.

37/16 That Council do each of the following in respect to the draft Code of Meeting Practice that is Attachment 1 to this report:

- a Give public notice of the draft Code, which must specify that submissions may be made to Council for a period of not less than 42 days from the date on which the draft Code is first publicly exhibited by Council; and*
- b Publicly exhibit the draft Code for not less than 28 days and in accordance with that public notice.*

38/16 That a further report be provided to Council for consideration of any submissions received in respect to the draft Code of Meeting Practice.

39/16 That Council request that the Interim General Manager provide a report to Council on potential webcasting of meetings of the Council.

40/16 *That the Council authorise the Interim General Manager to amend the draft Code of Meeting Practice to correct typographical errors and ensure the correct citing of statutory references.*

3.8 Interim Organisation Structure of Council

RESOLVED on the motion of Mr REYNOLDS:

41/16 *That Council determine, pursuant to s. 332(1) of the Local Government Act 1993, that the interim organisation structure of Council is as set out in attachment 1 to this report.*

42/16 *That Council delegate to the Interim General Manager, pursuant to s. 377(1) of the Local Government Act 1993, the function of determining positions within that interim organisation structure that are within any Directorate.*

43/16 *That the position of Interim General Manager be determined to be Chief Executive Officer.*

QUESTIONS ON NOTICE

Q11/16 Council Financial Sustainability
Mr Ian Reynolds

"Can the Interim General Manager provide the Council with a report of the financial sustainability of the Council, with the report to include information on the financial systems, investment management strategy and asset management strategy of the Council and to be provided by the end of July 2016?"

THE MEETING closed at 5.39pm.