



CENTRAL COAST COUNCIL

MINUTES OF THE
EXTRAORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 29 JUNE 2016
COMMENCING AT 5.00PM

PRESENT

Ian Reynolds

IN ATTENDANCE

Acting Chief Executive Officer, Acting Group Leader Environment and Planning, Chief Financial Officer, Communications Coordinator, 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.

All reports were dealt with in the correct agenda sequence.

1.1 Disclosure of Interest

RESOLVED on the motion of Mr Ian Reynolds:

147/16 That the Administrator receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.

1.2 Address by Invited Speakers

RESOLVED on the motion of Mr Ian Reynolds:

147/16 That Council receive the amended report on Invited Speakers.

148/16 That Council agree meeting practice be varied to allow reports from Directors and/or the Chief Executive Officer to be dealt with following an Invited Speaker's address.

2.1 The Local Representation Committee

Mr Kevin Armstrong, resident, addressed the meeting at 5.03pm, answered questions and retired at 5.09pm.

RESOLVED on the motion of Mr Ian Reynolds:

- 149/16 ***That Council establish a Local Representation Committee.***
- 150/16 ***That Council adopt the revised "Local Representation Committee - Terms of Reference" (attachment 1 to this report) as the Terms of Reference for the Local Representation Committee.***
- 151/16 ***That Council appoint the following former councillors as members of the Local Representation Committee, subject to each of those former councillors providing the acknowledgment set out below:***

- ***Greg Best***
- ***Deanna Bocking***
- ***Gabrielle Bowles***
- ***Chris Burke***
- ***Craig Doyle***
- ***Doug Eaton***
- ***Bob Graham***
- ***Ken Greenwald***
- ***Jim Macfadyen***
- ***Lisa Matthews***
- ***Hillary Morris***
- ***Vicki Scott***
- ***Jeff Strickson***
- ***Lloyd Taylor***
- ***Adam Troy***
- ***Doug Vincent***
- ***Bob Ward***
- ***Lynne Webster***

ACKNOWLEDGMENT

I,, agree to adhere to the Terms of Reference for the Central Coast Council Local Representation Committee ("CCCLRC") and to at all times remain committed to the success of the new Central Coast Council. In exercising my functions as a member of the CCLRC, I agree to uphold the values of the CCCLRC, being:

- 1. Respect for our history - I will be respectful and honour the history and traditions of both the former Wyong and Gosford Councils***
- 2. Community focus – I will focus on service delivery continuity for residents, the community and other stakeholders during the transition period***

3. Collaborative and cooperative transition – I will work collaboratively to facilitate a smooth and timely transition

4. Integrity and mutual respect – I will act with integrity, mutual respect and professionalism, and I will appropriately manage my behaviours at all times, including between CCCLRC meetings

5. Open and clear communications – I will engage in open, clear and consistent communications to minimise uncertainty for all stakeholders impacted by the transition

6. Objectivity – I will contribute to discussions based on merit

In addition, I confirm that I:

- **Will represent the views of the community;**
- **Will give advice that is in the best interests of the community;**
- **Will promote to the community the Central Coast Council and its objectives and initiatives including when using any form of media, where authorised by the Administrator;**
- **Will work collaboratively at all times with the Administrator, Chief Executive Officer and other CCCLRC members.**
- **Will adhere to Council's adopted Code of Conduct**

I understand that my membership on the CCCLRC will be terminated in the event that the Administrator determines that I have failed to comply with the Terms of Reference or the principles set out above.

152/16 That Council note this report.

2.2 Adoption of 2016-17 Operational Plan and the making and fixing of Rates and Charges

Tabled item: D12384348 – "Additional Submission - Item 2.2 - Adoption of 2016-17 Operational Plan and the making and fixing of Rates and Charges - Extraordinary Meeting 29 June 2016"

RESOLVED on the motion of Mr Ian Reynolds:

153/16 That Council note that the draft "Central Coast Council Operational Plan for 2016-17" was publicly exhibited for 28 days from Monday 30 May 2016.

154/16 That Council receive and consider the submissions made by the community in respect to the draft "Central Coast Council Operational Plan for 2016-17" following public exhibition, as detailed in this report and as required by the Local Government Act 1993.

- 155/16 ***That Council note and endorse the amendments to the exhibited draft "Central Coast Council Operational Plan for 2016-17" that are recommended by Council staff in this report.***
- 156/16 ***That Council authorise the Chief Executive Officer to make final editorial amendments to the exhibited draft "Central Coast Council Operational Plan for 2016-17", to ensure correctness and clarity.***
- 157/16 ***That Council adopt the exhibited "Draft Central Coast Council Operational Plan for 2016-17", subject to the amendments authorised by resolutions 3 and 4 above.***
- 158/16 ***That Council approve the estimates of income and expenditure as detailed in the exhibited draft "Central Coast Council Operational Plan for 2016-17", as amended pursuant to resolution 3 above.***
- 159/16 ***That Council set the rates, charges and fees for 2016-17 as detailed in the Statement of Revenue Policies and the Schedules of Fees and Charges of the former Gosford City and Wyong Shire Councils, as included in the exhibited draft "Operational Plan for 2016-17", as amended pursuant to resolution 3 above.***
- 160/16 ***That Council authorise the Chief Executive Officer to waive or reduce fees in appropriate cases.***
- 161/16 ***That Council set the rate and charge rebates to pensioners for the 2016-17 financial year in accordance with the relevant legislation and the relevant policies of the former Gosford City and Wyong Shire Councils as at 12 May 2016.***
- 162/16 ***That Council is of the opinion that all rateable land within the former Gosford Local Government Area will derive benefit from the activities that are funded in part or whole by the Water (Beach) Safety Special Rate, which is used for:***
- a. Major repairs, refurbishment and reconstruction of six (6) Surf Club buildings and a Regional Aquatic Centre at Woy Woy;***
 - b. Improvements to public areas adjacent to those facilities; and***
 - c. The provision of essential rescue equipment.***
- 163/16 ***That Council is of the opinion that all rateable land in the former Gosford Local Government Area that is used for business purposes and categorised as such in accordance with s. 518 of the Local Government Act 1993 will derive benefit from the provision of certain facilities, services and activities contributing to business and tourism development that are funded in part or whole by a Business/Tourism Development Special Rate.***

164/16 ***That Council is of the opinion that the following rateable land within the former Gosford local government area will derive benefit from the activities that are funded in part or whole by the Gosford Parking Special Rate and/or funded in whole or in part by the Gosford Central Business District Special Rate, which (respectively) fund the operation and maintenance of the Baker Street Parking Station and the provision of facilities, services and activities that contribute to business and tourism development in the area:***

- a. ***Rateable land within Registered Plan 97/6.***
- b. ***Rateable land within the area indicated in the Gosford Central Business District Improvement and Parking Area map (refer to attachment 2):***
 - i. ***Commencing west of Mann Street, at Lot 1 DP 156665, bounded by Etna, Hills, Watt and Faunce Streets; and***
 - ii. ***From Henry Parry Drive to Allotment 1, Section 96, Town of Gosford to the intersection of Erina Street, north to Donnison Street, west of Henry Parry Drive to Georgiana Terrace to include unnamed lane in DP 13734; and***
 - iii. ***Then from Allotment 4, Section 9, Town of Gosford to its intersection with the centre line of the Great Norther Railway bounded by Henry Parry, Mann Street, Georgiana Terrace, Dane Drive to the railway line and back to the point of commencement.***

165/16 ***That Council is of the opinion that the following rateable land will derive benefit from the activities that are funded in part or whole by Terrigal Tourism/Business Special Rate, which provides facilities, service and activities contributing to business and tourism development within the area to which that Special Rate applies (refer to attachment 3):***

- a. ***All land categorised as Business in accordance with s. 518 of the Local Government Act 1993 that is within the suburbs of Terrigal, Wamberal and North Avoca; and***
- b. ***All land categorised as Residential in accordance with s. 516 of the Local Government Act 1993 and used as rental accommodation for periods of three months or less in the suburbs of Terrigal, Wamberal and North Avoca; and***
- c. ***All land used for Bed and Breakfast accommodation in the suburbs of Terrigal, Wamberal and North Avoca.***

166/16 ***That Council is of the opinion that the following rateable land will derive benefit from the activities that are funded in part or whole by The Entrance Area Special Rate, which promotes the economic development, marketing and development of The Entrance area and provides for the organisation and management of promotional events within and around The Entrance area for the purpose of improving the market penetration of The Entrance area and its traders, being the land identified in attachment 4 and includes:***

- a. **All rateable land used for business purposes and categorised as such in accordance with s. 518 of the Local Government Act 1993 in the suburb known as The Entrance; and**
- b. **All rateable land in the suburbs of Magenta, The Entrance, North, The Entrance, Blue Bay, Long Jetty, Toowoan Bay, Shelly Beach and Bateau Bay used predominately for any of the following purposes, as those terms are defined in the Wyong Local Environmental Plan 2013 or the former Wyong Council's "Retail Centres Strategy":**
 - i. **amusement centres,**
 - ii. **camping grounds,**
 - iii. **caravan parks,**
 - iv. **eco-tourist facilities,**
 - v. **pubs,**
 - vi. **registered clubs, or**
 - vii. **service stations,**
 - viii. **tourist and visitor accommodation**

167/16 **That Council is of the opinion that all rateable land in the suburbs known as Toukley, Canton Beach, Noraville and Norah Head (refer attachment 5) that is used for business purposes and categorised as such in accordance with section 518 of the Local Government Act 1993 will derive benefit from the activities that are funded in part or whole by the Toukley Area Special Rate, which markets and promotes the economic development of the Toukley area.**

168/16 **That Council is of the opinion that the following rateable land will derive benefit from the activities that are funded in part or whole by the Wyong Area Special Rate, which is used to market and promote the economic development of the Wyong area within which this special rate applies (refer attachment 6):**

- a. **All land used for business purposes and categorised as such in accordance with section 518 of the Local Government Act 1993 in the suburb known as Watanobbi.**
- b. **All land used for business purposes and categorised as such in accordance with section 518 of the Local Government Act 1993 in the suburb known as Wyong, bounded by the following:**
 - i. **North of the Wyong River from Tacoma in the east to the M1 Freeway in the west;**
 - ii. **East of the M1 Freeway from the Wyong River to the suburb boundary between Wyong and Warnervale but to exclude Lot 32 DP 814964;**

- iii. *South of the northern Wyong boundary to its intersection with the Pacific Highway and then south of the Pacific Highway to the intersection of Pollock Avenue, but to include the land known as Lot 400 DP 1114793 (being to the north of the Pacific Highway);*
- iv. *The eastern boundary of the suburb of Wyong from Johns Road to Wyong River.*

169/16 *That Council **make**, in respect of land within the former Gosford Local Government area, the following ordinary rates for the 2016-17 financial year where such rates consist of an ad valorem amount and subject to a minimum amount, pursuant to ss. 492-494, 497-498, 500, 533-535 and 543 (inclusive) of the Local Government Act 1993:*

| Ordinary Rate Category Section 493 | Ordinary Rate Sub Category Section 529 | Ad Valorem Amount (cents in the \$) | Minimum Rate Amount |
|---|---|--|----------------------------|
| <i>Farmland</i> | - | <i>0.175275</i> | <i>\$506.00</i> |
| <i>Residential</i> | - | <i>0.306962</i> | <i>\$506.00</i> |
| <i>Residential</i> | <i>Flood</i> | <i>0.324940</i> | <i>\$260.00</i> |
| <i>Business</i> | - | <i>0.538903</i> | <i>\$514.00</i> |

170/16 *That Council **make**, in respect of the land within the former Gosford Local Government area, the following special rates for the 2016-17 financial year consisting of an ad valorem amount, pursuant to ss. 492, 495, 497-500, 535-538 and 543 (inclusive) of the Local Government Act 1993 where those special rates are to apply only to and be levied on only the rateable land identified in the table below:*

| Special Rate | Ad Valorem Amount (cents in the \$) | Special rate applies to the following rateable land |
|--|--|--|
| <i>Water (Beach) Safety</i> | <i>0.011571</i> | <i>All rateable land within the former Gosford local government area</i> |
| <i>Business/Tourism Development</i> | <i>0.056993</i> | <i>All rateable land identified in resolution 11</i> |
| <i>Gosford Parking</i> | <i>0.137717</i> | <i>All rateable land identified in resolution 12</i> |
| <i>Gosford Central Business District Improvement</i> | <i>0.359283</i> | <i>All rateable land identified in resolution 12</i> |
| <i>Terrigal Tourism/Business Special Development</i> | <i>0.231261</i> | <i>All rateable land identified in resolution 13</i> |

- 171/16 That Council ***make***, in respect of land within the former Gosford Local Government area, the following annual Domestic Waste Management Charges for the 2016-17 financial year, pursuant to section 496 of the Local Government Act 1993:

| <i>Name</i> | <i>Charge Amount</i> |
|---|-----------------------------|
| <i>Domestic Waste Base Charge</i> | <i>\$64.50</i> |
| <i>120L Urban Waste Service</i> | <i>\$380.00</i> |
| <i>240L Urban Waste Service</i> | <i>\$480.00</i> |
| <i>120L Non-Urban Waste Service</i> | <i>\$350.00</i> |
| <i>240L Non-Urban Waste Service</i> | <i>\$450.00</i> |
| <i>Additional 120L Waste Bin Service</i> | <i>\$190.00</i> |
| <i>Additional Recycling Bin Service</i> | <i>\$109.00</i> |
| <i>Additional Garden Waste Bin Service</i> | <i>\$124.00</i> |
| <i>Additional 240L Waste Bin Service</i> | <i>\$290.00</i> |

- 172/16 That Council ***apply***, the Urban Waste Service charge to all domestic properties in the former Gosford Local Government area eligible under section 496 of the Local Government Act 1993 that are located east of the M1 Freeway and have an approval for a residential building and where the standard three bin collection service is available.

- 173/16 That Council ***apply*** the Non-Urban Waste Service charge to all domestic properties in the former Gosford Local Government area eligible under section 496 of the Local Government Act 1993 that are based west of the M1 Freeway which have an approval for a residential building and where the standard two bin collection service is available.

- 174/16 That Council ***make***, in respect of land within the former Gosford Local Government area, the following Commercial Waste Management Charges for 2016-17, pursuant to section 501 of the Local Government Act 1993:

| <i>Name</i> | <i>Charge Amount</i> |
|---|-----------------------------|
| <i>140L Business Waste Service</i> | <i>\$345.00</i> |
| <i>240L Business Waste Service</i> | <i>\$445.00</i> |
| <i>Additional 140L Waste Service</i> | <i>\$220.00</i> |
| <i>Additional 240L Waste Service</i> | <i>\$290.00</i> |
| <i>Additional Recycling Bin Service</i> | <i>\$109.00</i> |
| <i>Additional Garden Waste Bin Service</i> | <i>\$124.00</i> |

- 175/16 That, in respect to overdue rates and charges on land within the former Gosford Local Government area, Council ***charge*** the lesser of the following:
- a. The maximum rate of interest as determined by the Minister for Local Government under s. 566(3) of the Local Government Act 1993, being 8% per annum; or

b. The maximum rate of interest payable on overdue rates and charges under section 356 of the Water Management Act 2000, being the rate applicable on an unpaid judgment of the Supreme Court;

and this interest is calculated on a daily basis using the simple interest method in accordance with section 566 of the Local Government Act 1993.

176/16 That, Council apply land valuations, for the former Gosford Local Government area, with a base date 1 July 2015 for rating purposes in the 2016/17, 2017/18 and 2018/19 rating years.

177/16 That Council make, in respect of land within the former Wyong Local Government area, the following ordinary rates for the 2016-17 financial year consisting of an ad valorem amount and subject to a minimum amount, pursuant to sections 492-494, 497-498, 500, 533-535 and 543 (inclusive) of the Local Government Act 1993 (refer attachment 7):

| Ordinary Rate Category Section 493 | Ordinary Rate Sub Category Section 529 | Ad Valorem Amount (cents in the \$) | Minimum Rate Amount |
|---|---|--|----------------------------|
| Farmland | - | 0.381415 | \$300.00 |
| Residential | - | 0.601236 | \$300.00 |
| Mining | - | 15.607452 | \$300.00 |
| Business | - | 1.041784 | \$300.00 |
| Business | Business Major Retail | 1.562676 | \$300.00 |
| Business | Business Local Retail | 1.302230 | \$300.00 |

178/16 That Council make, in respect of land within the former Wyong Local Government area, the following special rates for the 2016-17 financial year consisting of a base amount to which an ad valorem amount is added, pursuant to sections 492, 495, 497-500, 535-538 and 543 (inclusive) of the Local Government Act 1993 where those special rates apply only to and be levied on the rateable land identified below:

| Special Rate | Base Amount | Ad Valorem Amount (cents in the \$) | % revenue sourced from base amount | Special rate applies to the following rateable land |
|--------------------------|--------------------|--|---|--|
| The Entrance Area | \$87.00 | 0.39537 | 8.97% | All rateable land identified in resolution 14 |
| Toukley Area | \$87.00 | 0.29428 | 10.35% | All rateable land identified in resolution 15 |
| Wyong Area | \$87.00 | 0.11985 | 18.76% | All rateable land identified in resolution 16 |

179/16 That Council ***make***, in respect of land within the former Wyong Local Government area, the following schedule of annual charges for stormwater management services for the 2016-17 financial year, pursuant to ss. 496A and 510A of the Local Government Act 1993 and cl. 125A and 125AA of the Local Government (General) Regulation 2005 (refer attachment 8):

| Name | Unit of Charge | Charge Amount |
|----------------------------------|--|----------------------|
| Residential | Per property | \$25.00 |
| Residential Strata | Per lot | \$12.50 |
| Residential Company Title | Per Company Title complex apportioned according to the number of shares in the company owned by each shareholder | \$25.00 |
| Business | Business Per 850 square metres or part thereof of the land area of the property to a maximum of \$5,000 per property | \$25.00 |
| Business Strata | Per 850 square metres or part thereof of the land area of the strata complex to a maximum of \$5,000 per strata complex, apportioned equally to each lot within the strata complex | \$25.00 |
| Business Company Title | Per 850 square metres or part thereof of the land area of the Company Title complex to a maximum of \$5,000 per Company Title complex, apportioned according to the number of shares in the company owned by each shareholder | \$25.00 |

180/16 That Council ***apply*** the Stormwater Management Charge to all properties in the former Wyong Local Government area eligible under section 496A of the Local Government Act 1993 that are located east of the M1 Motorway.

181/16 That Council ***make***, in respect of land within the former Wyong Local Government area, the following annual Domestic Waste Management Charges for the 2016-17 financial year, pursuant to section 496 of the Local Government Act 1993 (refer attachment 9):

| Name | Charge Amount |
|--|----------------------|
| Domestic Waste Management Availability Charge | \$65.00 |
| Domestic Waste Management Charge | \$514.00 |
| Domestic Waste Management Charge West of M1 Motorway | \$433.00 |
| Domestic Waste Management Charge – 240 litre Waste Upgrade | \$154.00 |
| Domestic Waste Management Charge – Additional 240 litre Waste Bin Service | \$469.00 |
| Domestic Waste Management Charge – Additional 140 litre Waste Bin Service | \$314.00 |

| | |
|--|----------------|
| Domestic Waste Management Charge – Additional 240 litre Recycling Bin Service | \$82.00 |
| Domestic Waste Management Charge – Additional 240 litre Vegetation Bin Service | \$82.00 |
| Domestic Waste Management Charge – Additional Short Term Extra Service – 140 litre Waste Bin - price per service | \$18.10 |
| Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Waste Bin - price per service | \$19.30 |
| Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Recycling Bin - price per service | \$18.10 |
| Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Vegetation Bin - price per service | \$18.10 |

182/16 That Council continue, in respect of land within the former Wyong Local Government area, the policy of the former Wyong Shire Council, of not providing a Domestic Waste Management service to parcels of land which have no Council consent or approval for a residential building.

183/16 That Council make, in respect of land within the former Wyong Local Government area, the following Waste Management Charges for 2016-17, pursuant to section 501 of the Local Government Act 1993:

| Name | Charge Amount |
|--|----------------------|
| Waste Management Charge – 140 litre Waste Bin Service | \$373.00 |
| Waste Management Charge – 240 litre Recycling Bin Service | \$86.00 |
| Waste Management Charge – 240 litre Vegetation Bin Service | \$86.00 |
| Waste Management Charge - 240 litre Waste Bin Service | \$487.00 |
| Waste Management Charge - 660 litre Waste Bin Service | \$1,991.00 |
| Waste Management Charge - 1.1 cubic metre Waste Bin Service | \$2,780.00 |
| Waste Management Charge - 1.5 cubic metre Waste Bin Service | \$3,744.00 |

184/16 That Council apply, in respect of land within the former Wyong Local Government area, a proportional charge adjustment, calculated on a daily basis, where Domestic Waste Management or Waste Management services commence or cease during the year.

185/16 That Council charge, in respect to overdue rates and charges on land within the former Wyong Local Government area, the maximum rate of interest as determined by the Minister for Local Government under sub-section 566(3) of the Local Government Act 1993, being 8% per annum for the period between 1 July 2016 and 30 June 2017 with this interest to be calculated on a daily basis using the simple interest method in accordance with section 566 of the Local Government Act 1993.

186/16 *That Council note the report report titled 'Further Additional Submission for the Central Coast Council Operational Plan 2016/17' and the associated submission received from Wycob Pty Ltd dated 27 June 2016.*

THE MEETING closed at 5.23pm.