



CENTRAL COAST COUNCIL

**MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 27 JULY 2016
COMMENCING AT 5.00PM**

PRESENT

Ian Reynolds

IN ATTENDANCE

Chief Executive Officer, Executive Manager Governance (Acting Chief Executive Officer from 5.16 pm), IT and Operations Manager, Communications Coordinator 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, 1.4 and 1.6 were dealt with first then some of 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

Item 5.1 - Employment of the Chief Executive Officer - administrative matters

Mr Robin Noble, Chief Executive Officer, declared a pecuniary conflict of interest in item 5.1, for the reason that the report relates to the terms of his employment. Mr Noble left the meeting at 5.16pm and did not return.

RESOLVED on the motion of Mr REYNOLDS:

215/16 That Council receive the report on Disclosure of Interest and note advice of disclosures.

1.2 Proposed Briefings and Inspections

RESOLVED on the motion of Mr REYNOLDS:

216/16 That Council receive the report on Proposed Briefings and Inspections.

1.3 Address by Invited Speakers

RESOLVED on the motion of Mr REYNOLDS:

217/16 That Council receive the amended report on Invited Speakers.

218/16 That Council agree meeting practice be varied to allow reports from Group Leaders and/or the Chief Executive Officer to be dealt with following an Invited Speaker's address.

1.4 Confirmation of Minutes of Previous Meeting

RESOLVED on the motion of Mr REYNOLDS:

219/16 That Council confirm the minutes of the previous Ordinary Meeting of Central Coast Council held on Wednesday 13 July 2016.

Business Arising

There was no business arising.

Procedural Motion

RESOLVED on the motion of Mr REYNOLDS:

220/16 That Council adopt, with the exception of Items 1.5, 1.6, 3.1 and 5.1, the recommendations contained in the remaining reports. For the sake of clarity, that means that Items 2.1, 2.2, 3.2, 3.3 and 4.1 were dealt with in accordance with the recommendations of the Council staff.

1.5 Notice of Intention to Deal with Matters in Confidential Session

RESOLVED on the motion of Mr REYNOLDS:

221/16 That Council consider the following matter in Confidential Session, pursuant to section 10A(2)(a) of the Local Government Act 1993:

5.1 Employment of the Chief Executive Officer

222/16 That Council note its reason for considering Report No 5.1 – Employment of the Chief Executive Officer is:

2(a) personnel matters concerning particular individuals (other than Councillors).

223/16 That Council note that the Acting Chief Executive Officer will report on this matter in open session of Council.

1.6 Mayoral (Administrator) Minute - Proposed policy for the determination of development applications subject of significant public submissions

RESOLVED on the motion of Mr REYNOLDS:

224/16 That Council note this Minute.

225/16 That Council request that the proposed "Policy for the determination of development applications subject of significant public submissions" that is attachment 1 to this Minute be the subject of public consultation, such public consultation to include the publication of a public notice, the public exhibition of the proposed Policy for not less than 28 days, and for the public to be invited to make submissions concerning the proposed policy during the period of exhibition.

226/16 That Council request that the Chief Executive Officer provide a report to a Council meeting in September 2016 on the outcome of the public consultation set out in resolution 225/16 above.

2.1 Tender - P598 Rehabilitation of Sewage Rising Main C10

RESOLVED on the motion of Mr REYNOLDS:

- 227/16 That Council accept the tender from ITS Pipe Tech Pty Ltd (Slip Lining), the company nominated as Tenderer no 3 in the attached Tender Evaluation Report for Contract P598 Rehabilitation of Sewage Rising Main C10.
- 228/16 That Council determine the Tender Evaluation Report in Attachment 1 except for the name of the successful tenderer (which may be disclosed after Council has resolved to accept that tender), remains confidential in accordance with subsection 11(3) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.
- 229/16 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment 1.

2.2 Tender - P613 Supply and Delivery of an 11,500 Litre Bitumen Sprayer

RESOLVED on the motion of Mr REYNOLDS:

- 230/16 That Council accept the tender from B.F.P Engineering Pty Ltd in the attached Tender Evaluation Report for the Supply and Delivery of an 11,500 Litre Bitumen Sprayer replacement.
- 231/16 That Council determine the Tender Evaluation Report in Attachment 1 remains confidential in accordance with subsection 11(3) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.

3.1 Adoption of Central Coast Council Code of Meeting Practice and Proposed Further Amendments to Facilitate Webcasting and New Meeting Schedule

Ms Vicki Scott, local resident, addressed Council at 5.04pm and retired at 5.06pm.

RESOLVED on the motion of Mr REYNOLDS:

- 232/16 That Council note that no submissions were received as a result of the public exhibition and public notice of the draft Code of Meeting Practice that is attachment 1 to this report.
- 233/16 That Council adopt, pursuant to s. 362 of the Local Government Act 1993, the draft Code of Meeting Practice that is attachment 1 to this report.
- 234/16 That Council note the content of the report.

- 235/16 *That Council resolve to trial webcasting of its meetings for a period of not less than 6 months.*
- 236/16 *That Council authorise the Chief Executive Officer to undertake the necessary procurement, budget allocation and other steps necessary to undertake the webcasting trial.*
- 237/16 *That Council request that the Chief Executive Officer provide a report to Council on the outcomes of the webcasting trial.*
- 238/16 *That Council resolve that each of the following be done in respect to the draft amended Code of Meeting Practice that is Attachment 2 to this report:*
- a Give public notice of the draft amended 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 amended Code is first publicly exhibited by Council; and*
 - b Publicly exhibit the draft amended Code for not less than 28 days and in accordance with that public notice; and*
 - c a report be provided to the Council on any submissions received in respect to the draft amended Code that is Attachment 2 to this report.*

3.2 **Easement and Right of Access to Electrical Substation at Wilson Road, Terrigal, Lot 2101 DP 1076672**

RESOLVED on the motion of Mr REYNOLDS:

- 239/16 *That Council grant the easement and right of carriageway for electrical purposes over Lot 2101 DP 1076673, Wilson Road Terrigal, adjacent the existing multi deck car park.*
- 240/16 *That Council assess compensation in accordance with the Land Acquisition (Just Terms Compensation) Act 1991.*
- 241/16 *That Council agrees that their costs in the matter are to be met by the applicant.*
- 242/16 *That Council affix the common seal to documents if required.*

3.3 2016 Community Funding Programs

RESOLVED on the motion of Mr REYNOLDS:

- 243/16 *That Council adopt the recommendations for awarding of the 2016 Community Funding Programs as outlined in the assessment panel's recommendations (Attachment A).*
- 244/16 *That Council advise all applicants of its decision.*
- 245/16 *That Council continue to support funded projects where required.*
- 246/16 *That Council note recipients of the Community Development Grant Program, Aboriginal Grants Program, Sponsorship Program and Place Making Small Grants Program are required to sign a funding agreement prior to funds being released.*
- 247/16 *That Council inspect approved works through the Heritage Grants prior to funds being released.*
- 248/16 *That Council allocate the remainder of funding in the Place Making Small Grants Program and Recreational Assistance Program for additional and unforeseen costs of delivering the projects.*
- 249/16 *That Council retain the remaining \$15,590.00 in the Heritage Grants Program for a second grant round after the Community Based Heritage study is adopted.*
- 250/16 *That Council host a function to celebrate current successful recipients.*

4.1 Investment Report for June 2016

RESOLVED on the motion of Mr REYNOLDS:

- 251/16 *That Council receive the Investment Report for June 2016.*

CONFIDENTIAL SESSION

RESOLVED on the motion of Mr REYNOLDS:

- 252/16 *That the meeting move into Confidential Session.*

At 5.16pm the meeting was closed, with the members of the press and public excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with s.10A of The Local Government Act 1993 as the matter concerns a personnel matter for a person that is not a councillor (s.10A(2)(a) of the Local Government Act 1993).

5.1 Employment of the Chief Executive Officer - administrative matters

Mr Robin Noble, Chief Executive Officer, declared a pecuniary conflict of interest in the matter for the reason that the report relates to the terms of his employment. Mr Noble left the meeting at 5.16pm and did not return.

RESOLVED on the motion of Mr REYNOLDS:

253/16 That Council receive and note this report.

254/16 That the Council endorse the contract and its terms relating to the appointment of Mr Robin Noble.

255/16 That Council resolve that, for the purposes of s. 11(3) of the Local Government Act 1993, this report and the contract attached to this report are to be treated as confidential, as they relate to a personnel matter concerning an individual who is not a councillor.

256/16 That Council resolve that, for the purposes of cl. 400 (4) of the Local Government (General) Regulation 2005, that the Council seal be affixed to the contract of employment that is attached to the business paper for this item.

OPEN SESSION

RESOLVED on the motion of Mr REYNOLDS:

257/16 That the meeting move back into Open Session.

The meeting resumed in open session at 5.18pm and the Acting Chief Executive Officer reported on proceedings of the confidential session of the ordinary meeting.

THE MEETING closed at 5.20pm.