



## CENTRAL COAST COUNCIL

MINUTES OF THE  
**EXTRAORDINARY COUNCIL MEETING OF COUNCIL**  
HELD IN THE COUNCIL CHAMBER  
2 HELY STREET, WYONG  
ON 07 AUGUST 2017  
COMMENCING AT 5.00PM

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### **PRESENT**

Ian Reynolds

### **IN ATTENDANCE**

Chief Executive Officer, Group Leader Assets Infrastructure and Business, Group Leader Connected Communities, Group Leader Environment and Planning, Assistant General Counsel, Chief Information Officer, Communications Coordinator, Digital and Website Officer and two administration staff.

The Administrator, Ian Reynolds, declared the meeting open at 5.04pm 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, 3.1, 4.1, 4.3 and 5.1, 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**

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**RESOLVED on the motion of Mr REYNOLDS:**

**534/17 That Council receive the report on Disclosure of Interest and the fact that no disclosure was made be noted.**

**1.2 Address By Invited Speakers**

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**RESOLVED on the motion of Mr REYNOLDS:**

**535/17 That Council receive the report on Invited Speakers.**

**1.3 Notice of Intention to Deal with Matters in Closed Session**

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**RESOLVED on the motion of Mr REYNOLDS:**

**536/17 That the Council resolve that the following matter be dealt with in closed session, pursuant to s. 10A(2)(c) of the Local Government Act 1993:**

**Report 5.1 Central Coast Stadium Panel Screen Replacement**

**537/17 That the Council note the reason for considering Report No 5.1 – Central Coast Stadium Panel Screen Replacement in closed session is that the report contains:**

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

**538/17 That the Council request the Chief Executive Officer to report on this matter in open session of Council.**

**Procedural Motion**

**RESOLVED on the motion of Mr REYNOLDS:**

**539/17 That Council adopt, with the exception of Items 3.1, 4.1, 4.3 and 5.1 the recommendations contained in the remaining reports. For the sake of clarity, that means that Items 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8 and 4.2 were dealt with in accordance with the recommendations of the Council staff.**

**2.1 Fire Safety Inspection Report - 101 Erina Street East, Gosford**

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**RESOLVED on the motion of Mr REYNOLDS:**

- 540/17 That Council note the content of the Fire Safety Report from Fire and Rescue NSW – File Ref. No. FRN15/1504, TRIM Ref. No. D16/28858 (attached), in accordance with Section 121ZD(2)(a) of the Environmental Planning and Assessment Act (EP&A), 1979; and**
- 541/17 That Council receive a further report to be provided to the next Council meeting in accordance with 121ZD(2)(b) of the EP&A Act.**

**2.2 Fire Safety Inspection Report - 109 Massage at 100-104 Mann St, Gosford**

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**RESOLVED on the motion of Mr REYNOLDS:**

- 542/17 That Council note the content of the Fire Safety Report from Fire and Rescue NSW – File Ref. No: BFS16/2866 (12419), TRIM Ref No: D16/55404 (attached), in accordance with Section 121ZD(2)(a) of the Environmental Planning and Assessment Act (EP&A), 1979; and**
- 543/17 That Council receive a further report to be provided to the next Council meeting in accordance with 121ZD(2)(b) of the EP&A Act.**

**2.3 Fire Safety Inspection Report - Magic Massage 192 Mann Street, Gosford**

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**RESOLVED on the motion of Mr REYNOLDS:**

- 544/17 That Council note the content of the Fire Safety Report from Fire and Rescue NSW – BFS16/2872(12424), TRIM Ref. No. D17/45362 (attached), in accordance with Section 121ZD(2)(a) of the Environmental Planning and Assessment Act (EP&A), 1979; and**
- 545/17 That Council receive a further report to be provided to the next Council meeting in accordance with 121ZD(2)(b) of the EP&A Act.**

**2.4 Fire Safety Inspection Report - Coles Supermarket 43-45 Avoca Drive, Kincumber**

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**RESOLVED on the motion of Mr REYNOLDS:**

- 546/17 That Council note the content of the Fire Safety Report from Fire and Rescue NSW – File Ref. No: FRN 15/1504, TRIM Ref No: D16/28858 (attached), in accordance with Section 121ZD(2)(a) of the Environmental Planning and Assessment Act (EP&A), 1979; and**
- 547/17 That Council receive a further report to be provided to the next Council meeting in accordance with 121ZD(2)(b) of the EP&A Act.**

**2.5 Fire Safety Inspection Report - Coles Supermarket - 17 Kincumber Street, Kincumber**

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**RESOLVED on the motion of Mr REYNOLDS:**

**548/17 That Council note the content of the Fire Safety Report from Fire and Rescue NSW – File Ref. No: BFS17/26 (12779), TRIM Ref No: D17/39643 (attached), in accordance with Section 121ZD(2)(a) of the Environmental Planning and Assessment Act (EP&A), 1979; and**

**549/17 That Council receive a further report to be provided to the next Council meeting in accordance with 121ZD(2)(b) of the EP&A Act.**

**2.6 Fire Safety Inspection Report - 6 Stockyard Place, West Gosford**

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**RESOLVED on the motion of Mr REYNOLDS:**

**550/17 That Council note the content of the Fire Safety Report from Fire and Rescue NSW – File Ref. No. BFS16/2865 (12418), TRIM Ref. No. D16/57811, (attached), in accordance with Section 121ZD(2)(a) of the Environmental Planning and Assessment Act (EP&A), 1979; and**

**551/17 That Council receive a further report to be provided to the next Council meeting in accordance with 121ZD(2)(b) of the EP&A Act.**

**2.7 Fire Safety Inspection Report - Angel Delight - 230 Manns Road, West Gosford**

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**RESOLVED on the motion of Mr REYNOLDS:**

**552/17 That Council note the content of the Fire Safety Report from Fire and Rescue NSW – File Ref. No. BFS16/2859 (12412)TRIM Ref. No. D17/44569 (attached), in accordance with Section 121ZD(2)(a) of the Environmental Planning and Assessment Act (EP&A), 1979; and**

**553/17 That Council receive a further report to be provided to the next Council meeting in accordance with 121ZD(2)(b) of the EP&A Act.**

**2.8 Fire Safety Inspection Report - Asian Star - 3 Yandina Road, West Gosford**

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**RESOLVED on the motion of Mr REYNOLDS:**

- 554/17 That Council note the content of the Fire Safety Report from Fire and Rescue NSW – File Ref. No. BFS 16/2861, TRIM Ref. No. D17/44555(attached), in accordance with Section 121ZD(2)(a) of the Environmental Planning and Assessment Act (EP&A), 1979; and**
- 555/17 That Council receive a further report to be provided to the next Council meeting in accordance with 121ZD(2)(b) of the EP&A Act.**

**3.1 Determination of tenders for the provision of waste management services (CPA/287522)**

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**RESOLVED on the motion of Mr REYNOLDS:**

- 556/17 That Council resolve to accept “Tender 1”, as that tender is identified in the Tender Evaluation Report that is confidential attachment 1 to this report.**
- 557/17 That Council request that the Chief Executive Officer issue a public statement identifying the successful tenderer, once the successful tenderer and the unsuccessful tenderers have been informed of the determination of this tender.**
- 558/17 That Council note that it has taken in to account whether or not ‘existing workers’ (within the meaning of cl. 170 of the Local Government (General) Regulation 2005) will be offered employment or engagement on terms and conditions comparable to those applicable to those workers in their employment by the current contractor immediately before the successful tender was submitted, and so has complied with the obligations imposed on Council by cl. 178(1A) of the Local Government (General) Regulation 2005.**
- 559/17 That Council resolve, for the purposes of s. 11(3) of the Local Government Act 1993, that the attachments to this report remain confidential, as those attachments include information that would, if disclosed:**
- a. Confer a commercial advantage on a person with whom the Council proposes to conduct business; and**
  - b. Prejudice the commercial position of persons who have provided confidential commercial information to Council.**

**Procedural Motion**

**RESOLVED on the motion of Mr REYNOLDS:**

**560/17 That Council resolve to consider items 4.1 and 4.3 en-bloc.**

**4.1 Adoption of additional 2017-18 Fees and Charges**

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**RESOLVED on the motion of Mr REYNOLDS:**

**561/17 That Council note that the additional Fees and Charges for 2017-18 were publicly exhibited from Friday 30 June 2017 to Friday 28 July 2017 as required by ss. 610F and 705 of the Local Government Act 1993**

**562/17 That Council note that there were no submissions received by Council during the public exhibition of the additional +Fees and Charges for the 2017-18 financial year.**

**563/17 That Council determine, pursuant to s. 610D of the Local Government Act 1993, to approve the exhibited additional Fees and Charges for 2017-18.**

**564/17 That Council remove Storage Fees for Community Halls and Community Centres as adopted as part of the 2017-18 Fees and Charges and detailed in this report.**

**4.2 Approval of 2016-17 Capital Projects to be Continued in 2017-18**

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**RESOLVED on the motion of Mr REYNOLDS:**

**565/17 That Council approve the proposed capital projects to be continued in 2017-18 as detailed in this report.**

**566/17 That Council approve a \$2.4 million increase to the 2017-18 Capital budget to accommodate projects continuing from 2016-17 as detailed in this report.**

**567/17 That reductions totalling \$2.4 million be identified in quarterly budget reviews during 2017-18 to offset the cost of continuing projects.**

**4.3 Permanent Waiver of Storage Fees at Council Community Halls and Community Centres**

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***RESOLVED on the motion of Mr REYNOLDS:***

- 568/17** *That Council note the intention to permanently waive storage fees at community halls and community centres for the 2017-18 year and that public exhibition pursuant to ss. 610E, 610F and 705 of the Local Government Act 1993 has commenced for the removal of these storage fees.*
- 569/17** *That Council note that for proposed fees subject of resolution 1 have not yet been waived and that a further report will be presented to Council after the public exhibition of the proposed waiver has been completed.*

**CONFIDENTIAL SESSION**

***RESOLVED on the motion of Mr REYNOLDS:***

- 570/17** *That the meeting move into Confidential Session.*

At this stage of the meeting being 5.15pm the meeting moved into Confidential Session 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 Section 10a of The Local Government Act, 1993 as the items listed come within the following provisions:-

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

**OPEN SESSION**

The meeting resumed in open session at 5.16pm and the Chief Executive Officer reported on proceedings of the confidential session of the ordinary meeting as follows:

**5.1 Central Coast Stadium Panel Screen Replacement**

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- 571/17** *That Council endorse staff to enter into direct negotiations to establish a contract for the supply, installation, servicing and five year all-inclusive warranty of the 120m2 Daktronics Panel Screen Monitor in accordance with Option 1 set out in this report.*
- 572/17** *That Council resolve, for the purposes of s. 55(3)(i) of the Local Government Act 1993, that a satisfactory result would not be achieved by inviting tenders for the supply of the screen, for the following reasons:*
- a. The specialist nature of the screen;*
  - b. The limited opportunities to secure a second hand screen of this quality with an appropriate warranty and servicing plan; and*
  - c. The opportunity to deliver the project at significantly reduced cost.*
- 573/17** *That Council resolve, pursuant to s. 11(3) of the Local Government Act 1993, that this report remain confidential as this report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council proposes to conduct business.*

**THE MEETING** closed at 5.18pm.