
WYONG SHIRE COUNCIL
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON WEDNESDAY, 14 FEBRUARY 2007,
COMMENCING AT 5.00 PM

PRESENT

COUNCILLORS R L GRAHAM (CHAIRPERSON), G P BEST, D J EATON, B J PAVIER, N T ROSE, R E STEWART, R C STEVENS, C W VEUGEN AND W J WELHAM.

IN ATTENDANCE

GENERAL MANAGER, DIRECTOR CORPORATE SERVICES, DIRECTOR SHIRE PLANNING, ACTING DIRECTOR SHIRE SERVICES, MANAGER DEVELOPMENT ASSESSMENT, MANAGER FUTURE PLANNING AND AN ADMINISTRATION OFFICER.

THE MAYOR, COUNCILLOR R L GRAHAM, DECLARED THE MEETING OPEN AT 5.00 PM AND PASTOR PHIL OLDFIELD READ THE OPENING PRAYER.

THE DIRECTOR SHIRE PLANNING PRESENTED THE MAYOR WITH A PLAQUE FROM MASTERFOODS IN RECOGNITION OF MASTERFOODS' 15TH ANNIVERSARY IN THE SHIRE AND THE EXCELLENT WORKING RELATIONSHIP THE FIRM HAS HAD WITH COUNCIL DURING THAT TIME.

APOLOGY

AN APOLOGY FOR THE INABILITY TO ATTEND THE MEETING WAS RECEIVED ON BEHALF OF COUNCILLOR FORSTER WITH A REQUEST FOR EXTENDED LEAVE OF ABSENCE.

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor WELHAM

That the apology be accepted and the Deputy Mayor, Councillor Forster, be granted leave of absence until Council's meeting on 11 April 2007. If further leave is required it will be reviewed at that meeting.

AT THE COMMENCEMENT OF THE ORDINARY MEETING REPORT NOS 046, 050, 054 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.

Minutes of the Ordinary Meeting of Council held on 14 February 2007 (contd)

040 Disclosure of Interests

F2006/02282 ED:MR

053 - PREPARATION OF A DRAFT CONTRIBUTIONS PLAN FOR THE WYONG EMPLOYMENT ZONE

COUNCILLOR EATON DECLARED AN INSIGNIFICANT NON PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS FAMILY COMPANY IS THE OWNER OF INDUSTRIAL LAND AT NORTH WYONG AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

054 - Department of Planning Exhibition – Rosecorp (Gwandalan and Catherine Hill Bay)

COUNCILLOR STEWART DECLARED AN INSIGNIFICANT NON PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HER DAUGHTER IS EMPLOYED AT GWANDALAN PUBLIC SCHOOL, WHICH ADJOINS THE PROPOSED DEVELOPMENT AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

056 - The Entrance Historic Carnival Lease

COUNCILLOR PAVIER DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A PART TIME EMPLOYEE OF PAVIER AMUSEMENTS WHICH IS IN DIRECT COMPETITION WITH THE SUBJECT LESSEE, LEFT THE CHAMBER AT 8.08 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 8.12 PM.

070 - Recurrent Funding for Warnervale Family and Community Centre

THE MANAGER OF FUTURE PLANNING DECLARED A NON PECUNIARY SIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS WIFE WAS PREVIOUSLY A MEMBER OF THE BOARD OF THE WARNERVALE FAMILY AND COMMUNITY CENTRE AND HIS FAMILY IS ACTIVELY INVOLVED IN THE CENTRE AND DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER.

RESOLVED unanimously on the motion of Councillor ROSE and seconded by Councillor STEVENS:

That the report be received and advice of disclosures noted.

041 Proposed Inspections

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor EATON:

That the report on inspections to be conducted on Wednesday, 28 February 2007 be received and the information noted.

Minutes of the Ordinary Meeting of Council held on 14 February 2007 (contd)

042 Proposed Briefings

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor STEVENS:

That the report be received and the information noted.

043 Address by Invited Speakers

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor STEVENS and seconded by Councillor PAVIER:

- 1 That the report on Invited Speakers be received and the information noted.***
- 2 That standing orders be varied to allow each item to be dealt with following the speaker's address.***

044 Confirmation of Minutes of Previous Meeting

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor PAVIER:

That the minutes of the previous Ordinary Meeting of Council held on 24 January 2007, together with the amended Confidential Minutes, be received and confirmed.

BUSINESS ARISING FROM THE MINUTES

THERE WAS NO BUSINESS ARISING FROM THE MINUTES.

Minutes of the Ordinary Meeting of Council held on 14 February 2007 (contd)

045 Notice of Motion – Wyong Shire Youth Council

F2005/00908 WJW

Councillor WELHAM withdrew this item.

**046 Notice of Motion – State Significant Site and Concept Plan Proposal
- Gwandalan**

F2004/10306 WJW

MR KEVIN SPENCER, REPRESENTING THE GWANDALAN SUMMERLAND POINT ACTION GROUP, IN FAVOUR OF THE MOTION, ADDRESSED THE MEETING AT 5.20 PM, ANSWERED QUESTIONS AND RETIRED AT 5.22 PM.

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor ROSE:

That Council support these residents by:

- 1 Seeking appropriate legal advice on how Lot 3 DP588206 (Gwandalan), known as Precinct 1A meets requirements as a ‘critical infrastructure project’ under part 3 of the Environmental Planning and Assessment Act and any avenues available to the residents to challenge this assumption.***
- 2 Reporting on how much land of the currently identified “environmental corridor” offsets were already sterile from development under various easements, and legislative prohibitions.***
- 3 Reporting on the status of the ownership of the lake foreshore, its historical origin, including the ownership of mineral rights.***
- 4 Providing access to senior staff to assist with questions and concerns raised by residents in this area in attempting to lodge their submissions to the Department of Planning.***
- 5 Staff preparing a submission to the Department of Planning, outlining the history of Precinct 1A within Council and include current community concerns.***

Minutes of the Ordinary Meeting of Council held on 14 February 2007 (contd)

047**Notice of Motion – Picnic Shelters at Jenny Dixon Reserve**

F2004/05301 NR

RESOLVED *unanimously on the motion of Councillor ROSE and seconded by Councillor WELHAM*

That staff report on:

- 1** *The functionality of the existing picnic facilities at Jenny Dixon reserve.*
- 2** *An appropriate relocation of a larger covered structure to cater for larger user groups*
- 3** *The likely costs associated with any upgrade of facilities.*
- 4** *Where these funds may be sourced.*

048**Notice of Motion – Indirect Water Recycling**

F2004/00133 NR

Councillor STEWART left the Chamber at 6.49pm and returned at 6.52pm.

RESOLVED *on the motion of Councillor ROSE and seconded by Councillor BEST:*

- 1** *That staff identify and report back to the Council the actions required to implement indirect water recycling into the Shire's potable water system.*

The report should include:

- a** *the process (water treatment)*
- b** *examples (in Australia) of regions where the process is currently utilised*
- c** *required infrastructure*
- d** *changes to/introduction of enabling legislation*
- e** *indicative cost*
- f** *potential benefits of indirect water recycling*
- g** *any potential risks associated with indirect water recycling*
- h** *possible timeframe of implementation.*

Minutes of the Ordinary Meeting of Council held on 14 February 2007 (contd)

2 That the planned community consultation / information forums include Indirect Water Recycling as an agenda item.

FOR: COUNCILLORS BEST, EATON, GRAHAM, PAVIER, ROSE, STEVENS, STEWART AND WELHAM.

AGAINST: COUNCILLOR VEUGEN.

049 Notice of Motion – Freeway Corridor Security

F2004/07706 GPB

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor PAVIER:

That as the F3 freeway is our critical transport link for the Central Coast as a region, Council in partnership with Gosford City Council approach the Federal Transport Minister with a view to formulating a plan to protect the freeway from closure due to bushfires. Any such plan would review vegetation / fuel loads, setbacks and the most appropriate flora to be encouraged in the corridor.

LEAVE TO INTRODUCE MOTION OF URGENCY

COUNCILLOR BEST SOUGHT LEAVE TO INTRODUCE A MOTION OF URGENCY CONCERNING SAFETY OF BEACH PATRONS AT MAGENTA BEACH, NORTH ENTRANCE.

THE MAYOR RULED THAT THE MATTER WAS URGENT AND COULD BE INTRODUCED AS A MATTER OF URGENCY.

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor VEUGEN:

That Council consider a Motion of Urgency regarding safety of beach patrons at Magenta Beach, North Entrance.

Minutes of the Ordinary Meeting of Council held on 14 February 2007 (contd)

049A Motion of Urgency – Safety of Beach Patrons at Magenta Beach

COUNCILLOR PAVIER LEFT THE CHAMBER AT 7.05 PM AND RETURNED TO THE CHAMBER AT 7.14 PM AND AS A RESULT TOOK NO PART IN VOTING.

COUNCILLOR WELHAM LEFT THE CHAMBER AT 7.10 PM AND RETURNED TO THE CHAMBER AT 7.12 PM.

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor PAVIER:

- 1 That Council support staff's every endeavour to urgently negotiate with Mirvac, the owners of the Magenta Shores Development, for Mirvac to provide appropriate surf lifesaving beach patrols on the treacherous Magenta Beach/North Entrance**

- 2. That staff urgently report on progress to date regarding this issue including the Department of Planning's and the Private Certifier's role.**

- 3 That subject to legal advice, as this beach is of high hazard and a tragic drowning recently occurred, Council erect prominent surf hazard signage on the road reserve of Wilfred Barrett Drive at the entrance to the Magenta Shores Development alerting beach users to the dangerous unpatrolled beach.**

050 Notice of Motion – Tuggerah Lakes System

F2004/07706 CWV

MR BOB CORNISH, RESIDENT, IN FAVOUR OF THE MOTION, ADDRESSED THE MEETING AT 5.52 PM, ANSWERED QUESTIONS AND RETIRED AT 6.05 PM.

COUNCILLOR BEST LEFT THE CHAMBER AT 6.17 PM AND RETURNED TO THE CHAMBER AT 6.19 PM AND AS A RESULT TOOK NO PART IN VOTING.

It was MOVED on the motion of Councillor VEUGEN and seconded by Councillor BEST:

Due to deterioration of the Tuggerah Lakes System (Refer Wyong Shire Council State of Environment Reports from 1998-2006 all indicators show a steady decline).

That the Federal Member for Dobell, Mr Ticehurst, be asked that an independent and comprehensive analysis funded by the Federal Government be provided to review permanent openings at locations such as Budgewoi, Canton Beach and The Entrance, which will provide vital ocean flushing and also act as a release for flood mitigation to protect low lying residents. Such analysis should be carried out in partnership with the University Community with a view to assisting research and minimising any costs. As Council is the final consent authority this investigation further guides the Tuggerah Lakes Estuary Management Committee on Council's Lakes policy position.

Minutes of the Ordinary Meeting of Council held on 14 February 2007 (contd)

The MOTION was put to the vote and declared LOST.

FOR: COUNCILLORS PAVIER AND VEUGEN.

AGAINST: COUNCILLORS EATON, GRAHAM, ROSE, STEVENS, STEWART AND WELHAM.

**051 Notice of Rescission – Report Following Exhibition of Fee Increase –
Holiday Storage Vans**

F2004/08335 F2004/08336 F2004/08337 F2004/08339 RLG/RCS/NTR:

RESOLVED on the motion of Councillor GRAHAM and seconded by Councillor STEVENS:

That the following resolution carried at the Ordinary Meeting of Council held on 24 January 2007 be rescinded:

- 1 That Council note the objections received.***
- 2 That Council defer the increase in fees for holiday storage vans pending exhibition of the concept plan.***
- 3 That in the interim Council staff explore ways to improve communication and consultation with affected van owners.”***

FOR: COUNCILLORS GRAHAM, PAVIER, ROSE, STEVENS AND WELHAM.

AGAINST: COUNCILLORS BEST, STEWART, VEUGEN AND EATON.

COUNCILLOR BEST LEFT THE CHAMBER AT 7.28 PM AND RETURNED TO THE CHAMBER AT 7.32 PM AND AS A RESULT TOOK NO PART IN VOTING.

RESOLVED on the motion of Councillor GRAHAM and seconded by Councillor STEVENS:

- 1 That Council note the objections received.***
- 2 That Council ratify the increase in fees for holiday storage vans as resolved at the Ordinary Meeting of Council on 13 September 2006 to apply from 1 April 2007.***
- 3 That Council form separate consultative committees for each holiday park as follows:***

**** Number of Committee members to be determined by Council;***

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- * ***The Committees would include Council staff and Park managers and the meetings would be chaired by a Council staff member and minuted by Council;***
- * ***Committee members representing holiday van owners to be elected by a ballot of all holiday van owners in each park;***
- * ***As provided in the Act there would be a Committee for each Holiday Park and not a committee purporting to represent all 4 parks;***
- * ***Frequency and venue for meetings of the Committees to be determined by Council as the Park owner;***

4 ***That staff bring back a report with details of 3 above.***

FOR: COUNCILLORS GRAHAM, PAVIER, ROSE, STEVENS, VEUGEN AND WELHAM.

AGAINST: COUNCILLORS STEWART AND EATON.

052 **Relocation of Kamira Farm Rehabilitation Centre to Louisiana Road, Hamlyn Terrace**

DA/2444/2005 WKW:WKW

It was MOVED by Councillor STEWART and seconded by Councillor ROSE:

- 1 *That Council make urgent representations to local members of parliament, the Minister for the Central Coast and the Minister for Planning regarding the serious implications for Wyong Shire of the Department of Planning's recommendations regarding payment of contributions by Crown developments.*
- 2 *That the Mayor and General Manager seek an urgent meeting with the Minister for Planning regarding the serious implications arising from the sudden change in government policy.*

An AMENDMENT was MOVED by Councillor PAVIER and SECONDED by Councillor STEVENS:

That Council buys print media space outlining what potential programmes may have to be cut as a result of the \$50,000 shortfall.

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At this point during the debate Councillor BEST gave notice of a FORESHADOWED AMENDMENT:

That Council reject the Minister's assertion that ratepayers should be denied the Section 94 Contributions that would be required under any other development amounting to \$50,000 and further Council reject the notion that the location of a drug and alcohol rehabilitation centre opposite future residential precincts is best urban practice.

The AMENDMENT was put to the vote and declared LOST.

FOR: COUNCILLORS PAVIER AND STEVENS.

AGAINST: COUNCILLORS BEST, EATON, GRAHAM, ROSE, STEWART, VEUGEN AND WELHAM.

The FORESHADOWED AMENDMENT then became the AMENDMENT which was put to the vote and declared LOST.

FOR: COUNCILLORS BEST AND VEUGEN.

AGAINST: COUNCILLORS EATON, GRAHAM, PAVIER, ROSE, STEVENS, STEWART AND WELHAM.

The MOTION was put to the vote and declared CARRIED.

RESOLVED on the motion of Councillor STEWART and seconded by Councillor ROSE:

- 1 That Council make urgent representations to local members of parliament, the Minister for the Central Coast and the Minister for Planning regarding the serious implications for Wyong Shire of the Department of Planning's recommendations regarding payment of contributions by Crown developments.**
- 2 That the Mayor and General Manager seek an urgent meeting with the Minister for Planning regarding the serious implications arising from the sudden change in government policy.**

FOR: COUNCILLORS EATON, GRAHAM, PAVIER, ROSE, STEVENS, STEWART AND WELHAM.

AGAINST: COUNCILLORS BEST AND VEUGEN .

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**053 Preparation of a Draft Contributions Plan for the Wyong
Employment Zone**

F2006/01781 PAB

COUNCILLOR EATON DECLARED AN INSIGNIFICANT NON PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS FAMILY COMPANY IS THE OWNER OF INDUSTRIAL LAND AT NORTH WYONG AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

RESOLVED unanimously on the motion of Councillor BEST and seconded by Councillor PAVIER:

- 1 That the report be received and the information noted.***
- 2 That Council make urgent representations to the Minister for Planning:***
 - a Seeking exemption from the proposed regional infrastructure levy for development within the Wyong Employment Zone; and***
 - b Seeking allocation of the \$10million identified in the Central Coast Transport Action Plan for Sparks Road upgrading to assist in funding the upgrading of intersections on Sparks Road contained within this draft contributions plan and also the contributions plans to the east (Warnervale Town Centre and Warnervale District).***
 - c Seeking a further \$11.2million from the Roads and Traffic Authority to cover the cost of upgrading the existing Sparks Road pavement within the scope of works for each intersection in the draft contributions plan referred to in b above.***
- 3 That Council in the interim prepare a further report on how contributions/levies can be substantially reduced to assist in the commercial viability in this major employment precinct.***
- 4 That the Minister for Planning be asked to outline to the delegation as in 2 above how does the levy on employment land and lack of road contributions as identified, expedite jobs on the Central Coast as he has predicated in the draft Central Coast regional strategy.***

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054 Department of Planning Exhibition – Rosecorp (Gwandalan and Catherine Hill Bay)

F2004/10306 SI:SI

COUNCILLOR STEWART DECLARED AN INSIGNIFICANT NON PECUNIARY CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HER DAUGHTER IS EMPLOYED AT GWANDALAN PUBLIC SCHOOL, WHICH ADJOINS THE PROPOSED DEVELOPMENT AND PARTICIPATED IN CONSIDERATION OF THIS MATTER.

MR KEVIN SPENCER, REPRESENTING THE GWANDALAN SUMMERLAND POINT ACTION GROUP, IN FAVOUR OF THE STAFF'S RECOMMENDATION, ADDRESSED THE MEETING AT 5.27 PM, ANSWERED QUESTIONS AND RETIRED AT 5.29 PM.

COUNCILLOR PAVIER LEFT THE CHAMBER AT 5.47 PM AND RETURNED TO THE CHAMBER AT 5.49 PM .

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor STEVENS:

- 1 That Council lodge a submission to the Department of Planning generally in accordance with Attachment 2 to this report.**
- 2 That Council make this report and attachments available on Council's website for the benefit of community groups and interested parties and compare this report with past applications.**
- 3 That staff commence an urgent amendment of the Development Services Plan and Section 94 Contributions Plan – Gwandalan District and prepare a Section 94 Contributions Plan, if necessary, for Catherine Hill Bay.**

055 Lease of The Entrance Visitors Centre

F2004/12356 JB

COUNCILLOR EATON LEFT THE CHAMBER AT 8.01 PM AND RETURNED TO THE CHAMBER AT 8.10 PM AND AS A RESULT TOOK NO PART IN VOTING.

COUNCILLOR BEST LEFT THE CHAMBER AT 8.02 PM AND RETURNED TO THE CHAMBER AT 8.10 PM AND AS A RESULT TOOK NO PART IN VOTING.

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor STEVENS:

- 1 That Council, as Reserve Trust Manager, subject to the consent of the Minister for Lands, grant a Lease of the building located at The Entrance Memorial Park to Central Coast Tourism Inc. from 1 March 2007 until 18 June 2012 at a commencing rental of \$16,000 per annum (including GST) increasing with adjustments of Consumer Price Index.**

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- 2 *That all terms of the agreement be similar to the current Agreement with the exception that Central Coast Tourism Inc is to pay the electricity costs.*
- 3 *That Council authorise the Common Seal of the Wyong Shire Council to be affixed to the Lease between the Wyong Shire Council and Central Coast Tourism Inc.*
- 4 *That Council authorise the Mayor and the General Manager to execute all documents relating to the Lease between the Wyong Shire Council and Central Coast Tourism Inc.*
- 5 *That monies raised from this lease be allocated to improvements of the visitors centre starting with a suitably engineered structure over the stage adjacent to the visitors centre.*

056 The Entrance Historic Carnival Lease

F2004/12672 JMT

COUNCILLOR PAVIER DECLARED A PECUNIARY INTEREST IN THE MATTER FOR THE REASON THAT HE IS A PART TIME EMPLOYEE OF PAVIER AMUSEMENTS WHICH IS IN DIRECT COMPETITION WITH THE SUBJECT LESSEE, LEFT THE CHAMBER AT 8.08 PM, TOOK NO PART IN DISCUSSION, DID NOT VOTE AND RETURNED TO THE CHAMBER AT 8.12 PM.

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor STEVENS :

That Council waive the requirements of the lease for provision of pavilions for protection of the carnival equipment.

057 Proposed Easement Over Council Land

DA/339/1995 DA/2040/2000 DA/3443/2000 I20/WA000 D/024621 D/024621 RH:TJB

COUNCILLOR PAVIER LEFT THE CHAMBER AT 8.08 PM AND RETURNED TO THE CHAMBER AT 8.12 PM AND AS A RESULT TOOK NO PART IN VOTING.

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor STEVENS:

- 1 *That Council endorse the creation of the easement for gas main on Lot 3 DP 1007500 Burnet Road, Warnervale.*
- 2 *That Council authorise the common seal of Wyong Shire Council to be affixed to the Subdivision Certificate and 88B Instrument creating the said easement.*
- 3 *That Council authorise the Mayor and the General Manager to execute all documents relating to the creation of the easement.*

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058 Proposed Easements for Electricity Transmission Lines at Berkeley Vale

F2006/02102 PF

COUNCILLOR PAVIER LEFT THE CHAMBER AT 8.08 PM AND RETURNED TO THE CHAMBER AT 8.12 PM AND AS A RESULT TOOK NO PART IN VOTING.

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor ROSE:

- 1 That Council authorise the granting of an easement for electricity and other purposes over Lots 11 and 12 DP 263796 and Lot 59 DP 262025 at Enterprise Drive Berkeley Vale to Energy Australia for an amount of compensation as assessed by a qualified valuer.**
- 2 That Council give its permission to Energy Australia to enter Lots 11 and 12 DP 263796 and Lot 59 DP 262025 for the construction of two 132kv electricity transmission lines.**
- 3 That Council authorise for the Common Seal of the Wyong Shire Council to be affixed to the Transfer Granting easement and plan between the Wyong Shire Council and Energy Australia.**
- 4 That Council authorise the Mayor and the General Manager to execute all documents relating to the grant of easement between the Wyong Shire Council and Energy Australia.**

059 Compulsory Acquisition of Kim Close Lake Haven

F2006/01599 PF

It was MOVED on the motion of Councillor WELHAM and seconded by Councillor STEVENS:

That Council consent to the compulsory acquisition by the Department of Housing of the Council public road known as Kim Close Lake Haven and accept compensation in the amount of \$22,000.

An AMENDMENT was MOVED by Councillor BEST and SECONDED by Councillor VEUGEN:

That Council authorise the General Manager to negotiate with the Department Housing to gain an acceptable level of compensation.

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The AMENDMENT was put to the vote and declared LOST.

FOR: COUNCILLORS BEST, EATON AND VEUGEN.

AGAINST: COUNCILLORS GRAHAM, PAVIER, ROSE, STEVENS, STEWART AND WELHAM.

It was RESOLVED on the motion of Councillor WELHAM and seconded by Councillor STEVENS:

That Council consent to the compulsory acquisition by the Department of Housing of the Council public road known as Kim Close Lake Haven and accept compensation in the amount of \$22,000.

FOR: COUNCILLORS GRAHAM, PAVIER, ROSE, STEVENS, STEWART AND WELHAM.

AGAINST: COUNCILLORS BEST, EATON AND VEUGEN.

060 Area Assistance Scheme

F2005/01932 DBR

RESOLVED on the motion of Councillor WELHAM and seconded by Councillor: GRAHAM

- 1 That the report be received and the information noted.***
- 2 That the General Manager be authorised to nominate a staff member to participate on the 2007-2008 Central Coast Area Assistance Scheme Regional Advisory Committee.***

FOR: COUNCILLORS BEST, GRAHAM, PAVIER, ROSE, STEVENS, VEUGEN AND WELHAM.

AGAINST: COUNCILLORS EATON AND STEWART.

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061 Proposed Boundary Alteration – Catherine Hill Bay

F2004/06544 GV:NL

It was MOVED by Councillor EATON and SECONDED by Councillor BEST:

That Council not proceed with the proposal to alter the boundary between Wyong Shire and Lake Macquarie City Council.

The MOTION was put to the vote and declared LOST.

FOR: COUNCILLORS BEST, EATON, AND VEUGEN.

AGAINST: COUNCILLORS GRAHAM, PAVIER, ROSE, STEVENS, STEWART AND WELHAM.

RESOLVED on the motion of Councillor PAVIER and seconded by Councillor ROSE:

That Council proceed with the proposal to alter the boundary between Wyong Shire and Lake Macquarie City Council and the application be forwarded to the Department of Local Government for consideration.

FOR: COUNCILLORS GRAHAM, PAVIER, ROSE, STEVENS, STEWART AND WELHAM.

AGAINST: COUNCILLORS BEST, EATON, AND VEUGEN.

062 Irrecoverable Debt

F2004/13008 JT

RESOLVED unanimously on the motion of Councillor STEWART and seconded by Councillor STEVENS:

That the amount of \$3,927.31 considered irrecoverable, be written off.

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063 Sister City Conference

F2004/06466 MW

COUNCILLOR BEST LEFT THE CHAMBER AT 8.43 PM AND RETURNED TO THE CHAMBER AT 8.47 PM AND AS A RESULT TOOK NO PART IN VOTING.

RESOLVED on the motion of Councillor ROSE and seconded by Councillor STEVENS:

- 1 That Council accept the invitation of the Southland Sister City Committee.***
- 2 That Council authorise the Mayor, Councillors Stewart and Welham to attend the 2007 New Zealand Sister City Conference.***
- 3 That reasonable expenses incurred in Councillors attending the conference be met in accordance with Council's Facilities and Expenses Policy for Councillors.***

FOR: COUNCILLORS EATON, GRAHAM, ROSE, STEVENS, STEWART AND WELHAM.

AGAINST: COUNCILLORS PAVIER AND VEUGEN.

064 Proposed Councillors' Community Improvement Grants

F2006/00788 MW

RESOLVED unanimously on the motion of Councillor WELHAM and seconded by Councillor EATON:

That an amount of \$9,150.00 be allocated from the 2006/2007 Councillors' Community Improvement Grants as outlined in Attachment 1 of the Amended Report.

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065 Central Coast Pro Surfing Competition

F2005/01881 CTB

It was MOVED by Councillor STEWART and SECONDED by Councillor EATON:

That this report be deferred to Council's meeting on 28 February 2007 to ascertain the extent of State Government funding.

An AMENDMENT was MOVED on the motion of Councillor ROSE and seconded by Councillor STEVENS:

- 1 That Council allocate \$15,000 to the 2007 Central Coast Pro Surfing Event.*
- 2 The funding for the event be redirected from the Community Benefits Grant budget for the 2006/07 financial year.*
- 3 That Council consider an allocation of \$15,000 to the 2008 Central Coast Pro Surfing Event during deliberations on the 2007/08 Management Plan.*

The AMENDMENT was put to the vote and declared CARRIED.

FOR: COUNCILLORS BEST, GRAHAM, PAVIER, ROSE, STEVENS AND VEUGEN.

AGAINST: COUNCILLORS EATON, STEWART AND WELHAM.

The AMENDMENT became the MOTION.

RESOLVED on the motion of Councillor ROSE and seconded by Councillor STEVENS:

- 1 That Council allocate \$15,000 to the 2007 Central Coast Pro Surfing Event.***
- 2 The funding for the event be redirected from the Community Benefits Grant budget for the 2006/07 financial year.***
- 3 That Council consider an allocation of \$15,000 to the 2008 Central Coast Pro Surfing Event during deliberations on the 2007/08 Management Plan.***

FOR: COUNCILLORS BEST, GRAHAM, PAVIER, ROSE, STEVENS, VEUGEN AND WELHAM.

AGAINST: COUNCILLORS EATON AND STEWART

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066 **Darren Kennedy Oval, Noraville**

F2004/12581 SPR

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor STEWART:

- 1** *That Council note the important role Darren Kennedy Oval plays within the Toukley community and the importance of the Toukley Rugby League Football Club in developing youth within the area.*
- 2** *That Council waive the outstanding \$81,598.08 debt owed by the Toukley Rugby League Football Club.*

067 **Information Reports**

F2006/02282 ED:MR

RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor BEST:

That the Information Reports of the Ordinary Meeting of Council be dealt with by the exception method.

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor ROSE:

That the Information Reports and recommendations of the Ordinary Meeting of Council, with the exception of report number 072, be received and the information noted.

068 **Growth Rates**

2006/00843 SA:LD

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor ROSE:

That the report be received and the information noted.

Minutes of the Ordinary Meeting of Council held on 14 February 2007 (contd)

069 Concise List and Costing of the Works Undertaken by both Wyong and Gosford Councils for the Procurement of Water in the Last Two years.

F2004/07528 MR:IT

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor ROSE:

That the report be received and the information noted.

070 Recurrent Funding for Warnervale Family and Community Centre

F2004/07793 ED

THE MANAGER OF FUTURE PLANNING DECLARED A NON PECUNIARY SIGNIFICANT CONFLICT OF INTEREST IN THE MATTER FOR THE REASON THAT HIS WIFE IS A MEMBER OF THE BOARD OF THE WARNERVALE FAMILY AND COMMUNITY CENTRE AND DID NOT PARTICIPATE IN CONSIDERATION OF THIS MATTER.

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor ROSE:

That the report be received and the information noted.

071 Schedule of Bank Balances and Investments – 31 December 2006

F2004/06604 BB

RESOLVED unanimously on the motion of Councillor PAVIER and seconded by Councillor ROSE:

That the report be received and the information noted.

072 Outstanding Questions Without Notice and Notices of Motion

F2005/00926 SW

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor EATON:

That the report be received and the information noted.

Minutes of the Ordinary Meeting of Council held on 14 February 2007 (contd)

QUESTIONS WITHOUT NOTICE ASKED**Q013 – Possibility of Foam Injection Used on Sporting Fields****Councillor Veugen**

F2005/01141

Could staff investigate and report into the possibility of foam injection into our new and existing sporting fields as has been done to the Umina oval, to conserve our water usage?

Q014 – Installing Shelter at Picnic Point, The Entrance**Councillor Stewart**

F2004/00521

Would Council please bring back a report on the cost of installing a large shelter/picnic shelter at Picnic Point, The Entrance?

Q015 – Installing Shelter at Terilbah Reserve, The Entrance North**Councillor Stewart**

F2004/00521

Would Council please bring back a report on the cost of installing a large shelter/picnic shelter at Terilbah Reserve, The Entrance North?

Q016 – Thank Staff Involved with Australia Day Functions**Councillor Welham**

F2004/05339

Could the General Manager personally thank staff involved in the various Australia Day functions especially the two staff who promoted Council's water initiatives at Canton Beach, Wyong and The Entrance?

Q017 – Computer Usage at Council's Libraries**Councillor Welham**

F2004/00326

Could staff provide a report on computer numbers and usage at Council's libraries and any data that shows numbers and usage over the last few years?

Q018 – Rangers on Duty**Councillor Pavier**

F2007/00276

Can staff outline how many Rangers, excluding those engaged by Town Centre Management, are on duty after 9.00pm at night, both on a weekday and a weekend?

Minutes of the Ordinary Meeting of Council held on 14 February 2007 (contd)

Q019 – Coastal Hazard Zone

Councillor Pavier

F2004/06935

What is the status of the coastal hazard zone and when will it be completed and provided to Council?

Q020 – Fees and Relief for Water Minimisation Installations

Councillor Eaton

F2004/06948

Can Council report on the development application fees and relief therefrom on water minimisation installations such as grey water reuse systems similar to water tank fee exemption?

Q021 – Conditions of Level 6 and Climactic Level 5 Restrictions

Councillor Eaton

F2004/08147

Can Council advise when on current climactic conditions, Level 5 restrictions are likely to be imposed and what Level 6 restrictions contain?

THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 9.05 PM.

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CHAIRPERSON