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**WYONG SHIRE COUNCIL**

**MINUTES OF THE  
ORDINARY COUNCIL MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBER  
WYONG CIVIC CENTRE, HELY STREET, WYONG  
ON 24 OCTOBER 2012  
COMMENCING AT 5:00 PM**

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**PRESENT**

Councillors D J Eaton (Chairperson), G P Best, R L Graham, K G Greenwald, L R Nayna, L S Taylor, A Troy, D P Vincent and L D Webster.

**IN ATTENDANCE**

General Manager, Director Environment and Planning Services, Director Infrastructure Management, Director Community and Recreation Services, General Counsel, Manager Building Certification and Health, Manager Environment and Natural Resources, Executive Manager to the General Manager, Chief Financial Officer, Principal Transport Engineer and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.02 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

John Hardwick delivered the opening prayer and Councillor Vincent read an acknowledgment of country statement.

**APOLOGY**

An apology for the inability to attend the meeting was received on behalf of Councillor Matthews due to family commitments.

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

***That Council accept the apology and grant leave of absence from the meeting.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

At the commencement of the ordinary meeting report nos 1.1, 7.1, 7.2 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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### 3.4 Adoption of DCP 2005 - Development Controls for Wyong Shire – Part of the Matter that Relates to Chapter 36 – North Wyong Industrial Area

Councillor Eaton declared a pecuniary interest in the part of the matter relating to Chapter 36 of the DCP as it relates to the North Wyong Industrial Area and his family owns a company in North Wyong, left the chamber at 8.51 pm, took no part in discussion, did not vote and returned to the chamber at 8.53 pm.

### 5.3 Youth Employment Strategy

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Council representative and an appointee to the Board of CCGT and participated in consideration of this matter.

Councillor Eaton stated:

*“I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty.”*

### 5.3 Youth Employment Strategy

Councillor Best declared a pecuniary interest in the matter for the reason that he is the General Manager of Central Coast Group Training the coasts largest employer of local youth and may be effected by Council’s Youth Strategy, left the chamber at 8.54 pm, took no part in discussion, did not vote and returned to the chamber at 9.04 pm.

### 7.2 Notice of Motion – Daily Traffic Jams Through Wyong Township

Councillor Nayna declared a non-pecuniary insignificant interest in the matter for the reason that he is employed as an Electorate Officer, in the office of Mr Darren Webber MP, the Member for Wyong and participated in consideration of this matter.

Councillor Nayna stated:

*“I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty.”*

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

***That Council receive the report on Disclosure of Interest and note advice of disclosures.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**PROCEDURAL MOTION**

**SUSPENSION OF MEETING PRACTICE**

***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor TAYLOR:***

- 1 That Council allow meeting practice to be varied.***
- 2 That Council use the exception method to deal with the balance of the Agenda.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

***RESOLVED unanimously on the motion of Councillor NAYNA seconded by Councillor WEBSTER:***

***That Council adopt the recommendations contained in the remaining reports, with the exception of report numbers 2.1, 2.3, 3.1, 3.2, 3.3, 3.4, 5.1, 5.3, 6.7 and Notices of Motion.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**PROCEDURAL MOTION**

***RESOLVED unanimously on the motion of Councillor BEST seconded by Councillor TAYLOR:***

***That Council consider items 7.1- Notice of Motion – Increase Wrack Collection from Tuggerah Lakes and 7.2 - Notice of Motion – Daily Traffic Jams Through Wyong Township after item 3.2 – DA/401/2012 – Proposed Dwelling at Chittaway Bay.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**1.2 Proposed Inspections and Briefings**

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***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:***

***That Council receive the report on Proposed Inspections and Briefings.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**1.3 Confirmation of Minutes of Previous Meeting**

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**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:**

***That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 10 October 2012.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**Business Arising**

There was no business arising.

**1.4 Address by Invited Speakers**

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**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:**

- 1 That Council receive the amended report on Invited Speakers.**
- 2 That Council agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**2.1 Mayoral Minute - Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee Commencement Time**

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**RESOLVED on the motion of Councillor EATON:**

***That Council amend the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee commencement time to 5.00pm.***

FOR: COUNCILLORS BEST, EATON, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: COUNCILLOR GRAHAM

**2.2 Mayoral Minute - Attendance at 50th Anniversary Gala Dinner - Fairhaven Services**

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**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:**

- 1 That Council authorise any interested Councillors and senior staff members, to attend, accompanied by their partners, the 50<sup>th</sup> Anniversary Gala Dinner of Fairhaven Services on 10 November 2012**
- 2 That Council endorse reasonable expenses incurred by Councillors and senior staff and partners attending the above event in accordance with Council's Facilities and Expenses Policy for Councillors.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**2.3 Mayoral Minute - Review of Wyong Shire Council Organisation Structure**

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Councillor Troy left the chamber at 7.35 pm and returned to the chamber at 7.37 pm during consideration of this item.

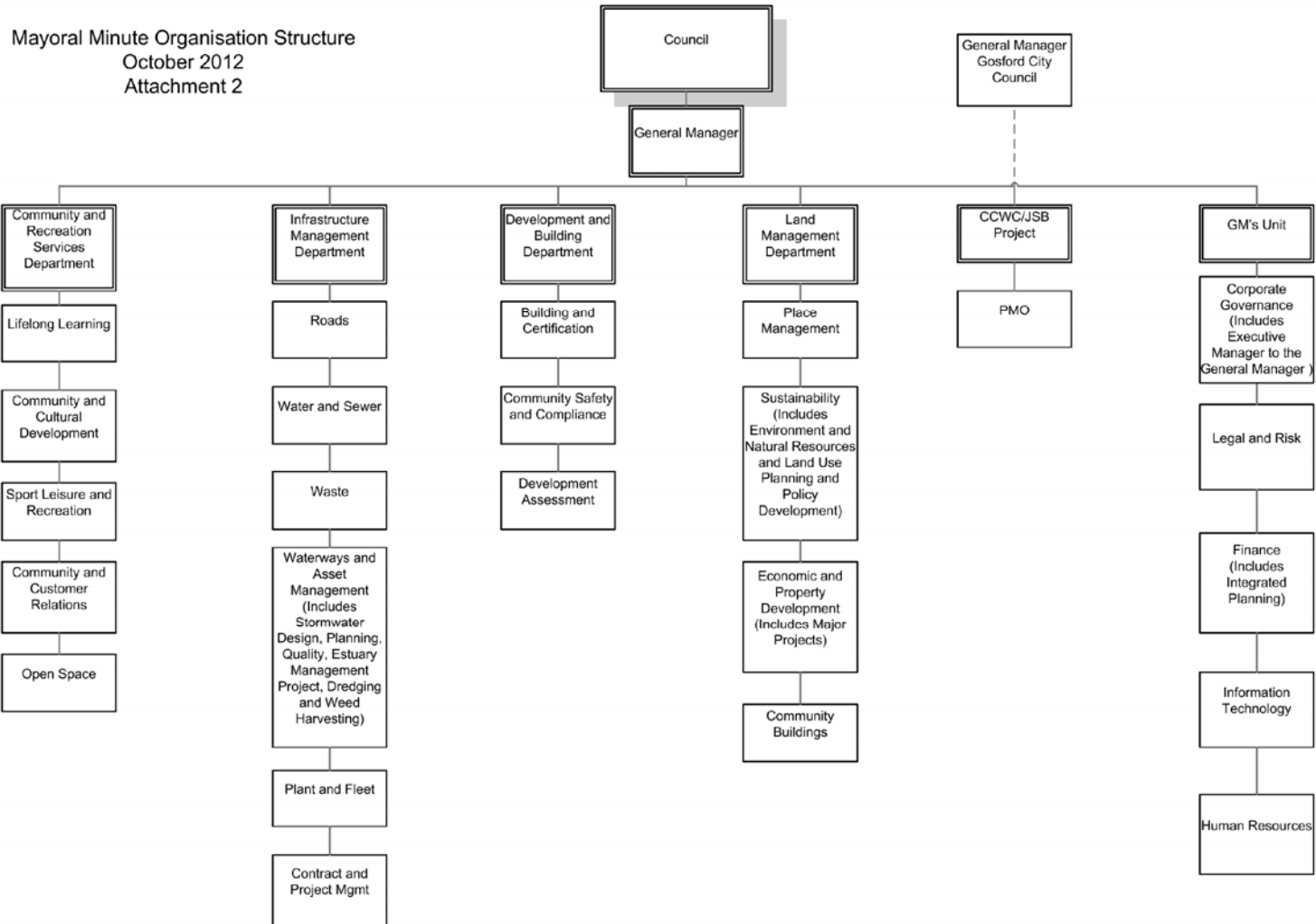
**RESOLVED on the motion of Councillor EATON:**

- 1 That Council adopts the organisation structure as presented in Attachment 2 as the Wyong Shire Council Organisation Structure.**
- 2 That Council designates the positions of Director Development and Building, Director Land Management, Manager Sustainability and Manager Waterways and Asset Management as Senior Designated Officers.**
- 3 That Council provides the assurance of job security for all permanent staff below Service Unit Manager**
- 4 That Council invites staff, Consultative Committee and the Unions to make submissions on this structure for 21 days.**
- 5 That Council gives consideration to those submissions on 28 November 2012.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLOR VINCENT

**Attachment 2: Proposed Council Structure**



## **2.4 Mayoral Minute - Ourimbah Soccer Club**

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Councillor Greenwald left the chamber at 8.03 pm and returned to the chamber at 8.05 pm during consideration of this item.

***RESOLVED unanimously on the motion of Councillor EATON:***

***That Council authorise the Mayor and General Manager to negotiate a resolution with Ourimbah Soccer Club as to the water and sewerage developer charges currently levied on the new amenities building.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

### **Matter Arising – Northlakes Rugby League Club**

***RESOLVED unanimously on the motion of Councillor VINCENT and seconded by Councillor GREENWALD:***

***That Council consider a Notice of Motion at the next council meeting to be held on 14 November 2012 regarding the history of the Northlakes Rugby League Club water and sewerage developer charges.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

## **3.1 DA/260/2012 Proposed New Dwelling, Swimming Pool and Demolition of Existing Structures at The Entrance North**

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Councillor Vincent left the chamber at 8.24 pm and returned to the chamber at 8.27 pm during consideration of this item.

Councillor Best left the chamber at 8.25 pm and returned to the chamber at 8.29 pm during consideration of this item.

***RESOLVED on the motion of Councillor WEBSTER and seconded by Councillor NAYNA:***

***That Council grant consent in accordance with the approved development plans and specifications listed in the conditions of approval as tabled.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS GREENWALD AND VINCENT

**3.2 DA 401/2012 - Proposed Dwelling at Chittaway Bay**

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Mr Mal Rowson, Community Representative, addressed the meeting at 5.11pm, answered questions and retired at 5.22 pm.

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

***That Council grant consent subject to the conditions detailed in the schedule attached to the report having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, NAYNA, TAYLOR, TROY AND WEBSTER

AGAINST: COUNCILLORS GREENWALD AND VINCENT

**3.3 RZ/3/2012 - Planning Proposal ( Rezoning) - Craigie Avenue Precinct  
Kanwal**

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

- 1 That Council initiate the Local Environmental Plan "Gateway" process, pursuant to Section 55 of the Environmental Planning and Assessment Act 1979 by preparation of a Planning Proposal.**
- 2 That Council forward the Planning Proposal to the Department of Planning and Infrastructure requesting a "Gateway" determination, pursuant to Section 56 (1) of the Environmental Planning and Assessment Act.**
- 3 That subject to the determination of the Gateway Process, Council negotiate a Funding Agreement with the applicant to finance the ongoing assessment of the rezoning proposal and to ensure the inclusion of the entire Craigie Avenue Precinct in the rezoning proposal.**
- 4 That Council undertake community consultation regarding the Planning Proposal, subject to the determination of the Gateway Process.**
- 5 That a further report be submitted to Council to report on results of the community consultation.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**PROCEDURAL MOTION**

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

***That Council deal with Chapter 36 of the revised DCP 2005, as an individual item.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL



**3.4 Adoption of DCP 2005 - Development Controls for Wyong Shire**

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

- 1 That Council adopt revised Development Control Plan 2005: Development Controls for Wyong Shire (DCP 2005) and direct the General Manager to provide appropriate public notice within 28 days that:**
  - That the carparking rate for Cinemas be amended to a rate of 1 to 10 seats.**
  - Chapters 1, 2, 4, 8, 17, 18, 19, 22, 26, 31, 32, 33, 34, 37, 44, 46, 54, 59, 72, 74, 85, 86, 87, 89, 92, 105, and 111 have been repealed and:**
  - That draft Chapters 61, 66 and 67 will come into effect as Chapters 61 (including consequential amendments to Chapters 11, 58, 62, 63, 64, 99, and 100 to reflect revised parking rates), 66 and 67 within DCP 2005 on the date specified within that Notice.**
- 2 That Council direct the General Manager to forward a copy of revised DCP 2005 to the Director General of the NSW Department of Planning and Infrastructure within 28 days of the making of the Plan.**
- 3 That Council direct the General Manager to include a notation on Council's Section 149 Certificates to reflect the revised Chapters.**
- 4 That Council refer these chapters of the DCP 2005 to the Employment and Economic Development Committee (EEDC) to undertake further analysis and revision if considered appropriate.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

Councillor Eaton declared a pecuniary interest in the part of the matter relating to Chapter 36 of the DCP as it relates to the North Wyong Industrial Area and his family owns a company in North Wyong, left the chamber at 8.51 pm, took no part in discussion, did not vote and returned to the chamber at 8.53 pm.

Councillor Eaton vacated the chair and Councillor Webster assumed the chair for consideration of this item.

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

**That Council adopt revised Development Control Plan 2005: Development Controls for Wyong Shire (DCP 2005) and direct the General Manager to provide appropriate public notice within 28 days that chapter 36 will come into effect within DCP 2005 on the date specified.**

FOR: COUNCILLORS BEST, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

Councillor Eaton resumed the chair.

**PROCEDURAL MOTION**

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

***That Council extend the meeting by 30 minutes.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**4.1 CPA/181538 - Hire of Minor Plant and Equipment**

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***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:***

- 1 That Council accept all conforming tenders received for a period of up to 2 years with a 1 year Principal actionable extension for Contract CPA/181538 – Hire of Minor Plant and Equipment.***
- 2 That Council determine the Tender Evaluation Report in Attachment A remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**4.2 CPA/181540 - Revised ranking list for the Evaluation and Selection of tenders for the Hire of Tipping and Other Trucks.**

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***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:***

***That Council approves a revised ranking order for the purposes of Tipping and Truck hire allocation for Contract CPA/181540 – Hire of Tipping and Other Trucks.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**4.3 CPA/181543 - Revised ranking list for the Evaluation and Selection of tenders for the Hire of Plant and Machinery**

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***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:***

***That Council approves a revised ranking order for the purposes of Plant and Machinery hire allocation for Contract CPA/181543 – Hire of Plant and Machinery.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**4.4 CPA/191877 - Construction of Warnervale Town Centre Sewer Trunk Main**

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***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:***

- 1 That Council accepts the tender from the company nominated as Tenderer '4' in the attached Tender Evaluation Report for the estimated total value of \$2,298,628.00 (excl GST) for Contract CPA/191877 – Construction of Warnervale Town Centre Sewer Trunk Main.***
- 2 That Council determines the Tender Evaluation Report in Attachment A remains confidential in accordance with Section 10A(2)(d) of the Local Government Act 1993 as the report contains information of a confidential nature.***
- 3 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**5.1 Presentation on 2011/12 Annual Financial Reports**

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Councillor Best left the chamber at 6.42 pm and returned to the chamber at 6.47 pm during consideration of this item.

Councillor Greenwald left the chamber at 6.42 pm and returned to the chamber at 6.47 pm during consideration of this item.

Councillor Nayna left the chamber at 6.47 pm and returned to the chamber at 6.49 pm during consideration of this item.

Councillor Troy returned to the chamber at 6.48 pm during consideration of this item.

Councillor Taylor left the chamber at 6.49 pm and returned to the chamber at 6.50 pm during consideration of this item.

Mr Dennis Banecevic, External Auditor representing PricewaterhouseCoopers, addressed the meeting at 6.47 pm, answered questions and retired at 6.58 pm.

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

- 1 That Council **present** the Audited Financial Reports for 2011/12 in accordance with the Local Government Act 1993.
- 2 That Council **invite** the External Auditor, Mr Dennis Banicevic (representing PricewaterhouseCoopers) to formally present the Auditor's report on Council's Annual Financial Reports for 2011/12.

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

## **5.2 Conference Attendance - 2012 ALGWA National Conference**

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**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:**

- 1 That Council **authorise** interested Councillor/s, to attend the 2012 ALGWA National Conference being held in Ipswich, QLD from Thursday 8 to Saturday 10 November 2012.
- 2 That Council **meet** reasonable expenses incurred in Councillors attending the above conference in accordance with Council's Facilities and Expenses Policy for Councillors.

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

## **5.3 Youth Employment Strategy**

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Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Council representative and an appointee to the Board of CCGT and participated in consideration of this matter.

Councillor Eaton stated:

*"I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty."*

Councillor Best declared a pecuniary interest in the matter for the reason that he is the General Manager of Central Coast Group Training the coasts largest employer of local youth and may be effected by Council's Youth Strategy, left the chamber at 8.54 pm, took no part in discussion, did not vote and returned to the chamber at 9.04 pm.

*It was MOVED by Councillor NAYNA and SECONDED by Councillor WEBSTER:*

- 1 That Council **adopt** the 2012-2016 Youth Employment Strategy
- 2 That Council **endorse** management's contracting approach to the provision of apprentices for training opportunities within Council.

An *AMENDMENT* was *MOVED* by Councillor *VINCENT* and *SECONDED* by Councillor *GREENWALD*:

- 1 That Council adopt the 2012-2016 Youth Employment Strategy
- 2 That Council endorse management's contracting approach to the provision of apprentices for training opportunities within Council.
- 3 That Council request a report from staff advising on a way the strategy could be amended to allow council to employ 25% of the apprentice trainees inhouse.

**The *AMENDMENT* was put to the *VOTE* and declared *LOST*.**

FOR: COUNCILLOR VINCENT

AGAINST: COUNCILLORS EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY AND WEBSTER

***RESOLVED* unanimously on the motion of Councillor *NAYNA* and seconded by Councillor *WEBSTER*:**

- 1 That Council adopt the 2012-2016 Youth Employment Strategy
- 2 That Council endorse management's contracting approach to the provision of apprentices for training opportunities within Council.

FOR: COUNCILLORS EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

#### **5.4 Policy for Establishment of Policies**

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***RESOLVED* unanimously on the motion of Councillor *NAYNA* and seconded by Councillor *WEBSTER*:**

***That Council endorse that Council staff no longer use the policy for Establishment of Policies.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

#### **5.5 Service Standards Review - Results of Stage 1 Community Consultation**

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***RESOLVED* unanimously on the motion of Councillor *NAYNA* and seconded by Councillor *WEBSTER*:**

- 1 That Council receive the report on the Service Standards Review and note the conclusion.

- 2 ***That Council conduct a second phase of detailed community consultation during November/December 2012, on the community's willingness to pay for each of the three Funding Scenarios.***
- 3 ***That Council request the General Manager to report the results of this consultation as soon as possible after completion.***
- 4 ***That Council delegate to the General Manager the authority to take necessary action to comply with IPART deadlines for a Special Rate Variation application during December, 2012, subject to:***
- a) ***the results of the November consultation showing community support for such action***
  - b) ***any such action being reported to the first Ordinary meeting of Council in 2013***
  - c) ***there is no prejudice to Council's ability to stop any subsequent action on a Special Rate Variation application.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

#### **6.1 Information Reports**

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***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:***

***That Council receive the report on Information Reports.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

#### **6.2 Activities of the Development Assessment and Building Certification and Health Units**

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***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:***

***That Council receive the report on Activities of the Development Assessment and Building Certification and Health Units.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**6.3 General Works in Progress**

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***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:***

***That Council receive the report on General Works in Progress.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY,  
VINCENT AND WEBSTER

AGAINST: NIL

**6.4 CCJSP Project Status Update - August/September 2012**

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***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:***

***That Council receive and note the report on CCJSP Project Status Update - August/September 2012.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY,  
VINCENT AND WEBSTER

AGAINST: NIL

**6.5 Results of Water Quality Testing for Beaches and Lake Swimming Locations**

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***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:***

***That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY,  
VINCENT AND WEBSTER

AGAINST: NIL

**6.6 Works in Progress - Water Supply and Sewerage**

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***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:***

***That Council receive the report on Works in Progress - Water Supply and Sewerage.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY,  
VINCENT AND WEBSTER

AGAINST: NIL

**6.7 Investment Report for September 2012**

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

***That Council receive the Investment Report for September 2012.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**6.8 Annual Disclosure of Interest Returns 2011-12**

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**RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:**

***That Council receive the report on Annual Disclosure of Interest Returns 2011-12.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**6.9 Outstanding Questions on Notice and Notices of Motion**

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

**1 *That Council receive the report on Outstanding Questions on Notice and Notices of Motion.***

**2 *That Council take no further action for items 1 – 8, 11, 13 and 14.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, MATTHEWS, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**7.1 Notice of Motion - Increase Wrack Collection from Tuggerah Lakes**

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Councillor Nayna left the chamber at 5.46 pm and returned to the chamber at 5.47 pm during consideration of this item.

**RESOLVED unanimously on the motion of Councillor TROY and seconded by Councillor TAYLOR:**

**1 *That Council recognise the need to double the wrack collection from Tuggerah Lakes, both through increased weed harvester operation and by collection from the lake foreshores.***

**2 *That Council include in its draft budget for 2013 – 2014 provision for such increased collection costs.***



- 3 ***That Council request the General Manager to submit a report to Council on “green tape” restrictions curtailing wrack collection/removal.***
- 4 ***That Council direct the Mayor and the General Manager to raise the State Government agencies’ “green tape” restrictions with the Minister for the Central Coast at their regional forum meeting on 9 November 2012 and seek exemption/relaxation.***
- 5 ***That Council request the General Manager to submit a report to Council on the adequacy of existing equipment to achieve significant increase in wrack removal.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

## **7.2 Notice of Motion - Daily Traffic Jams Through Wyong Township**

Councillor Nayna declared a non-pecuniary insignificant interest in the matter for the reason that he is employed as an Electorate Officer, in the office of Mr Darren Webber MP, the Member for Wyong and participated in consideration of this matter.

Councillor Nayna stated:

*“I choose to remain in the chamber and participate in discussion and voting as the conflict has not influenced me in carrying out my public duty.”*

Councillor Troy left the chamber at 6.08 pm and returned to the chamber at 6.09 pm during consideration of this item.

Councillor Vincent left the chamber at 6.23 pm and returned to the chamber at 6.27 pm during consideration of this item.

Mr John Lusted, resident, addressed the meeting at 6.10 pm, answered questions and retired 6.22 pm.

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

- 1 ***That Council recognise the importance of delivering the Pacific Highway upgrade through Wyong, linking up with the new Tuggerah Straight works as this is an economically vital road corridor providing business and job opportunities.***
- 2 ***That Council recognise that having regard to the State Government annual budgetary processes, the need to now facilitate its agreeance/concurrence on this road upgrade to meet the new budgetary cycle.***
- 3 ***That Council give certainty to the hundreds of residents that live with the real prospect of the Pacific Highway upgrade bypass being funnelled through their residential streets, resulting in major loss of amenity, safety and property values/forced resumptions.***
- 4 ***That Council formally give the RMS its support and concurrence for the through town Pacific Highway upgrade favouring the maximum parking option to assist local businesses and finally get this road started.***

- 5 ***That Council request the General Manager to provide a report to Council in support of the RMS's preferred option along the existing Pacific Highway corridor that was exhibited in November 2011.***
- 6 ***That Council note opportunity in the existing Pacific Highway corridor option to provide incremental improvements through the life of the project.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

#### **PROCEDURAL ITEM**

***RESOLVED unanimously on the motion of Councillor EATON and seconded by Councillor***

***That Council adjourn the meeting for a period of 2 minutes to allow the public to exit the gallery.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

Councillor Best left the chamber at 6.42 pm and as a result took no part in voting.

Councillor Greenwald left the chamber at 6.42 pm and as a result took no part in voting.

Councillor Troy left the chamber at 6.42 pm and as a result took no part in voting.

#### **PROCEDURAL ITEM**

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

***That Council consider item 5.1 – Presentation of 2011/12 Annual Financial Statements next as the external auditor is present.***

FOR: COUNCILLORS EATON, GRAHAM, NAYNA, TAYLOR, VINCENT AND WEBSTER

AGAINST: NIL

**8.1 Rescission Motion - CPA/191877 - Construction of Warnervale Town Centre Sewer Trunk Main**

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***RESOLVED unanimously on the motion of Councillor NAYNA and seconded by Councillor WEBSTER:***

***That Council reconsider this item as listed on this agenda as item 4.4 – CPA/191877 – Construction of Warnervale Town Centre Sewer Trunk Main.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, GREENWALD, NAYNA, TAYLOR, TROY, VINCENT AND WEBSTER

AGAINST: NIL

**QUESTIONS ON NOTICE**

**Q33/12 EPA Pile Burning Penalties**

**Councillor Greg Best**

F2012/01734

*“Mr Mayor, could you confirm if the EP&A, under the protection of the Environment Operations (clean air) Regulations 2010, only have the right to issue pile burning permits, could staff look into this and what affect it may have, if any, on Council’s Draft Pile Burning Policy?”*

**Q34/12 Extension of Draft Pile Burning Policy Exhibition**

**Councillor Greg Best**

F2012/01734

*“Mr Mayor, to assist our local rural community on the issue of the Draft Pile Burning Policy now on public display, could Council extend the exhibition period for one month until the 26 November 2012?”*

**Q35/12 Purchase of Sections of Remaining Undeveloped Land at Wadalba Hill**

**Councillor Ken Greenwald**

F2005/00562

*“Could staff please advise of any State of Federal Funding Schemes that may be available to purchase sections of remaining undeveloped land at Wadalba Hill for conservation purposes?”*

**Q36/12 Update on Charmhaven Walkway**

**Councillor Doug Vincent**

F2008/02625

*“Could staff please advise and update on the pedestrian crossing, ramp, slow bars, bench and ends for the Charmhaven walkway at Moala parade, Charmhaven?”*

**THE MEETING** closed at 9.15 pm.