
WYONG SHIRE COUNCIL

MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 13 November 2013
COMMENCING AT 5:00 PM

PRESENT

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

IN ATTENDANCE

General Manager, Acting Director Development and Building, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, General Counsel, Manager Communications, and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.04 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

The Mayor delivered the opening prayer and Councillor Matthews read an acknowledgment of country statement.

The Mayor, on behalf of Council and the community, paid special tribute to Council staff involved with the recent bushfire emergency on Thursday 17 October and Friday 18 October 2013, and thanked staff for their outstanding efforts in conjunction with the Bushfire Brigade which protected lives and property in the Wyong Shire.

The Mayor also acknowledged the SES for the great work this organisation performs on behalf of the community.

APOLOGIES

A request for leave of absence was received from Councillor Nayna due to work commitments.

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

1340/13 That Council grant leave of absence from the meeting.

At the commencement of the ordinary meeting report nos 1.1, 1.2, 1.3, 4.1, 4.12, 4.11, 2.1, 4.3, 4.5, 4.6, 4.10, 5.1, 5.2, 7.1 and 7.2 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 Disclosures of Interest

2.1 Draft Retail Centres Strategy

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that land owned by his family could be perceived to be affected by the Strategy, he left the chamber at 6.52 pm, took no part in discussion, did not vote and returned to the chamber at 7.07 pm.

4.4 Grants Advisory Group - 15 October 2013

Councillor Webster declared a non-pecuniary insignificant interest in the matter for the reason that she is a member of the Multicultural Advisory Committee (a grant recipient) and participated in consideration of this matter.

Councillor Webster 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 Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of the Multicultural Advisory Committee (a grant recipient) and participated in consideration of this matter.

Councillor Vincent 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 Eaton declared a non-pecuniary insignificant interest in the matter, for the reason that he is a member of the Multicultural Advisory Committee that is a grant recipient and the China Australia Friendship Society (CAFS) is the auspicing body, of which his wife is a board member, 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 because I am a Council delegate to the Multicultural Advisory Committee and CAFS only auspicer not organiser."

4.10 Proposed Councillors' Community Improvement Grants

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of Scouts NSW, and his son is a cub who will be attending the NSW Cubora Camp, left the chamber at 7.36 pm, took no part in discussion, did not vote and returned to the chamber at 7.38 pm.

Councillor Vincent stated:

"I choose to take no part in discussion and voting for this item."

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

1341/13 That Council receive the report on Disclosure of Interest and note advice of disclosures.

1.2 Proposed Inspections and Briefings

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

1342/13 That Council receive the report on Proposed Inspections and Briefings.

1.3 Address By Invited Speakers

Mr Dennis Banicevic, External Auditor, representing Price Waterhouse Coopers addressed the meeting at 5.11 pm, answered questions and retired at 5.24 pm.

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

1343/13 That Council receive the amended report on Invited Speakers.

1344/13 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.

1.4 Confirmation of Minutes of Previous Meeting

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

1345/13 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 23 October 2013.

Business Arising

There was no business arising.

1.5 Notice of Intention to Deal with Matters in Confidential Session

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

1346/13 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2d)(ii) AND 10A(2a) if the Local Government Act 1993:

9.1 - Pools and Recreation Centres

9.2 - Appointment of Independent Member of the Audit and Risk Committee.

1347/13 That Council note its reason for considering Report No 9.1 Pools and Recreation Centres - Update as commercial information of a confidential nature that would, if disclosed: confer a commercial advantage on a competitor of the Council.

1348/13 That Council note its reason for considering Report No 9.2 Appointment of independent Member of the Audit and Risk Committee - personnel matters concerning particular individuals (other than Councillors).

1349/13 That Council request the General Manager to report on this matter in open session of Council.

2.1 Draft Retail Centres Strategy

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that land owned by his family could be perceived to be affected by the Strategy, he left the chamber at 6.52 pm, took no part in discussion, did not vote and returned to the chamber at 7.07 pm.

Councillor Eaton vacated the chair at 6.52 pm and Councillor Webster assumed the chair for consideration of this item.

Councillor Taylor left the meeting at 7.06 pm and returned to the meeting at 7.08 pm and as a result took no part in voting.

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

- 1350/13 That Council adopt the Retail Strategy 2013 and repeal the current Retail Strategy 2007 and Development Control Plan Chapter 81 – Retail Centres.
- 1351/13 That Council include the rezoning recommendations contained within the 2011/2012 Retail Review into the first major amendment to Wyong Local Environmental Plan 2013.
- 1352/13 That Council place on public exhibition for a period of 28 days the proposed amendment to Chapter 5.1 (Retail Centres) of Wyong Development Control Plan 2013.
- 1353/13 That Council endorse the Development Control Plan Chapter 5.1 (Retail Centres), subject to there being no significant objections.
- 1354/13 That Council request the General Manager to invite Marcus Westbury of Renew Australia to come to Wyong to consult with Staff on creative projects that improve retail centres.
- 1355/13 That Council, in developing such a draft retail strategy, note Gosford City Council's retail strategy thereby delivering a regional focus to this important employment initiative.

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

AGAINST: NIL

Councillor Eaton resumed the chair at 7.07 pm.

3.1 Classification of Land, Lot 15 DP 1184211 at 198 Roper Road, Blue Haven

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

1356/13 That Council propose to classify Lot 15 DP 1184211 at 198 Roper Road, Blue Haven as Operational Land.

1357/13 That Council advertise the proposal in accordance with Section 34 of the Local Government Act 1993.

1358/13 That Council adopt the classification if no adverse submissions are received.

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

AGAINST: NIL

4.1 Presentation of 2012/13 Annual Financial Statements

Mr Dennis Banicevic, External Auditor, representing Price Waterhouse Coopers addressed the meeting at 5.11 pm, answered questions and retired at 5.24 pm.

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

1359/13 That Council present the Audited 2012/13 Financial Statements in accordance with the Local Government Act 1993.

1360/13 That Council invite the External Auditor, Mr Dennis Banicevic (representing PricewaterhouseCoopers) to formally present the Auditor's report on Council's 2012/13 Annual Financial Statements.

PROCEDURAL MOTION

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

1361/13 That Council allow meeting practice to be varied.

1362/13 That Council suspend the order of business to allow, Item 4.12 Child Care Review, followed by Item 4.11 Central Coast Regional Airport Status Report, to be brought forward for consideration due to the large number of attendees in the Public Gallery for these items.

4.2 Annual Report 2012/13

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

- 1363/13 That Council adopt the 2012/13 Annual Report (including enclosures).
- 1364/13 That Council authorise the General Manager to make final minor changes to the plan to ensure correctness and clarity.
- 1365/13 That Council post a copy of the 2012/13 Annual Report (including enclosures) on Council's website.
- 1366/13 That Council advise the Minister for Local Government of Council's URL link to access the report.

4.3 Planning Proposal - Revision of Wyong LEP 2013 - Revision of Flood Planning Mapping

Councillor Taylor left the meeting at 7.06 pm and returned to the meeting at 7.08 pm during consideration of this item.

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

- 1367/13 That Council initiate the Local Environmental Plan "Gateway" process, pursuant to Section 55 of the Environmental Planning and Assessment Act 1979 through the preparation of a Planning Proposal requesting the adoption of new flood mapping under Wyong LEP 2013.
- 1368/13 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.
- 1369/13 That Council undertake community consultation regarding the Planning Proposal, subject to the determination of the Gateway Process.
- 1370/13 That Council receive a further report on results of the community consultation.
- 1371/13 That Council prepare an amendment to (draft) Development Control Plan 2013 for Wyong Shire to align with the amendments to Wyong LEP 2013.

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

4.4 Grants Advisory Group - 15 October 2013

Councillor Webster declared a non-pecuniary insignificant interest in the matter for the reason that she is a member of the Multicultural Advisory Committee (a grant recipient) and participated in consideration of this matter.

Councillor Webster 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."

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Councillor Vincent stated:

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Councillor Eaton declared a non-pecuniary insignificant interest in the matter, for the reason that he is a member of the Multicultural Advisory Committee that is a grant recipient and the China Australia Friendship Society (CAFS) is the auspicing body, of which his wife is a board member, 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 because I am a Council delegate to the Multicultural Advisory Committee and CAFS only auspicer not organiser."

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

1372/13 That Council receive the draft minutes of the Wyong Shire Grants Advisory Group held on 15 October 2013.

1373/13 That Council allocate \$605.46 from the 2013-14 Community Subsidy Program as follows:

Applicant	Project Name and Summary	Committee Funding Recommended
Wyong Creek Literary Institute	Rates subsidy for 2012 - 2013 year	\$465.46
Central Coast Watercolour Society	Printing for 'Try your hand at Watercolour' not-for-profit community event	\$140.00

1374/13 That Council decline applications for the reasons indicated in the table below and the applicants be advised and where relevant, directed to alternate funding programs:

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Committee Assessment</i>
<i>Camp Breakaway Inc</i>	<i>Rates subsidy for 2012 - 2013 year</i>	<i>Application ineligible.</i>

1375/13 That Council allocate \$7,000.00 from the 2013-14 Sport and Cultural Sponsorship Program as follows:

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Committee Funding Recommended</i>
<i>Mr Paul Dawson</i>	<i>2013 Trans Tasman Oztag International</i>	<i>\$1,000.00</i>
<i>Ms Ocean Hampton</i>	<i>Soccer tournament in Las Vegas</i>	<i>\$1,000.00</i>
<i>Mr Mitchell Riley</i>	<i>Represent NSW in rugby union travelling to the United Kingdom</i>	<i>\$500.00</i>
<i>Mr Michael Tweedie</i>	<i>The Australian Masters National Hockey Championships</i>	<i>\$500.00</i>
<i>Mr Samuel Heterick</i>	<i>NSW Country U18's England Tour from 24 November to 6 December 2013</i>	<i>\$500.00</i>
<i>Miss Pyper Denneman</i>	<i>Representing the Polding Region at 2013 NSWPSA Girls Cricket Carnival in Bomaderry NSW</i>	<i>\$250.00</i>
<i>Miss Jaz Denneman</i>	<i>Representing the Polding Region at 2013 NSWPSA Girls Cricket Carnival in Bomaderry NSW</i>	<i>\$250.00</i>
<i>Mr Joshua English</i>	<i>2013 AIBA World Championships for Amateur Boxing to be held in Almaty, Kazakhstan from the 11 to 27 October</i>	<i>\$1,000.00</i>
<i>Mr Brad Perrin</i>	<i>Inaugural International Special Olympics Asia Pacific Games. This event is for athletes with an intellectual disability</i>	<i>\$500.00</i>
<i>Mr Mitchell Carlin</i>	<i>Inaugural International Special Olympics Asia Pacific Games, which will be held in Newcastle, NSW from December 1-7, 2013. This event is for athletes with an intellectual disability</i>	<i>\$500.00</i>
<i>Mr Adam Gowen</i>	<i>Australian Men's Oztag Team tour of New Zealand</i>	<i>\$500.00</i>
<i>Mr Rodney Dillon</i>	<i>Represent Australia in New Zealand in Oztag in the 2013 Trans Tasman Tour</i>	<i>\$500.00</i>

1376/13 That Council decline applications for the reasons indicated in the table below and the applicants advised and where relevant, directed to alternate funding programs:

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Committee Assessment</i>
<i>Miss Jasmine Fischbeck</i>	<i>Attend Hawaii in January 2014 for the Aloha Gymfest representing Australia</i>	<i>Application ineligible.</i>

1377/13 That Council allocate \$32,540.58 from the 2013-14 Community Benefit Grants Program as follows:

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Committee Funding Recommended excl. GST</i>
<i>Global Care Australia</i>	<i>Foodcare Charmhaven</i>	<i>\$750.00</i>
<i>Regional Youth Support Services Inc</i>	<i>Our Voice Music Lab</i>	<i>\$4,250.00</i>
<i>San Remo Community Men's Shed</i>	<i>Defibrillator for Lifesaving assistance for Sudden Cardiac Arrest</i>	<i>\$2,735.00</i>
<i>Wyong District Museum and Historical Society</i>	<i>Relocation of Telephone Line</i>	<i>\$300.00</i>
<i>Warnervale Family and Community Centre</i>	<i>Celebrating Harmony Day at Warnervale</i>	<i>\$1,100.00</i>
<i>The Salvation Army Australia (NSW) Property Trust</i>	<i>Fridge/Freezer for Oasis Community Hub project</i>	<i>\$8,165.58</i>
<i>Australian Hispanic Women's Business Network (AHWBN)</i>	<i>The Magic of a Peruvian / South American Xmas @ Wyong Shire</i>	<i>\$1,000.00</i>
<i>Multicultural Advisory Committee</i>	<i>End of the Year Cultural Celebration 2013</i>	<i>\$2,200.00</i>
<i>San Remo Neighbourhood Centre Inc</i>	<i>GOATS (Going Off At The Swamp) Family Festival 2014</i>	<i>\$10,300.00</i>
<i>St Vincent de Paul Broken Bay</i>	<i>Calliope - Social Group for women who have escaped domestic violence 'post domestic violence'</i>	<i>\$1,740.00</i>
<i>Total</i>		<i>\$32,540.58</i>

1378/13 That Council defer the following Community Benefit Grants applications pending further discussion with Wyong Shire Council (WSC) staff, for the reasons indicated in the table below:

Applicant	Project Name and Summary	Committee Recommendation
Homeless No More	Homeless No More - Storage Container	Defer pending further review.
Fusion Central Coast Inc	Media and Communication Skills Workshops for Arts Groups and Arts Practitioners	Defer pending further review.
Toowoan Bay Surf Life Saving Club Inc	Purchase of Radio Safety Helmets for Toowoan Bay SLSC	Defer pending outstanding payments to Council.
Ourimbah Public School Parents and Citizens Association	Sesquicentenary Celebration Book	Defer pending further review.

1379/13 That Council decline the following Community Benefit Grant applications for the reasons indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project Name and Summary	Committee Recommendation
Rotary Club of The Entrance	RYDA road safety education program - A one day out of school program delivering practical road safety information targeting attitude and awareness of young drivers and their passengers	Not Recommended.
Multiple Sclerosis Limited trading as MS Australia	Wyong Disability Care Australia Conversation Forum for People with Progressive Neurological Disease	Not Recommended.
Wyong Family History Group	Publications station - To purchase and implement a multi-tasking publications station for our research Centre at Wyong Family History Cottage	Not Recommended.
Wyong Dog Training Club Incorporated	"No Barriers with Pets" Open Day with Wyong Dog Training Club - Free fun day for the whole family, Our theme of the day is "No Barriers with Pets"	Not Recommended.
Berkeley Vale Soccer Club Inc	Goals for Kids	Not Recommended.

Applicant	Project Name and Summary	Committee Recommendation
Killarney Vale AFC Inc	Central Coast (Australian Football League) AFL 9's Tournament - Inter primary schools competition over 6 weeks providing transport for participants on the basis of economic hardship for schools and players and their families	Not Recommended.
Northern Settlement Services	STOP Racism and enjoy a Cultural Experience at your local school	Not Recommended.
Bateau Bay Anglican Church	Bateau Bay Anglican Church Garden renewal	Not Recommended.
4 Hope Ministries	Christmas in the neighbourhood	Not Recommended.
Greek (Hellenic) Community of Central Coast of NSW Inc.	Cycle of Life - 1.30hr show involving professional artists and CALD leaders from five different backgrounds namely Latin American, Thai, Fijian, Chinese and Greek with the key participation of Aboriginal Elders	Not Recommended.

1380/13 That Council allow an extension to Toukley Neighbourhood Centre to expend a grant received in October 2010:

Applicant	Project Name and Summary	Reason for Extension	Committee Funding Recommendation excl. GST
Toukley Neighbourhood Centre (TNC)	Mural Project	Change of staff, application and payment overlooked. Payment in TNC bank account.	\$5,000.00

1381/13 That Council allocate \$119,700.00 from the 2013-14 Community Matching Fund as follows:

Applicant	Project Name and Summary	Committee Funding Recommended excl. GST
Northern Lakes Power AFL Inc	Floodlighting at Northlakes Oval	\$75,000.00
Tantrum Theatre Co-operative Limited	The Wyong Project: A performing arts development project for young people in Wyong Shire.	\$18,700.00
The Entrance North Progress Association Inc	Fencing and planting along dune path and around beach seating area.	\$26,000.00
Total		\$119,700.00

1382/13 That Council defer the following applications pending further information being presented by Council staff for the reasons indicated in the table below:

Applicant	Project Name and Summary	Committee Recommendation
YMCA of Sydney (trading as YMCA NSW)	Electronic vertical dividing curtain for Lake Haven Recreation Centre Sports Stadium.	Defer pending further information.
Concern Australia Hand Brake Turn	Hand brake turn – Youth engagement and sustainability scholarship.	Defer pending further information.
Manno Men's Shed	Manno Mens' Shed Building.	Defer pending ability to meet DA approval conditions within funding and outcome from other grant applications.
Northern Lakes Disability Tourism Precinct	Lakes Beach disability beach accessway.	Defer pending further investigation regarding previous funding for same project.
Long Jetty Senior Citizens Club	Replacement of roof.	Defer pending further investigation.

1383/13 That Council defer the following application until the next round of Community Matching Fund Grants:

Applicant	Project Name and Summary	Committee Recommendation
CASAR Park Supporters Inc	Casar Park Community Motor Sport Facility development application.	Defer application – staff to liaise with applicant to clarify matching component.

1384/13 That Council decline the following Community Matching Fund applications for the reasons indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:

Applicant	Project Name and Summary	Committee Recommendation
San Remo Community Men's Shed	Expansion of the San Remo Community Men's Shed.	Project has merit however is not recommended as priority in category with numerous other applications. Recommend applicant resubmit next funding round.
Wyong Creek Literary Institute	Upgrade to celebrate centenary of Wyong Creek Hall.	Applicant encouraged to re-submit next round when outcomes of other grant applications are determined.

Applicant	Project Name and Summary	Committee Recommendation
Kanwal Public School Parents and Citizens Association	Let's stop the stormwater and save our our Tuggerah Lakes Catchment!	Recommend applicant seek more suitable funding source for project.
Central Coast Hockey Incorporated	Wyong Regional Hockey Complex upgrade and refurbishment.	Recommend applicant reapply in a future round when organisation's financial contribution is clarified.
The Razorbacks Rugby Club	Change rooms and showers.	Project not recommended.
Berkeley Vale Soccer Club Incorporated	Kurraba Facility.	Project not recommended.
North Lakes Community Services Incorporated	Bump mentoring and workshops for young Mums.	Project proposal has merit however not recommended as a priority in current round.
Fairhaven Services	A sustainable life.	Project not recommended as currently proposed.
Tuggerah Lake Reserve (R1003002) Trust	Pioneer Dairy Wetland.	Whilst project has significant merit it is not the recommended project for the Environment category. Recommend applicant resubmit in a future round.
St Mary's Catholic Primary School Toukley	Library/Technology Community Hub.	Project not recommended.

4.5 Amendments to Temporary Economic Stimulus Plan

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

1385/13 That Council resolve to repeal the previous Temporary Economic Stimulus Plan and adopt the consolidated Temporary Economic Stimulus Plan attached to this report with the following amendments:

- (a)** The inclusion of an additional point 7f(iii) "That any Wadalba corridor contribution be subject to individual negotiations" in paragraph 7 of the recommended consolidated Temporary Economic Stimulus Plan.
- (b)** And the deletion of the words "including those lodged with Section 96 applications" from paragraph 4 of the recommended consolidated Temporary Economic Stimulus Plan.

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

AGAINST: NIL

4.6 Draft WWAHT Contributions Plan

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

- 1386/13 That Council adopt the exhibited Draft Wadalba, Woongarra and Hamlyn Terrace Development Contributions Plan with the amendments recommended in this report, comprising:
- a The relocation of the northern boundary in the Wadalba Environmental Corridor Catchment Map to align with the Pacific Highway.
 - b The change of the "Knowledge Centre" reference to the "Warnervale Community Hub".
 - c The area and the corresponding value for small park S2 be increased from 0.45ha to 0.5ha.
 - d The removal of road works I6 – Pacific Highway/Chelmsford Road intersection upgrade from the plan.
 - e The insertion of the cost estimates for the Johns Rd Stormwater Culvert, Drainage Channel F works and Drainage Channel F landscaping provided by ADW Johnson.
 - f The incorporation of the 0.35 development unit ratio for secondary dwellings.
- 1387/13 That Council request the Minister for Planning and Infrastructure to exempt the adopted Wadalba, Woongarra and Hamlyn Terrace Development Contributions Plan from capping by including the area/plan in Schedule 1 of the Section 94E Direction.
- 1388/13 That Council request the General Manager to respond to those people who made submissions to the exhibition.
- 1389/13 That Council request the General Manager to update section 149 certificates on affected properties.
- 1390/13 That Council request the General Manager to ensure that any Wadalba corridor contribution be subject to individual negotiations.

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

AGAINST: NIL

4.7 Policy for Debt Management

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

- 1391/13 That Council approve the policy for debt management and allow for immediate adoption.

4.8 Election Services Provider 2016

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

- 1392/13 That Council note the next Ordinary Election of Wyong Shire Councillors will be held in September 2016.
- 1393/13 That Council note that the final date to resolve to enter into an election arrangement with the NSW Electoral Commissioner for the conduct of its own election is March 2015.
- 1394/13 That Council seek expressions of interest from Election Services providers in relation to the conduct of the Wyong Shire 2016 election, including details of costs, hybrid models and joint tendering opportunities.
- 1395/13 That Council direct the General Manager to provide a report comparing the information received from the Expressions of Interest process including a recommendation on the best value option available to Council.

4.9 2014/15 Strategic Planning - Councillor Engagement

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

- 1396/13 That Council endorse the 2014/15 Strategic Plan Councillor engagement program.

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

AGAINST: NIL

PROCEDURAL MOTION

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

- 1397/13 That Council allow the Scouts Australia grant application to be dealt with as a separate item.

4.10 Proposed Councillors' Community Improvement Grants

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of Scouts NSW, and his son is a cub who will be attending the NSW Cubora Camp, left the chamber at 7.36 pm, took no part in discussion of the Scouts Australia grant application, did not vote and returned to the chamber at 7.38 pm.

Councillor Vincent stated:

"I choose to take no part in discussion and voting for this item."

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

1398/13 That Council allocate an amount of \$700 from the 2013-14 Councillors' Community Improvement Grants as follows:

13 November 2013		
Scouts Australia - Central Coast Lakes District (\$1800)	Provide a common camp bag to 90 local scouts	700.00

Councillor Vincent returned to the chamber at 7.38 pm and took part in discussion of the remainder of this item.

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

1399/13 That Council allocate an amount of \$5,298.50 from the 2013-14 Councillors' Community Improvement Grants as follows:

13 November 2013		
Coast Alive Foodcare	Provide morning tea and lunch to underprivileged families in the Wyong Shire.	90.00
Disabled Surfers Association of Central Coast (\$292) (\$229 already allocated)	To pay the fees for the use of the beach.	63.00
Lake Macquarie FM Inc	To connect electricity	2,100.00
NSW Justices Association (\$500)	Assist with the cost of an online learning management system	50.00
San Remo Neighbourhood Centre (\$1000) (\$300 already allocated)	Security costs for the annual San Remo/Blue Haven Community Christmas celebration	600.00
Toowoona Bay Ocean Swim (\$500) (\$150 already allocated)	Purchase of canvas / all weather signage.	350.00
Warnervale Cricket Club (\$1870)	Pitch Covers	1,870.00
Wyong District Tennis Association (\$1775.50) (\$1600 already allocated)	Family Fun Day and encourage participation in the game of tennis.	175.50

4.11 Central Coast Regional Airport Status Report

Councillor Webster left the meeting at 6.21 pm and returned to the meeting at 6.22 pm during consideration of this item.

Councillor Matthews left the meeting at 6.18 pm and returned to the meeting at 6.23 pm during consideration of this item.

Councillor Vincent left the meeting at 6.39 pm and return to the meeting at 6.41 pm during consideration of this item.

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

- 1400/13 That Council receive and note the report.**
- 1401/13 That Council endorse the attached Project Plan, schedule and budget including the Community Engagement Strategy for the Central Coast Regional Airport.**
- 1402/13 That Council approve the development of a Masterplan for the Central Coast Regional Airport including any land constraints studies.**
- 1403/13 That Council endorse the Central Coast Regional Airport strategic area as identified in Attachment 1 for works associated with the masterplanning and various land constraint studies required to establish the proposed location of the runway, terminal and ancillary uses.**
- 1404/13 That Council authorise the General Manager to continue to hold discussions with the Aviation Industry and affected land owners on the proposed Central Coast Regional Airport.**
- 1405/13 That Council receive quarterly status reports on this project with the first report to be provided after the March 2014 quarter.**
- 1406/13 That Council authorise the General Manager to execute any agreements or documents associated with the project.**
- 1407/13 That Council initiate the Planning Proposal to amend Wyong Local Environmental Plan (WLEP) 2013 in accordance with Section 55 of the Environmental Planning and Assessment Act 1979, by endorsing the planning proposal prepared by the applicant.**
- 1408/13 That Council forward the Planning Proposal to the Director General Department of Planning and Infrastructure requesting a 'Gateway' determination, pursuant to Section 54 (1) of the Environmental Planning and Assessment Act 1979.**
- 1409/13 That Council request the Director General, Department of Planning and Infrastructure to issue an Authorisation to exercise delegation under Part 3 of the Environmental Planning and Assessment Act 1979 and advise the Department that the plan is to be made by sub-delegation to the relevant Council Officer.**
- 1410/13 That Council, subject to the Director General's approval, undertake community consultation on the Planning Proposal, in accordance with the Gateway Process and Director General's direction.**

- 1411/13 *That Council, subject to the Director General's approval, prepare the draft Local Environmental Plan Instrument in consultation with the Office of the Parliamentary Counsel (PCO) where Written Authorisation to exercise delegation has been issued to Council, and that Council make the plan subject to there being no objections received that cannot be resolved by minor amendments to the Planning Proposal.*
- 1412/13 *That Council endorse visits by the Mayor and the General Manger (or Delegates) to Melbourne, Perth and Avalon Airports as part of Council's fact finding stage of the Project.*
- 1413/13 *That Council endorse the addition of a notation to Section 149 Certificates for those properties located within the strategic airport area as identified in this report.*

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

AGAINST: COUNCILLORS GREENWALD, MATTHEWS, AND VINCENT

PROCEDURAL MOTION

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

- 1414/13 *That Council allow meeting practice to be varied.*
- 1415/13 *That Council use the exception method to deal with the balance of the Agenda.*

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

- 1416/13 *That with the exception of report numbers 2.1, 4.3, 4.5, 4.6, 4.10, 5.1, 5.2, 7.1 and 7.2 Council adopt the recommendations contained in the remaining reports.*

4.12 Child Care Review

Councillor Matthews left the meeting at 5.46 pm and returned to the meeting at 5.48 pm during consideration of this item.

Councillor Troy left the meeting at 6.01 pm and returned to the meeting at 6.02 pm during consideration of this item.

Councillor Best left the meeting at 6.04 pm and returned to the meeting at 6.06 pm during consideration of this item.

RESOLVED on the motion of Councillor EATON and seconded by Councillor WEBSTER:

- 1417/13 *That Council receive and endorse the report.*
- 1418/13 *That Council note the feedback from staff and the United Services Union as documented in the report and continue to engage with staff and union throughout future steps as required under the Local Government State Award 2010.*

- 1419/13 That Council direct the General Manager to undertake an Expression of Interest for the lease and operation of Tom Stone and Spotted Gum Care & Education centres.
- 1420/13 That Council endorse staff from Tom Stone and Spotted Gum Care & Education centres be invited to submit an Expression of Interest.
- 1421/13 That Council specifically invite all Central Coast Child Care Centre Operators to submit an Expression of Interest.
- 1422/13 That Council receive a report on the results of the EOI in the first meeting in February 2014.
- 1423/13 That Council inform families utilising Council Care and Education centres that the centres will continue to operate business as usual and that they be provided with a point of contact within Council to respond to any queries they may have.

5.1 Planning Proposal in Respect of Land at Yeramba Road, Summerland Point - Results of Community Consultation

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

- 1424/13 That Council receive the report on the Planning Proposal in Respect of Land at Yeramba Road, Summerland Point - Results of Community Consultation.

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

AGAINST: NIL

5.2 Road Capital Works Program

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

- 1425/13 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

5.3 Results of Public Exhibition of RZ/5/2012, 7 Mingara Drive, Tumbi Umbi

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

- 1426/13 That Council receive the Results of Public Exhibition of RZ/5/2012, 7 Mingara Drive, Tumbi Umbi.

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

AGAINST: NIL

5.4 Outstanding Questions on Notice and Notices of Motion

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

1427/13 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

7.1 Notice of Motion -Proposed Amendments to Tree Policy

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

1428/13 That Council resolve to allow the owners of residential land, of 1,000sq m or less, the right to remove a single tree in any 12 month period if the tree is deemed to be hazardous to life or property, by the owner.

1429/13 That Council note that where more than 1 tree is identified to be hazardous, to life or property, removal will require Council approval.

1430/13 That Council request the General Manager to provide a report to Council, outlining further possible amendments to Council's Tree Policy that will streamline processes, reduce red tape and achieve the following objectives:

- a to reduce, real or perceived, hazards arising from trees to life or property including, bushfires, falling trees and branches, tree root damage and the like.**
- b to minimise Council's exposure to claims and litigation arising from damage caused by trees and**
- c to reduce the number of circumstances in which Council's approval is required for the removal of trees on private property.**

1431/13 That Council request the General Manager provide a report to Council that addresses possible amendments to the proposed Wyong LEP 2013 to provide that the removal of trees (in accordance with points 1 and 2 above) be Exempt Development.

1432/13 That Council note that these additions will be in addition to the 6 and 12 metre current policy for the removal of trees.

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

AGAINST: NIL

7.2 Notice of Motion - F3/M1 Serious Road Risks

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

- 1433/13 That Council respond, as a matter of urgency, to recent reports of serious traffic risks around vehicles queuing back onto the F3 freeway from the twin Caltex service stations at peak periods.
- 1434/13 That Council formally draw this extremely dangerous situation to the attention of Roads and Maritime Services (RMS) and request that the site owner also respond to this issue.
- 1435/13 That Council acknowledge that a solution to this situation may require lengthy engineering solutions and that the Christmas traffic peak is imminent.
- 1436/13 That Council seek RMS support for interim hazard display signs warning all vehicles in this 110 km zone of the significant hazard ahead.

Confidential item 8.1 and 8.2 were resolved via the exception method during open session. The Mayor reported on these items as follows:

8.1 Pools and Recreation Centres

- 1437/13 That Council direct the General Manager to formally approach the YMCA of Sydney and enter into negotiations to extend the current contract (CPA/158914) for 12 months commencing 1 July 2014 and ceasing 30 June 2015, subject to appropriate assurances.
- 1438/13 That Council determine that a satisfactory result would not be achieved by going to tender due to the need for a more detailed review of the way Council operates these facilities.
- 1439/13 That Council direct the General Manager to report to staff the outcomes of the negotiations.

8.2 Appointment of Independent Member of the Audit and Risk Committee

- 1440/13 That Council appoint Glenn Harris as an independent member of its Audit and Risk Committee.
- 1441/13 That Council confirm the appointment of Jason Masters as the continuing independent member of the Audit and Risk Committee.
- 1442/13 That Council determine that the independent members of the Audit and Risk Committee are to be remunerated at the appropriate rates for "Small Agencies" set out in the "Prequalification Scheme: Audit and Risk Committee Independent Chairs and Members – Scheme Conditions" published by the NSW Government in January 2013.

QUESTIONS ON NOTICE

**Q45/13 Removal of Weed From Lake Munmorah
Councillor Doug Vincent**

“Could staff please advise when the weed harvester will be removing weed from the northern end of Lake Munmorah?”

**Q46/13 Availability of Historical Reports and Information on Tuggerah Lakes at
Council Libraries
Councillor Doug Vincent**

“Could staff please advise if the historical reports and information on the Tuggerah Lakes from the Office of Environment and Heritage, held by Council, can be made available to the general public in the Council libraries?”

**Q47/13 Council holiday Parks Awards
Councillor Greg Best**

“Mr General Manager, this Council’s management of its Holiday Parks was recently recognised at the NSW, ACT Regional and Community Awards, where Council was nominated and finished runner up in the Crown Lands Reserve Trust Management category. This is a tremendous outcome and reflects the significant turnaround our holiday parks have recently enjoyed. Would you please pass on Council’s sincere appreciation to Staff, Managers and Contractors for their outstanding efforts?”

**Q48/13 Investigation into drowning death at Chain Valley Bay
Councillor Greg Best**

“Mr General Manager, I am sure all would join in sending our heartfelt condolences to the family and friends at the loss of their child. This matter is currently being investigated for the coroner and required assistance from Council Officers. I understand Mr Jason Ritson, Soctt Rathgen and Paul Cohen were all called upon to assist Police in this extremely difficult matter. Further to feedback from Detective Simon Wood praising the outstanding effort and sensitivity in dealing with this matter and the family, I would like to take this opportunity on behalf of Council to request you formally pass on our genuine appreciation to Staff for such professionalism?”

THE MEETING closed at 8.06 pm.