
WYONG SHIRE COUNCIL

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

PRESENT

Councillors D J Eaton OAM (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

Acting Chief Executive Officer, General Manager, Director Development and Building, Director Infrastructure and Operations, Director Property and Economic Development, Acting Director Community and Recreation Services, General Counsel, Communications Coordinator, IT Infrastructure Administrator and two administration staff.

The Mayor, Councillor Eaton OAM, declared the meeting open at 5.03pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

APOLOGIES

There were no apologies.

At the commencement of the ordinary meeting report nos 1.1, 1.3, 1.2, 5.4, 7.2 and 2.1 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

5.2 Sponsorship Program 2016/17

Councillor Best declared a non-pecuniary insignificant interest in the matter for the reason that Central Coast Mariners and Central Coast Group Training are working in partnership in delivering youth employment opportunities and did not participate in consideration of this matter. Councillor Best left the chamber at 6.41pm, took no part in discussion, did not vote and returned to the Chamber at 6.44pm.

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that Central Coast Group Training Ltd has apparently partnered with the Mariners over its Kids Jobs promotion of which the Mariners are a sponsor applicant 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 the Council delegate to Central Coast Group Training so no conflict apparent."

7.1 Notice of Motion - Busker Encouragement

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he has family members who are performers 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 because this is a shire wide policy/initiative."

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

1/16 ***That Council receive the report on Disclosure of Interest and note advice of disclosures.***

1.2 Proposed Briefings and Inspections

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

2/16 ***That Council receive the report on Proposed Briefings and Inspections.***

1.3 Address By Invited Speakers

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

3/16 ***That Council receive the amended report on Invited Speakers.***

4/16 ***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.***

PROCEDURAL MOTION

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

5/16 That Council allow meeting practice to be varied.

6/16 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:

7/16 That with the exception of report numbers 2.1, 2.2, 2.3, 3.4, 5.1, 5.2, 5.3, 5.4, 5.6, 5.7, 5.9, 6.3, 7.1 and 7.2 Council adopt the recommendations contained in the remaining reports.

1.4 Confirmation of Minutes of Previous Meeting

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

8/16 That Council confirm the minutes of the previous Ordinary Meeting of Council held on 9 December 2015.

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:

9/16 That Council consider the following matters in Confidential Session, pursuant to Section 10A (2)(c) and (d)(ii) of the Local Government Act 1993:

8.1 – Proposed Acquisition of Lot 5 DP239691 140 Sparks Road, Warnervale
8.2 – Councillor Outcomes Report

10/16 That Council note its reason for considering Report No 8.1 – Proposed Acquisition of Lot 5 DP239691 140 Sparks Road, Warnervale, as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

11/16 That Council note its reason for considering Report No 8.2 – Councillor Outcomes Report, as it contains commercial information of a confidential nature that would, if disclosed confer a commercial advantage on a competitor of the Council.

12/16 That Council request the Chief Executive Officer to report on these matters in open session of Council.

2.1 Results of Public Exhibition draft Development Control Plan 2013 Chapter 3.1 - Site Waste Management

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

13/16 That Council defer this item for an update on the comparison between the draft and existing DCP.

FOR: CRS G BEST, D EATON, B GRAHAM, K GREENWALD, L MATTHEWS, L TAYLOR, A TROY, D VINCENT AND L WEBSTER

AGAINST: NIL

2.2 Draft Natural Assets Management Policy

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

14/16 That Council defer this item pending a briefing on this matter.

FOR: CRS G BEST, D EATON, B GRAHAM, K GREENWALD, L MATTHEWS, L TAYLOR, A TROY, D VINCENT AND L WEBSTER

AGAINST: NIL

2.3 Outcome of Public Exhibition - Minor Amendments Package - DCP 2013

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

15/16 That Council adopt the revised version of Wyong Development Control Plan 2013 to include the changes shown in attachment 2 to this report and appropriate public notice be given within 28 days that the revised DCP as amended will come into effect.

16/16 That Council adopt the revised version of Wyong Development Control Plan 2013 to include the changes shown in attachment 1 to this report and appropriate public notice be given within 28 days that the revised DCP as amended will come into effect on the date of the notification of Wyong LEP 2013 Major Amendment 1.

17/16 That Council forward relevant copies of the amended Wyong DCP 2013 to the Secretary of the NSW Department of Planning and Environment within 28 days of the DCP becoming effective.

18/16 That Council advise those who made a submission of the decision.

FOR: CRS G BEST, D EATON, B GRAHAM, K GREENWALD, L MATTHEWS, L TAYLOR, A TROY, D VINCENT AND L WEBSTER

AGAINST: NIL

2.4 Fire Safety Report from Fire and Rescue NSW at 95-97 Scenic Drive, Budgewoi

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

19/16 That Council note the content of the Fire Safety Report from Fire and Rescue NSW – 95-97 Scenic Drive, Budgewoi (attached), in accordance with Section 121ZD(2)(a) of the Environmental Planning and Assessment Act, 1979.

20/16 That Council will not exercise its powers in relation to matters 1-5 of the Fire Safety Report dated 4 December 2015.

21/16 That Council direct the Acting Chief Executive Officer to write to the Commissioner of Fire and Rescue NSW and advise of Council's decision.

FOR: CRS G BEST, D EATON, B GRAHAM, K GREENWALD, L MATTHEWS, L TAYLOR, A TROY, D VINCENT AND L WEBSTER

AGAINST: NIL

3.1 Classification of Land at Jilliby, Lots 15, 16, 17, 18, 19, 25 and 26 DP 259530 and Lots 4, 6, 7 and 8 DP 239704

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

22/16 That Council classify Lots 15, 16, 17, 18, 19, 25 and 26 DP 259530 and Lots 4, 6, 7 and 8 DP 239704 at Jilliby as Operational Land.

3.2 Acquisition of Easements for Drainage over Part of Lots 73 and 74 DP 16012 at Darri Road, Wyongah

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

23/16 That Council acquire easements for drainage over part of Lots 73 and 74 DP 16012 at Darri Road, Wyongah.

24/16 That Council authorise the payment of compensation, if necessary, for the acquisition of the easements in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and based on assessment by a qualified valuer.

25/16 That Council proceed to compulsorily acquire the easements in the event that negotiations with the property owners cannot be satisfactorily resolved.

26/16 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the easement, transfer documents and plan and to any necessary application to the Office of Local Government for the approval of the Minister and the Governor in order to proceed with the compulsory acquisition.

27/16 That Council authorise the Mayor and the General Manager to execute all documents relating to easement, transfer documents and plan and all documents relating to the application to the Office of Local Government.

3.3 Proposed Grant of Easement for Water Supply and Services over Lots 12 and 13 DP 598580 at Pacific Highway, Crangan Bay

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

28/16 That Council grant Easements for Water Supply and Services over Lots 12 and 13 DP 598580 at Pacific Highway, Crangan Bay to Catherine Hill Bay Water Utility Pty Ltd for an amount of compensation of \$36,000.

29/16 That Council authorise the Common Seal of Wyong Shire Council to be affixed to related documents as required.

30/16 That Council authorise the Acting Chief Executive Officer to execute all documents relating to the grant of the easements between Wyong Shire Council and Catherine Hill Bay Water Utility Pty Ltd.

3.4 Classification of Land, Lot 229 DP 1213339 at Voyager Street, Wadalba

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

31/16 That Council adopt the classification of Lot 229 DP 1213339 at Voyager Street, Wadalba as Operational Land.

32/16 That Council note that:

- a Nothing in the above resolution authorises the sale of the subject land (section 377(1)(h) of the Local Government Act 1993 provides that any sale of land can only be by resolution of Council).
- b Section 31 (3) of the Local Government Act 1993 provides that Council must not resolve that land be classified as operational land if the resolution is inconsistent with the terms of any trust applying to the land.

FOR: CRS G BEST, D EATON, L TAYLOR, A TROY AND L WEBSTER

AGAINST: CRS B GRAHAM, K GREENWALD, L MATTHEWS AND D VINCENT

3.5 Acquisition of Easement for Drainage over Part of Lot 14 DP 14776 at 8 Norton Avenue, Killarney Vale

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

33/16 That Council acquire an easement for drainage over part of Lot 14 DP 14776 at Killarney Vale.

34/16 That Council authorise the payment of compensation, if necessary, for the acquisition of the easement in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and based on assessment by a qualified valuer.

35/16 That Council proceed to compulsorily acquire the easements in the event that negotiations with the property owners cannot be satisfactorily resolved.

36/16 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the easement, transfer documents and plan and to any necessary application to the Office of Local Government for the approval of the Minister and the Governor in order to proceed with the compulsory acquisition.

37/16 That Council authorise the Mayor and the General Manager to execute all documents relating to easement, transfer documents and plan and all documents relating to the application to the Office of Local Government.

4.1 CPA/262748 - In Situ Stabilisation

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

38/16 That Council accept the ranked panel of Contractors, for a contract term of 3 years, as follows: SPA, Roadworx, Downer EDI.

The estimated total expenditure against this contract is Thirteen Million Eight Hundred and Twenty Six Thousand Eight Hundred and Ten Dollars, \$13,826,810.00 (excl GST), however actual expenditure may vary with fluctuations in demand.

39/16 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, except for the name of the successful tenderers, which may be disclosed after Council has resolved to accept those tenders.

40/16 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

4.2 CPA/264742 - Construction of Gross Pollutant Traps at Myrtle Brush Park, Berkeley Vale and Oleander Street, Canton Beach

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

41/16 That Council accept the tender from Scape Constructions Pty Ltd, for the lump sum amount of \$383,638.60 (excl GST) for Contract CPA/264742 – Construction of Gross Pollutant Traps at Myrtle Brush Park, Berkeley Vale and Oleander Street, Canton Beach.

42/16 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, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.

43/16 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

5.1 Planning Workshop

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

44/16 That Council approve the 2016 Wyong Shire Council Strategic Planning Workshop be held in Council Chambers and be conducted on the previously approved dates.

45/16 That Council request the agenda for the Wyong Shire Council Strategic Planning Workshop be compiled and distributed to Councillors.

5.2 Sponsorship Program 2016/17

Councillor Best declared a non-pecuniary insignificant interest in the matter for the reason that Central Coast Mariners and Central Coast Group Training are working in partnership in delivering youth employment opportunities and did not participated in consideration of this matter. Councillor Best left the chamber at 6.41pm, took no part in discussion, did not vote and returned to the Chamber at 6.44pm.

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that Central Coast Group Training Ltd has apparently partnered with the Mariners over its Kids Jobs promotion of which the Mariners are a sponsor applicant 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 the Council delegate to Central Coast Group Training so no conflict apparent."

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

46/16 That Council allocate \$10,000 for the Central Coast Mariners – National Youth League for the 2016/17 period.

47/16 That Council defer the balance of the sponsorship program pending a briefing from staff.

5.3 Merger Submissions

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

48/16 That Council authorise the Mayor to prepare and present at the public inquiries.

49/16 That Council authorise the Acting Chief Executive Officer to prepare a written submission, to be ratified by Council at the meeting 24 February 2016 focusing on the factors set out in section 263(3) of the Local Government Act.

50/16 That Council contribute to the submission by providing direction on:

- *The number of Councillors suggested to be included in the proposed new Council;*
- *Whether the Mayor of a Joint Council be popularly elected or otherwise;*
- *Whether the Joint Council should consist of Wards and what the configuration of those Wards should be.*
- *Any other matters*

5.4 Proposed Rezoning of Beachcomber Hotel/Motel Site - 200 Main Road, Toukley

Councillor Taylor left the meeting at 5.24pm and returned to the meeting at 5.25pm during consideration of this item.

Councillor Matthews left the meeting at 5.39pm and returned to the meeting at 5.44pm during consideration of this item.

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

Mr David Kingston, Owner, addressed the meeting at 5.10pm, answered questions and retired at 5.38pm.

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

51/16 That Council endorse the designation of 200 Main Road Toukley as a “Key Site”.

52/16 That Council prepare a planning proposal to amend the Wyong Local Environmental Plan (WLEP 2013) to rezone the land to B4 Mixed Use, and to alter the Key Site, Height and Floor Space Ratio Maps to enable the development proposed, pursuant to Section 55 of the Environmental Planning and Assessment (EP&A) Act, 1979.

53/16 That Council forward the planning proposal to the Department of Planning and Environment requesting a gateway determination, as well as delegation for Council to finalise and make the draft Local Environmental Plan, pursuant to Section 56 (1) of the EP&A Act, 1979.

54/16 That Council enter into a Voluntary Planning Agreement (VPA) which will provide for contributions by the landowner toward the provision of public benefit works in the immediate locality, to the value of 1.5 times the applicable contributions applying to the development under Section 94 of the EP&A Act, 1979.

55/16 That Council authorise the Acting Chief Executive Officer (or delegate) to negotiate and execute all documentation in relation to the finalisation of the VPA.

56/16 That Council require, subject to the “Gateway Determination” that the landowner in conjunction with Council prepare and exhibit appropriate Development Control Plan provisions to amend Development Control Plan 2013, and that Council amend Section 94 Development Contributions Plans (if required) to support the development of the land subject to this Planning Proposal.

57/16 That Council undertake community and public authority consultation, in accordance with the “Gateway Determination” requirements, including the

exhibition of the draft Voluntary Planning Agreement and draft Development Control Plan amendment and draft s.94 Development Contributions Plan amendment (if required).

58/16 *That Council request a report be prepared outlining the results of the community and public authority consultation.*

FOR: CRS GB BEST, DE EATON, B G GRAHAM, KG GREENWALD, LM MATTHEWS, LT TAYLOR, AT TROY, DV VINCENT AND LW WEBSTER

AGAINST: NIL

5.5 Councillor Attendance - 2016 Australian Institute of Company Directors (AICD) Australian Governance Summit

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

59/16 *That Council authorise those interested Councillors to attend the Australian Institute of Company Directors Australian Governance Summit in accordance with the Council's Facilities and Expenses Policy for Councillors.*

60/16 *That Council authorise the reimbursement of expenses for Councillors in accordance with the Council's Facilities and Expenses Policy for Councillors.*

5.6 The Entrance Town Centre App Proposed Fees and Charges

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

Councillor Vincent left the meeting at 7.07pm and returned to the meeting at 7.10pm during consideration of this item.

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

61/16 *That Council exhibit the proposed fees and charges for Retailer Access to The Entrance Town Centre App for public comment for a period of 28 days in accordance with Section 610F and 205 of the Local Government Act, 1993.*

62/16 *That Council request a further report be submitted if objections are received in response to the proposed fee.*

5.7 Future Operation of Pools and Lake Haven Recreation Centre

Councillor Taylor left the meeting at 7.15pm and returned to the meeting at 7.16pm during consideration of this item.

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

63/16 *That Council defer this matter pending further discussions between the Acting Chief Executive Officer, the Mayor and the YMCA.*

5.8 **Revised Charter for the Tuggerah Lakes Estuary Coastal and Floodplain Management Committee**

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

64/16 *That Council adopt the Revised Charter for the Tuggerah Lakes Estuary Coastal and Floodplain Management Committee.*

5.9 **Review of Meeting Procedures - Amend Code of Meeting Practice**

Councillor Troy left the meeting at 7.20pm and returned to the meeting at 7.22pm during consideration of this item.

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

65/16 *That Council amend the Code of Meeting Practice in accordance with the draft Code attached to this report.*

66/16 *That the Council exhibit the amended Code for public comment in accordance with the provisions of the Local Government Act, 1993.*

67/16 *That Council adopt the amended Code of Meeting Practice subject to no significant objections being received as a result of the public exhibition.*

68/16 *That Council negotiate with Gosford City Council with a view to establishing a common Code of Meeting Practice along the lines presented to Council in this report.*

6.1 **Investment Report for December 2015**

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

69/16 *That Council receive the Investment Report for December 2015.*

6.2 **Wyong Water Management Committee update**

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

70/16 *That Council receive the update report on the Wyong Water Management Committee update.*

6.3 Draft Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee - 3 December 2015

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

71/16 That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 3 December 2015.

6.4 Activities of the Development and Rezoning and Building Certification Compliance and Health Units - November and December 2015

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

72/16 That Council receive the report on Activities of the Development and Rezoning and Building Certification, Compliance and Health Units for the months of November and December 2015.

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

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

73/16 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.

6.6 Outstanding Questions on Notice and Notices of Motion

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

74/16 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

7.1 Notice of Motion - Busker Encouragement

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he has family members who are performers 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 because this is a shire wide policy/initiative."

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

75/16 That Council adopt a new policy on a trial basis, to encourage busking in the Shire.

76/16 That Council request the Acting Chief Executive Officer to prepare the policy on the basis that the process for approval is simple, cheap and easy for the applicant.

77/16 That Council request the Acting Chief Executive Officer include the following elements in the trial policy:

- (a)** A 6 month permit on a single page application for a \$10 fee.
- (b)** The busker must produce photo identification, mobile number and address details.
- (c)** Conditions of permit should include no impediment to pedestrians or shopkeepers, use of battery powered amplifiers (ie. no power leads), no risk of harm to the public etc.
- (d)** Council may revoke the permit at any time without notice.
- (e)** There be no requirement for any insurances by Council.

78/16 That Council request the Acting Chief Executive Officer to prepare the new policy to Council with a view to swift implementation of the trial.

79/16 That Council request the Acting Chief Executive Officer to report on the results of this trial in August 2016.

7.2 Notice of Motion - Central Coasts New and Innovative Regional Animal Cares Facility

Councillor Troy left the meeting at 5.52pm and returned to the meeting at 5.54pm during consideration of this item.

Ms Marilyn Jurlina, Community Representative, addressed the meeting at 5.50pm, answered questions and retired at 6.00pm.

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

80/16 That Council in partnership with Gosford City Council recognise the urgent need to upgrade current animal care facilities and that such a project to assist 'man's best friend' would be a fitting inaugural community project that clearly highlights the benefits of regionalisation and indeed amalgamation.

81/16 That Council note that both Wyong and Gosford current animal care facility/pounds appear to have reached their asset lives despite these challenging conditions Council recognises the excellent efforts of staff, contractors and our valuable volunteers for their dedication in delivering such outstanding animal welfare outcomes.

82/16 That Council request that this important animal welfare issue be placed on the next Joint Wyong Gosford Regional Meeting (CCROC) with a view to bringing this important issue forward on the regional agenda and to confirm project priority status in the lead up to amalgamation.

- 83/16 *That Council consider a report on the current operational status of the Animal Care Facility at Charmhaven and any interim initiatives that are being considered/deployed to maintain the current facilities, service delivery and the required level of animal welfare.*

Confidential items 8.1 and 8.2 were resolved via the exception method during open session. The Acting Chief Executive Officer reported on these items as follows:

8.1 Proposed Acquisition of Lot 5 DP239691 140 Sparks Road, Warnervale

- 84/16 *That Council, in accordance with the previously approved Warnervale Airport Concept Masterplan (Oct 2015), authorise the Acting CEO to acquire Lot 5 DP 239691, street address being 140 Sparks Road Warnervale ('Land') at fair market value, conditional upon WSC achieving bio-diversity certification approval by the NSW Minister for the Environment.*
- 85/16 *That Council authorise the Acting CEO to execute all necessary documentation relevant to the acquisition of the Land*
- 86/16 *That Council propose that the Land be classified as Operational land for the purposes of the Local Government Act 1993, when that Land is acquired by Council.*
- 87/16 *That Council advertise the land classification proposal in accordance with Section 34 of the Local Government Act 1993.*
- 88/16 *That Council adopt the land classification if no adverse submissions are received.*
- 89/16 *That Council note that nothing in these resolutions relating to the proposed land classification:*
- a. *Authorises the sale of the Land (section 377(1)(h) of the Local Government Act 1993 provides that any sale of land can only be by resolution of the Council; and*
 - b. *extinguishes or varies the terms of any trust applying to the land.*

8.2 Councillor Outcomes Report

RECOMMENDATION

90/16 *That Council receive the report on progress against Strategic Planning Workshop Councillor Outcomes.*

QUESTIONS ON NOTICE

Nil.

THE MEETING closed at 7.48pm.