
WYONG SHIRE COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 08 AUGUST 2012 COMMENCING AT 5:00 PM

PRESENT

Councillors R L Graham (Chairperson), G P Best, D J Eaton, L A Matthews, E M McBride, J J McNamara, W R Symington, D P Vincent, L D Webster and S A Wynn.

IN ATTENDANCE

General Manager, Director Environment and Planning Services, Director Infrastructure Management, Director Corporate Services, Director Community and Recreation Services and General Counsel.

Manager Land Use Planning and Policy Development, Manager Environment and Natural Resources, Communications and Marketing Coordinator and two administration staff.

The Mayor, Councillor Graham, declared the meeting open at 5.00 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

The Mayor announced that his Personal Assistant, Sue Sampson is due to retire soon and introduced Monica Redmond as the new Mayor's Personal Assistant.

Councillor Eaton advised that a delegation from the Shanghai Government visited the Central Coast today to inspect the site for the proposed Chinese Theme Park and visit local tourist attractions. Councillor Eaton presented a gift on behalf of the delegation to Council and passed on their good wishes.

APOLOGIES

There were no apologies.

At the commencement of the ordinary meeting report numbers 1.1, 3.2, 3.3, 3.4, 4.2, 3.1, 3.5, 3.7, 6.4, 6.7, 8.1, 8.2, 8.3, 8.4 and 9.1, were dealt with first then the remaining reports were adopted via the exception method. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosure of Interest

3.5 North Wyong Industrial Estate

Councillor Eaton declared a non-pecuniary significant interest in the matter for the reason that his family's company is a landowner, left the chamber at 6.17 pm, took no part in discussion, did not vote and returned to the chamber at 6.27 pm.

6.7 Wyong Shire Council Youth Employment Strategy

Councillor Best declared a non-pecuniary insignificant interest in the matter for the reason that he is the General Manager of Central Coast Group Training, which employs Apprentices and Trainees, and participated in consideration of this matter.

Councillor Best 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 no matter is being determined"

8.1 Notice of Motion – Utility Bill Shock Support

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is an employee in the electricity generation industry 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."

8.2 Notice of Motion – Re-evaluation of Strategic Direction in the Shire's North

Councillor Vincent declared a non-pecuniary significant interest in the matter for the reason that he is an employee of Delta Electricity, left the chamber at 7.23 pm, took no part in discussion, did not vote and returned to the chamber at 7.32 pm.

8.4 Notice of Motion – Wyong Shire Community Purchasing Scheme

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is an employee in the electricity generation industry 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 Matthews left the chamber at 5.05 pm and returned to the chamber at 5.06 pm and as a result took no part in voting.

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

62/12 That Council receive the report on Disclosure of Interest and note advice of disclosures.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

PROCEDURAL MOTION

SUSPENSION OF MEETING PRACTICE

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

63/12 That Council allow meeting practice to be varied.

64/12 That Council use the exception method to deal with the balance of the Agenda.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

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

65/12 That Council adopt the recommendations contained in the remaining reports, with the exception of report numbers 3.1, 3.2, 3.3, 3.4, 3.5, 3.7, 4.2, 6.4, 6.7, 8.1, 8.2, 8.3 and 8.4.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

PROCEDURAL MOTION

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

66/12 That Council recommit the previous procedural motion to use the exception method to include item 9.1.

67/12 That Council also consider item 9.1.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

1.2 Proposed Inspections and Briefings

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

68/12 That Council receive the report on Proposed Inspections and Briefings.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

1.3 Confirmation of Minutes of Previous Meeting

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

69/12 That Council confirm the minutes of the previous Ordinary Meeting of Council held on 25 July 2012 with the following amendments:

Minute Item number 10/12 contained in the resolution on Report Item 2.1 - DA/607/2006/D Section 96(1A) Application for the Modification of Conditions relating to Public Access to the Roof Terrace Observation Deck, Azzurro Blu Wharf, The Entrance has been amended to read as follows:

“That Council consider a report, at the 8 August 2012 Ordinary meeting, on reasons for refusal of the Section 96 Application based on ensuring the provision of unfettered access by the public to the roof top terrace.”

Minute Item number 12/12 contained in the resolution on Report Item 2.2 - DA/1457/2010/D - Section 96(1A) Application for the Modification of Condition 27 relating to Public Access to the Existing Roof Terrace Observation Deck, Azzurro Blu Wharf, The Entrance has been amended to read as follows:

“That Council consider a report, at the 8 August 2012 Ordinary meeting, on reasons for refusal of the Section 96 Application based on ensuring the provision of unfettered access by the public to the roof top terrace. “

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

1.4 Address By Invited Speakers

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

70/12 That Council receive the amended report on Invited Speakers.

71/12 That Council receive the amended report on Invited Speakers.

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, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

1.5 Notice of Intention to Deal with Matters in Confidential Session

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

72/12 That Council consider the following matter in Confidential Session, pursuant to Sections 10A(2)(h) of the Local Government Act 1993:

9.1 – Destruction of Natural Environment and Indigenous Heritage at Norah Head¹

73/12 That Council note its reason for considering item 9.1 – Destruction of Natural Environment and Indigenous Heritage at Norah Head, in confidential session as the report contains information concerning the nature and location of a place or an item of Aboriginal significance on community land.

74/12 That Council request the General Manager to report on this matter in open session of Council.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

2.1 Mayoral Minute - Coastal Conference 2013

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

75/12 That Council endorse the inclusion of those Councillors who are appointed to the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee post September 2012 to the committee for the preparation of the bid proposal for the 2013 Coastal Conference to be held in Wyong Shire.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

3.1 DA 134/2012-Proposed Erection of a Dwelling, Two Detached Garages and a Detached Secondary Dwelling at Woongarra

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

76/12 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.

77/12 That Council request the General Manager to advise those who made written submissions of Council's decision.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

3.2 DA/51/2012 - Additions and Alterations to existing Dwelling at Mardi

Councillor Vincent left the chamber at 5.21 pm and returned to the chamber at 5.27 pm during consideration of this item.

Ms Emma Blake, speaking on behalf of her parents, addressed the meeting at 5.10 pm, answered questions and retired at 5.43pm.

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

- 1 That Council defer the matter to the 22 August 2012 meeting.*
- 2 That Council direct the General Manager to submit a report which includes possible conditions for approval to Council's meeting on 22 August 2012.*

An AMENDMENT was MOVED by Councillor WYNN and seconded by Councillor SYMINGTON:

- 1 That Council note that the application is currently being publicly notified in accordance with the Notification Policy.*
- 2 Following the conclusion of the notification period, Council refuse the application having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, subject to appropriate reasons for refusal detailed in the schedule attached to the report and any additional reasons raised during the notification period.*

The AMENDMENT was put to the vote and declared LOST.

FOR: COUNCILLORS SYMINGTON AND WYNN

AGAINST: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, VINCENT AND WEBSTER

RESOLVED on the motion of Councillor EATON and SECONDED by Councillor BEST:

78/12 That Council defer the matter to the 22 August 2012 meeting.

79/12 That Council direct the General Manager to submit a report which includes possible conditions for approval to Council's meeting on 22 August 2012

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT AND WEBSTER

AGAINST: COUNCILLOR WYNN

PROCEDURAL MOTION

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

80/12 That Council consider the following items simultaneously:

Item 3.3 DA/607/2006/D-Reconsideration of proposed Section 96(1A) for the modification of conditions relating to public access to the roof terrace observation deck, Azzurro Blu Wharf, The Entrance and

Item 3.4 DA/1457/2010/D -Reconsideration of Section 96(1A) Application for the modification of conditions relating to public access to the existing roof terrace observation deck, Azzurro Blu Wharf, The Entrance simultaneously.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

3.3 DA/607/2006/D-Reconsideration of proposed Section 96(1A) for the modification of conditions relating to public access to the roof terrace observation deck, Azzurro Blu Wharf, The Entrance

Mr Jim Price, speaking on behalf of The Entrance Precinct Committee and the Watch Committee for Enviro Care, addressed the meeting at 5.43pm, answered questions and retired at 5.49pm.

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

81/12 That Council advise the applicant that it is of a mind to refuse the s96 application, however, is willing to defer the issue of a formal refusal for a period of 28 days subject to the following:

a The applicant withdrawing the current s96 application and

b The applicant entering into negotiations with Council with a view to amending or creating a lease satisfactory to all parties and which achieves Council's requirement to ensure public access to the rooftop terrace.

- 82/12** ***That Council authorise the General Manager to either:***
- a*** ***Issue a formal refusal of the s96 application should the application not be withdrawn within 28 days, subject to the reasons for refusal contained in the report; or***
 - b*** ***Subject to the application being withdrawn, enter into negotiations with the applicant with a view to amending or creating a lease satisfactory to all parties and which achieves Council's requirement to ensure public access to the rooftop terrace.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
 SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

3.4 ***DA/1457/2010/D -Reconsideration of Section 96(1A) Application for the modification of conditions relating to public access to the existing roof terrace observation deck, Azzurro Blu Wharf, The Entrance***

Mr Jim Price, speaking on behalf of The Entrance Precinct Committee and the Watch Committee for Enviro Care, addressed the meeting at 5.43pm, answered questions and retired at 5.49pm.

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

- 83/12** ***That Council advise the applicant that it is of a mind to refuse the s96 application, however, is willing to defer the issue of a formal refusal for a period of 28 days subject to the following:***
- a*** ***The applicant withdrawing the current s96 application and***
 - b*** ***The applicant entering into negotiations with Council with a view to amending or creating a lease satisfactory to all parties and which achieves Council's requirement to ensure public access to the rooftop terrace.***

- 84/12** ***That Council authorise the General Manager to either:***
- a*** ***Issue a formal refusal of the s96 application should the application not be withdrawn within 28 days, subject to the reasons for refusal contained in the report; or***
 - b*** ***Subject to the application being withdrawn, enter into negotiations with the applicant with a view to amending or creating a lease satisfactory to all parties and which achieves Council's requirement to ensure public access to the rooftop terrace.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA,
 SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

3.5 North Wyong Industrial Estate

Councillor Eaton declared a non-pecuniary significant interest in the matter for the reason that his family's company is a landowner, left the chamber at 6.17 pm, took no part in discussion, did not vote and returned to the chamber at 6.27 pm.

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

85/12 That Council initiate Planning Proposal to amend Wyong Local Environmental Plan 1991, pursuant to Section 55 Environmental Planning and Assessment Act, 1979 by endorsing the Planning Proposal at Enclosure "1"(as amended).

86/12 That Council forward the Planning Proposal to the Department of Planning and Infrastructure requesting a "Gateway" determination, pursuant to Section 56(1) Environmental Planning and Assessment Act.

87/12 That subject to the Director General's approval, Council undertake community consultation in respect of the Planning Proposal, subject to the determination of the "Gateway" process and Director General's approval.

FOR: COUNCILLORS BEST, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

3.6 Works on Private Land as part of the Tuggerah Lakes Estuary Management Plan

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

88/12 That Council approve the works detailed in Table A to be carried out on the following properties under the Tuggerah Lakes Estuary Management Plan. All works are to be at no cost to the property owner, being funded by the Federal Government's "Caring for our Country" grant:

- **Lots 21& 22 DP 5019, 121 to 123 Alison road Wyong**
- **Lot 23,24 &25 DP 5019, 125-129 Alison road Wyong**
- **Lot 26 DP5019, 131 Alison road Wyong**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

3.7 Policy on Control of Open Burning

Councillor Vincent left the chamber at 6.29pm and returned to the chamber at 6.30pm during consideration of this item.

Councillor Best left the chamber at 6.39pm and returned to the chamber at 6.41pm during consideration of this item.

RESOLVED on the motion of Councillor VINCENT and seconded by Councillor WYNN:

89/12 That Council place the draft Control of Open Burning Policy on public exhibition for a period of twenty eight days.

90/12 That Council adopt the Control of Open Burning Policy and give appropriate public notice, subject to there being no objections as a result of public exhibition that cannot be reasonably addressed.

91/12 That following adoption of the Policy, Council incorporate as part of its consideration of the first quarter review of its Strategic Plan, a relevant fee to be applied to applications for Open Burning.

92/12 That following the adoption of the Policy, Council request the Office of Environment and Heritage – Air Policy Unit to list Council on Parts 2 and 3 of Schedule 8 of the Protection of the Environment Operations (Clean Air) Regulation 2010.

93/12 That following the adoption of the Policy, Council staff implement a community education program in the areas to which the Policy applies, being the non-urban areas of the Shire, for the purpose of raising awareness of the specific conditions associated with pile burns.

94/12 That following adoption of the Policy, staff investigate and report back to Council on the feasibility of a program to enable monitoring of the potential impacts of open burning in relation to air pollution and compliance with the Policy provisions.

FOR: COUNCILLORS GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON,
VINCENT, WEBSTER AND WYNN

AGAINST: COUNCILLORS BEST AND EATON

4.1 CPA/211469 - Collection of Bulk Mixed Waste and Recyclable Materials for Central Coast Holiday Parks

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

- 95/12** That Council accept the tender from the company nominated as Tenderer '5' in the attached Tender Evaluation Report, for a period of up to 3 years for Contract CPA/211469 – Collection of Bulk Mixed Waste and Recyclable Materials for Central Coast Holiday Parks. The estimated expenditure against this contract is \$565,578.61 over 3 years (excl GST), however actual expenditure may vary significantly with fluctuations in demand.
- 96/12** 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.
- 97/12** That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment 1.
- 98/12** That Council delegate authority to the General Manager to extend the contract for an additional 2 years if this option is to be exercised.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

4.2 CPA/211385 - Expressions of Interest for Central Coast Pumps and Pipes Panel

Mr Scott Robinson, CEO of ADW Johnson, addressed the meeting at 5.58pm, answered questions and retired at 6.04pm.

Mr Hugh Williams, Design Manager, was also available to answer questions.

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

- 99/12** That Council select, Sinclair Knight Merz, Parsons Brinckerhoff Australia Pty Ltd, MWH Australia Pty Ltd, GHD, Cardno and ADW Johnson to form the Central Coast Pumps and Pipes Panel and for these companies to be invited to tender for Work Packages within the scope of the Panel for an initial period until 30 June 2015, with the potential of a two year extension subject to performance.
- 100/12** That Council determine the Tender Evaluation Report in Attachment 1 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, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.1 Friendship Committee of Southland District Council

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

- 101/12 That Council note the request from the Friendship Committee of Southland District Council for a proposal to run an Anzac/cultural exchange link.
- 102/12 That Council forward the proposal to the local Returned and Services League of Australia (RSL) and local primary schools for their interest.
- 103/12 That Council determine any assistance that may be given to interested local RSL's and local primary schools if requested by those organisations.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.2 Payment of Industrial Special Risk Insurance Policy

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

- 104/12 That WSC approve the renewal of WSC's Property insurance policy with Statewide Mutual for the period 30 June 2012 to 30 June 2013.
- 105/12 That WSC approve the premium payment of \$612,512.24 ex GST.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

5.3 Extension of Tenure of Current Governance Committee until October 2012

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

- 106/12 That Council extend the term of the Wyong Shire Governance Committee until 3 October 2012.
- 107/12 That Council extend the term of appointment for the current Councillor and Independent Members of the Wyong Shire Governance Committee until 3 October 2012.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

6.1 Information Reports

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

108/12 That Council receive the report on Information Reports.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

6.2 Operational Activities and Trends with the Animal Care Facility

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

109/12 That Council receive the report on Operational Activities and Trends with the Animal Care Facility

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

6.3 LGSA Water Management Conference 2013

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

110/12 That Council receive the report on LGSA Water Management Conference 2013.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

6.4 Mardi to Mangrove Link Project Status

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

111/12 That Council receive the report on Mardi to Mangrove Link Project Status.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

6.5 Circular to Councils 12/16 - Release of the Destination 2036 Action Plan

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

112/12 That Council receive and note the report Circular to Councils 12/16 – Release of the Destination 2036 Action Plan.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

6.6 Financial Insight Report on Mardi to Mangrove

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

113/12 That Council receive the report on Financial Insight Report on Mardi to Mangrove.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

6.7 Wyong Shire Council Youth Employment Strategy

Councillor Best declared a non-pecuniary insignificant interest in the matter for the reason that he is the General Manager of Central Coast Group Training, which employs Apprentices and Trainees, and participated in consideration of this matter.

Councillor Best 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 no matter is being determined”

Councillor Wynn left the chamber at 6.51pm and returned to the chamber at 6.53pm during consideration of this item .

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

114/12 That Council receive the report on Wyong Shire Council Youth Employment Strategy.

115/12 That Council consider a report on the cost and benefits of direct employment of apprentices and trainees prior to adoption of the Wyong Shire Council Youth Employment Strategy.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

6.8 Outstanding Questions on Notice and Notices of Motion

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

116/12 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

8.1 Notice of Motion - Utility Bill Shock Support

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is an employee in the electricity generation industry 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."

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

- 1 *That Council note the significant increases in electricity and utility bills which are causing severe financial and emotional stress on the Shire's residents.*
- 2 *That Council request the General Manager to liaise with recognised financial and social counselling services with a view to providing counselling advice services within Council's Civic Centres and major libraries to assist residents in coping with these imposts and impacts.*
- 3 *That Council request the General Manager to report on the offers and availability of counselling services, as outlined in paragraph 2 above, and the cost, if any, to Council.*

The MOTION was put to the vote and declared LOST.

FOR: COUNCILLORS BEST, EATON, MCNAMARA AND WEBSTER

AGAINST: COUNCILLORS GRAHAM, MATTHEWS, MCBRIDE, SYMINGTON, VINCENT AND WYNN

8.2 Notice of Motion - Re-evaluation of Strategic Direction in Shire's North

Councillor Vincent declared a non-pecuniary significant interest in the matter for the reason that he is an employee of Delta Electricity, left the chamber at 7.23 pm, took no part in discussion, did not vote and returned to the chamber at 7.32 pm.

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

- 117/12 That Council note the significant contribution our Community Precinct Committees make as a conduit between Council and the local community.
- 118/12 That Council, as an advocate on behalf of the local community of our Shire's north, request the General Manager to seek timely responses to the key issues contained in the attached joint Precinct Committee submission.
- 119/12 That Council request the General Manager to call for a meeting of key stake holders, Community, Government, land owners and relevant Departments, to discuss the strategic future of this massive 780 hectare site (Delta Electricity power stations and associated lands) that has the potential to profoundly impact Council's developed northern regions strategic plan / LEP.
- 120/12 That Council request the General Manager to also seek direction from stakeholders on issues around site contamination and environmental assets with a prospect of rehabilitation such as Lake Colongra and various former natural overland flow paths.
- 121/12 That Council request the General Manager to reiterate to the relevant agencies the matters with regard to community elements of the Delta site contained in Item 2.1 Mayoral Minute - Proposed Transfer of Delta Electricity Land to Council for continued operation of the Extreme Sports Park, Koala Park and Camp Breakaway at San Remo adopted by Council on 23 May 2012.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, WEBSTER AND WYNN

AGAINST: NIL

8.3 Notice of Motion - RV Friendly Town - Trial in the North of the Wyong Shire

Councillor McNamara left the chamber at 7.33 pm and returned to the chamber at 7.34pm during consideration of this item.

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

- 122/12 That Council support the Northern Lakes Regional Chamber of Commerce in its endeavours to pilot the "RV Friendly Town" concept in the North of the Wyong Shire.
- 123/12 That Council request the General Manager to investigate options for installing two RV dump sites in the North of the Shire in consultation and conjunction with the Northern Lakes Regional Business Chamber and the Northern Lakes Disability Tourism Precinct Committee.

124/12 That Council request the General Manager to submit a report detailing two feasible RV dump sites in the North of the Shire for piloting and trialling the RV Friendly Town concept, with one dump site being predominantly a “disability friendly” dump site, to Council for consideration.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

8.4 Notice of Motion - Wyong Shire Community Purchasing Scheme

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is an employee in the electricity generation industry 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.”

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

125/12 That Council note with concern the significant socio-economic disadvantage this community faces, that was highlighted in the recent national census.

126/12 That Council request the General Manager to seek to assist its community through broadening Council service delivery, with the implementation of a group/collective purchasing of services scheme.

127/12 That, subject to resolution 4, Council request the General Manager to trial the scheme in the area of energy purchase in response to the escalating price of power, partially due to the carbon tax and in light of other highly successful energy purchase schemes run by various media outlets.

128/12 That Council direct the General Manager to provide an indicative and conceptual report which outlines benefits, structural issues, resources, and possible revenues that may result in the scheme becoming cost neutral.

129/12 That Council request the General Manager to consult with its Community Precinct Committees to evaluate the interest of any proposed system.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

CONFIDENTIAL SESSION

At this stage of the meeting being 7.54 pm Council moved into Confidential Session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993.

OPEN SESSION

Council resumed in open session at 8.04pm and the General Manager reported on proceedings of the confidential session of the ordinary meeting of council as follows:

9.1 Destruction of Natural Environment and Indigenous Heritage at Norah Head

- 130/12** *That Council receive the report on Destruction of the Natural Environment and Indigenous Heritage at Soldiers Point Headland, Norah Head.*
- 131/12** *That Council establish a working group to finalise the placement of diversionary structures and agree on the most appropriate vegetation management strategy at Soldiers Point Headland.*
- 132/12** *That Council require the working group to:*
- a include WSC's asset planner and supplier, WSC Landcare Coordinator, interested Aboriginal stakeholders and an Office of Environment and Heritage (OEH) Aboriginal heritage sites officer (if available).*
 - b be formed prior to the next whale watching season (October to early November 2012).*
 - c consult with OEH prior to the commencement of works.*
 - d consider the condition of other registered sites on land under the care and control of Council between Norah Head and the southern end of Soldiers Beach.*
- 133/12** *That Council request the General Manager to submit a report on Council's Committees to the newly elected councillors to enable a Councillor to be elected to the working party.*

THE MEETING closed at 8.05 pm.