
WYONG SHIRE COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 28 May 2014 COMMENCING AT 5.00PM

PRESENT

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

IN ATTENDANCE

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

The Mayor, Councillor Eaton, declared the meeting open at 5.01pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

APOLOGY

There were no apologies.

At the commencement of the ordinary meeting report nos 1.1, 1.2, 1.3, 2.1 and 8.1 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 Disclosures of Interest

5.3 Consideration of Submissions to the Wyong Shire Council Strategic Plan

Councillor Vincent declared a non-pecuniary significant conflict of interest in the matter for the reason that he is an employee of Delta Electricity, left the chamber at 5.49pm, took no part in discussion, did not vote and returned to the chamber at 5.50pm.

5.7 Wyong Coal Pty Limited (WCPL) Voluntary Planning Agreement Public Submission Summary

Councillor Eaton declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is the Council delegate to Central Coast Group Training Ltd, who has sponsorship arrangements with Wyong Coal Pty Limited and stated that:

"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 Council delegate and no conflict of interests."

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that Wyong Coal has sponsored Central Coast Group Training's scholarship program and he is the General Manager of Central Coast Group Training, left the chamber at 5.55pm, took no part in discussion, did not vote and returned to the chamber at 5.58pm.

5.16 DA 967/2013 - 405 Lot Subdivision at Crangan Bay

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that he is the Council delegate to the Joint Regional Planning Panel which will determine this matter.

Councillor Best declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is a member of the Joint Regional Planning Panel that will consider the matter and stated that:

"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 as a Councillor."

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

507/14 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 TROY and seconded by Councillor WEBSTER:

508/14 That Council receive the report on Proposed Inspections and Briefings.

1.3 Address By Invited Speakers

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

509/14 That Council receive the amended report on Invited Speakers.

510/14 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 WEBSTER and seconded by Councillor TROY:

511/14 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 14 May 2014.

Business Arising

There was no business arising.

2.1 DA 646/2013 - Proposed Residential Flat Development comprising 60 Dwellings (townhouses) and a 2 Lot Subdivision (boundary adjustment) at Woongarra

Ms Barbara Matthews, Resident, addressed the meeting at 5.05pm, answered questions and retired at 5.12pm.

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

512/14 That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.

513/14 That Council advise those who made written submissions of its decision.

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

AGAINST: NIL

PROCEDURAL MOTION

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

514/14 That Council allow meeting practice to be varied.

515/14 That Council use the exception method to deal with the balance of the Agenda.

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

516/14 That with the exception of report numbers 5.3, 5.4, 5.7, 5.9, 5.10, 5.14, 5.15, 6.1, 6.4, 6.6 and 6.8 Council adopt the recommendations contained in the remaining reports.

PROCEDURAL MOTION

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

517/14 That Council allow meeting practice to be varied.

518/14 That Council suspend the order of business to allow consideration of item 8.1 – Notice of Motion - Littering in Wyong Shire and allow the speaker to come forward and make her address.

3.1 Classification of Land at Grasstree Avenue, Woongarra

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

519/14 That Council propose classification of Lot 300 DP 1195398 at Grasstree Avenue, Woongarra as Operational Land.

520/14 That Council advertise the proposal in accordance with Section 34 of the Local Government Act 1993.

521/14 That Council adopt the classification if no adverse submissions are received.

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

AGAINST: NIL

4.1 Contract CPA/195382 - for the Supply and Delivery of Stationery and Ancillary Items

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

- 522/14 That Council agree to the contract between Hunter Councils Inc. and Staples Australia Pty Ltd, for a period of up to 3 years for Contract CPA/195382 – for the Supply and Delivery of Stationery and Ancillary Items.
- 523/14 That Council delegate to the Director Infrastructure and Operations the option to extend the contract for 1 year based on satisfactory performance.
- 524/14 That Council note the estimated annual expenditure against the contract is \$140,000.00 (excl GST) however actual expenditure may fluctuate depending on demand.
- 525/14 That Council determines 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, apart from the name of the selected tenderer.

5.1 Ordinary Meeting of 9 July 2014

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

- 526/14 That Council amend its meeting schedule to cancel the Ordinary Meeting of 9 July 2014.
- 527/14 That Council provide appropriate public notice of the amended Ordinary Meeting schedule.

5.2 Determination of Water Supply, Sewerage and Drainage Fees and Charges 2014 - 2015

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

- 528/14 That Council approve the water, sewerage and drainage Service Charges set out in Attachment 1.
- 529/14 That Council note the amount of revenue to be raised by way of the Service Charges is estimated at \$48,269,932.
- 530/14 That Council classify all land for the purpose of levying Services Charges according to the following factors:
- a whether the land is residential or non residential;
 - b where the land is residential, by the intensity of the use of the land; and
 - c the nature and extent of the water or sewerage services connected to each individual allotment.
- 531/14 That Council determine the Service Charges shall be levied in accordance with the Water Management Act 2000.

5.3 Consideration of Submissions to the Wyong Shire Council Strategic Plan

Councillor Vincent declared a non-pecuniary significant conflict of interest in the matter for the reason that he is an employee of Delta Electricity, left the chamber at 5.49pm, took no part in discussion, did not vote and returned to the chamber at 5.50pm.

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

532/14 That Council note that the draft Wyong Shire Council Strategic Plan was publicly exhibited from 14 April 2014 to 12 May 2014.

533/14 That Council receive submissions made by the community following that public exhibition, as detailed in this report.

534/14 That Council consider those submissions, as required by Chapter 13 Part 2 of the Local Government Act 1993.

535/14 That Council note and endorse the amendments recommended by Council staff in this report.

5.4 Adoption of the Wyong Shire Council 2014-2018 Strategic Plan (incorporating Year 2 of the Four Year Delivery Program, Operational Plan, Long Term Resourcing Strategy and Statement of Revenue Policy)

Councillor Troy left the meeting at 5.51pm and returned to the meeting at 5.52pm during consideration of this item.

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

536/14 That Council adopt the Wyong Shire Council 2014-2018 Strategic Plan (containing the Long Term Resourcing Strategy that includes long-term financial plan, workforce management strategy and asset management strategy, Year 2 of the four year delivery program, the operational plan and the statement of revenue policy) as exhibited, and with the changes proposed in this report and as determined in separate reports considering (a) the determination of water supply, sewerage and drainage fees and charges and (b) submissions to the Plan.

537/14 That Council authorise the General Manager to make final minor changes to the plan to ensure correctness and clarity.

538/14 That Council approve the estimates of income and expenditure as detailed in the Plan.

539/14 That Council set the rates, charges and fees for 2014/15 as detailed in the Statement of Revenue Policy and incorporating the changes outlined in this report and as determined in separate reports considering (a) the determination of water supply, sewerage and drainage fees and charges and (b) submissions to the Plan.

540/14 That Council authorise the General Manager to waive or reduce fees in particular cases.

- 541/14 *That Council set the rate and charge rebates to pensioners for the year 2014/15 in accordance with the relevant legislation and Council's current policy.*
- 542/14 *That Council authorise the General Manager to investigate and present to Council for their approval, borrowings options from external financial institutions for the purpose of funding capital or operational projects.*
- 543/14 *That Council is of the opinion that the following rateable land will derive benefit from the business related costs of The Entrance Town Centre Management Corporation Incorporated that are funded in part or whole by The Entrance Area Special Rate:*
- a) *All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburb known as The Entrance.*
 - b) *Major Facilities Servicing Tourists identified as all properties in the suburbs of Magenta, The Entrance, North, The Entrance, Blue Bay, Long Jetty, Toowoan Bay, Shelly Beach and Bateau Bay being land predominantly used for purposes of, amusement centres, camping grounds, caravan parks, eco-tourist facilities, pubs, registered clubs, service stations or tourist and visitor accommodation, as defined in Council's current Local Environmental Plan (LEP) or land identified as Town Centres in Council's current Retail Centres Strategy.*
- 544/14 *That Council is of the opinion that the following rateable land will derive benefit from the business related costs of The Greater Toukley Vision Incorporated that are funded in part or whole by the Toukley Area Special Rate:*
- a) *All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburbs known as Toukley, Canton Beach, Noraville and Norah Head.*
- 545/14 *That Council is of the opinion that the following rateable land will derive benefit from the business related costs of the Wyong Regional Chamber of Commerce Incorporated that are funded in part or whole by the Wyong Area Special Rate :*
- a) *All land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in the suburb known as Watanobbi.*
 - b) *All land used for business purposes and categorised as such in accordance with section 518 of the Local Government Act 1993 in the suburb known as Wyong, bounded by the following:*
 - *North of the Wyong River from Tacoma in the east to the M1 Freeway in the west;*
 - *East of the M1 Freeway from the Wyong River to the suburb boundary between Wyong and Warnervale but to exclude Lot 32 DP 814964;*
 - *South of the northern Wyong boundary to its intersection with the Pacific Highway and then south of the Pacific Highway to the intersection of Pollock Avenue, but to include Lot 400 DP 1114793 (being to the north of the Pacific Highway);*

- *The eastern boundary of the suburb of Wyong from Johns Road to Wyong River.*

5.5 Making and fixing of rates and charges for 2014-15

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

546/14 That Council make the following ordinary rates for 2014-15 consisting of an ad valorem amount and subject to a minimum amount, pursuant to Sections 492-494, 497-498, 500 and 533-535 of the Local Government Act 1993:

<i>Ordinary Rate Category Section 493</i>	<i>Ordinary Rate Sub Category Section 529</i>	<i>Ad Valorem Amount (cents in the \$)</i>	<i>Minimum Rate Amount</i>
<i>Farmland</i>		<i>0.305594</i>	<i>\$300.00</i>
<i>Residential</i>		<i>0.536130</i>	<i>\$300.00</i>
<i>Mining</i>		<i>8.750040</i>	<i>\$300.00</i>
<i>Business</i>		<i>0.847020</i>	<i>\$300.00</i>
<i>Business</i>	<i>Business Major Retail</i>	<i>1.270530</i>	<i>\$300.00</i>
<i>Business</i>	<i>Business Local Retail</i>	<i>1.058775</i>	<i>\$300.00</i>

547/14 That Council make the following special rates and amounts for 2014-15 consisting of a base amount to which an ad valorem amount is added, pursuant to Sections 492, 495, 497-500, 535-538 of the Local Government Act 1993:

<i>Special Rate</i>	<i>Base Amount</i>	<i>Ad Valorem Amount (cents in the \$)</i>	<i>% revenue sourced from base amount for each Special Rate</i>
<i>The Entrance Area</i>	<i>\$83.00</i>	<i>0.314180</i>	<i>12.90%</i>
<i>Toukley Area</i>	<i>\$83.00</i>	<i>0.254750</i>	<i>10.36%</i>
<i>Wyong Area</i>	<i>\$83.00</i>	<i>0.109190</i>	<i>18.69%</i>

548/14 That Council adopt the following descriptions of rateable land to which each special rate will apply for 2014-15, pursuant to Section 538 of the Local Government Act 1993:

- a The Entrance Area Special Rate will apply to the following rateable land:**
- i. All land used for business purposes and categorised as such in accordance with section 518 of the Local Government Act 1993 in the suburb known as The Entrance.**
 - ii. All land used as Major Facilities Servicing Tourists identified as all properties in the suburbs of The Entrance North, The Entrance, Blue Bay, Long Jetty, Toowoan Bay, Shelly Beach and Bateau Bay being land;**
 - *predominantly used for purposes, as defined in Council's current Local Environmental Plan (LEP), of amusement centres, camping grounds, caravan parks, eco-tourist facilities, pubs, registered clubs, service stations, tourist and*

- 551/14 That Council **make** the following annual Domestic Waste Management Charges for 2014-15, pursuant to Section 496 of the Local Government Act 1993:

Description	Charge Amount
Domestic Waste Management Availability Charge	\$64.00
Domestic Waste Management Charge	\$507.00
Domestic Waste Management Charge West of M1 Motorway	\$431.00
Domestic Waste Management Charge – 240 litre Waste Upgrade	\$159.00
Domestic Waste Management Charge – Additional 240 litre Waste Bin Service	\$480.00
Domestic Waste Management Charge – Additional 140 litre Waste Bin Service	\$320.00
Domestic Waste Management Charge – Additional 240 litre Recycling Bin Service	\$78.00
Domestic Waste Management Charge – Additional 240 litre Vegetation Bin Service	\$78.00
Domestic Waste Management Charge – Additional Short Term Extra Service – 140 litre Waste Bin - price per service	\$17.10
Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Waste Bin - price per service	\$18.20
Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Recycling Bin - price per service	\$17.10
Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Vegetation Bin - price per service	\$17.10

- 552/14 That Council **continue** the current policy of not providing a Domestic Waste Management service to parcels of land which have no Council approval for a residential building.

- 553/14 That Council **make** the following Waste Management Charges for 2013-14, pursuant to Section 501 of the Local Government Act 1993:

Description	Charge (incl 10% GST)
Waste Management Charge – 140 litre Waste Bin Service	\$396.00
Waste Management Charge – 240 litre Recycling Bin Service	\$85.80
Waste Management Charge – 240 litre Vegetation Bin Service	\$85.80
Waste Management Charge - 240 litre Waste Bin Service	\$528.00
Waste Management Charge - 660 litre Waste Bin Service	\$2,100.00
Waste Management Charge - 1.1 cubic metre Waste Bin Service	\$2,965.00
Waste Management Charge - 1.5 cubic metre Waste Bin Service	\$3,995.00

- 554/14 That Council **apply** a proportional charge adjustment, calculated on a daily basis, where Domestic Waste Management or Waste Management services commence or cease during the year.

- 555/14 That Council **charge** the maximum interest rate as specified by the Minister for Local Government and published in the Government Gazette in respect of overdue rates and charges levied under the Local Government Act 1993 and this interest be calculated on a daily basis using the simple interest method in accordance with Section 566 of the Local Government Act 1993, for the period between 1 July 2014 and 30 June 2015.

- 556/14 **Incentive Scheme**

That Council **approve** a new electronic bill/direct debit incentive scheme to encourage rate-payers to use more efficient and cost effective mailing and payment channels. This incentive scheme will replace the existing rates payment incentive scheme.

5.6 Report on the introduction of a new Policy for the Management of Gifts and Benefits

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

- 557/14** That Council acknowledge that Councillors are often provided with modest gifts from community members as recognition of their role in the community and to refuse or surrender those gifts may cause offence.
- 558/14** That Council acknowledge that all gifts and benefits should be declared to ensure that Council is being open and transparent.
- 559/14** That Council adopt the new Council Policy for the Management of Gifts and Benefits with an amendment enabling Councillors to accept modest gifts up to a value of \$50, subject to those gifts being declared so as to ensure transparency.
- 560/14** That Council delete from Clause C1 – Definition of Benefits - the sentence “access to confidential or sensitive information“.

5.7 Wyong Coal Pty Limited (WCPL) Voluntary Planning Agreement Public Submission Summary

Councillor Eaton declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is the Council delegate to Central Coast Group Training Ltd, who has sponsorship arrangements with Wyong Coal Pty Limited and stated that:

“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 Council delegate and no conflict of interests.”

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that Wyong Coal have sponsored Central Coast Group Training’s scholarship program and he is the General Manager of Central Coast Group Training, left the chamber at 5.55pm, took no part in discussion, did not vote and returned to the chamber at 5.58pm.

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

- 561/14** That Council note that the NSW Planning Assessment Commission (PAC) is the consent authority for the mine on behalf of the State Government.
- 562/14** That Council note and confirm that three submissions have been made to the Department of Planning and Infrastructure (DoPI) and the PAC opposing the mine development.
- 563/14** That Council receive and note the report on the submissions received in regard to the draft Voluntary Planning Agreement – Wyong Coal Pty Ltd.
- 564/14** That Council authorise the General Manager to execute the Voluntary Planning Agreement attached to the report.
- 565/14** That Council inform those members of the public who made submissions of the outcome.

566/14 That Council re-endorse its previous unanimous resolutions to oppose coal mining in our water catchment areas and fully support Council's submission lodged on 20 June 2013.

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

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

5.8 Determination by the Local Government Remuneration Tribunal on Councillor Fees for 2014/15

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

567/14 That Council implement the determination made by the Local Government Remuneration Tribunal in respect of Councillor and Mayoral fees.

568/14 That Council set the annual Mayoral Fee at \$60,580 for the period 1 July 2014 to 30 June 2015.

569/14 That Council set the annual Deputy Mayoral fee at \$8,481.20 for the period 1 July 2014 to 30 June 2015.

570/14 That Council reduce the paid annual Mayoral Fee by 14% (\$8,481.20) to fund the annual Deputy Mayoral fee.

571/14 That Council reduce the paid annual Mayoral Fee by \$2,003.17 for use of the Mayoral Motor Vehicle.

572/14 That Council set the Annual Councillor Fee at \$22,800 for the period 1 July 2014 to 30 June 2015.

5.9 Draft Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee held on 1 May 2014

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

573/14 That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 1 May 2014.

5.10 Draft Minutes of the Employment and Economic Development Committee Meeting - 7 May 2014

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

574/14 That Council receive and note the draft minutes of the Employment and Economic Development Committee meeting held on 7 May 2014.

575/14 That Council endorse the list of properties which have been identified as surplus to Council's needs, identified in Confidential Attachment 2 of this report.

- 576/14 That Council endorse the further review, by the Employment and Economic Development Committee, of 15W Fortune Crescent, Lake Munmorah, with a view to retaining the parcel as a thoroughfare to the adjoining reserve and that parcel being offset through a portion of the reserve.
- 577/14 That Council amend item 4.9.4 of the draft Economic Development Strategy to the following:
- 4.9.4 Reduce 20ha minimum lot size where appropriate within the rural areas of the Shire;
- 578/14 That Council adopt the draft Economic Development Strategy to be placed on public exhibition for a period of 28 days.
- 579/14 That Council request the General Manager to submit a report to Council outlining the results of the public exhibition of the Economic Development Strategy, recommending adoption of the strategy.
- 580/14 That Council recognise the significant economic and employment benefits of the Old Woodbury Farm development.
- 581/14 That Council note that the iconic site provisions will not provide any benefit to the Old Woodbury Farm development.
- 582/14 That Council note the additional submissions received.

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

5.11 2013-17 Strategic Plan Business Report (Q3)

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

- 583/14 That Council receive the Q3 Business Report on progress against the 2013-17 Strategic Plan.
- 584/14 That Council note that Council's Responsible Accounting Officer has declared the financial position of Wyong Shire Council to be satisfactory.
- 585/14 That Council approve the proposed budget amendments for 2013/14.

5.12 Sponsorship Policy

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

- 586/14 That Council repeal the following policies adopted on 23 June 2010:
Corporate Sponsorships and Donations (Inwards) Policy
Grants and Sponsorship (Outwards from WSC) Policy
- 587/14 That Council adopt the Sponsorship Policy 2014 in the new format in accordance with the recommendations contained in this report.

5.13 Amendment to the Facilities and Expenses for Councillors Policy

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

588/14 That Council note that the amended Facilities and Expenses for Councillors Policy was exhibited in April and May 2014 with two submissions received.

589/14 That Council provide the Office of Local Government with a copy of the amended Policy and information concerning the submissions received.

590/14 That Council propose further amendments to the Facilities and Expenses Policy for Councillors as listed below:

a Amend the table in Clause D63 in relation to Councillor owned equipment and WSC provided equipment to combine the limits for capital cost and usage costs with the total limit to be \$7,200.

b Amend the definition of 'Year' in the policy to be the year July 1 to June 30.

c Replace the final dot point in clause C6 – Definition of Council Business with "Attendances associated with the role of a Councillor (eg meetings with residents, ratepayers, developers and stakeholders; individual site inspections, and attendances at local and regional events/functions, including but not limited to local games played by the Mariners Football Team).

d Replace clause D81 with "Council will reimburse interest charges and fees (other than late fees) incurred by a councillor in respect to an expense that is able to be reimbursed under this Policy.

e Amend Clause E19 by inserting the following additional sentence: "Declarations may be given for claims for expenses incurred during periods of up to 12 months (within the financial year)".

f Amend Clause D70 relating to Corporate Uniform to add an additional dot point: "Alterations up to \$200 per year, if required."

g Amend Clause D11 increase the limit on conference attendance to \$12,000 per year, per Councillor, subject to a total expenditure limit for all Councillors of \$100,000 per year.

h Amend Clause D11 increase the limit on training courses to 4 per year.

i Amend Clause D32 by the addition of the following: "Council will reimburse Qantas Club or similar membership for the Mayor."

j Amend Clause D70 to provide for the Corporate Uniform allocation to increase to two suits/two shirts (blouses) per Councillor and four shirts (blouses) for the Mayor per annum.

591/14 That Council exhibit the proposed amendments to the policy in accordance with Section 253 of the Local Government Act, 1993.

5.14 Water Usage Rebates For Residents Affected by the October 2013 Bushfires

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

- 592/14** That Council approve that all residential properties, partially or wholly within one kilometre of the burn area of the Ruttleys Road fire of 17 and 18 October 2013 as identified by the Rural Fire Service, be eligible for rebates on water usage charges.
- 593/14** That Council approve the granting of rebates for residential properties partially or wholly within one kilometre of the Ruttleys Road fire burn area is calculated to offset any additional water used during the period of the October 2013 bushfires.
- 594/14** That Council approve the methodology for the calculation of the rebates for each residential property in the affected area as a reduction equivalent to the increased the daily average usage in the meter reading period within which the October 2013 bushfire occurred, in comparison to the equivalent meter reading period the previous year subject to a maximum rebate amount of thirty five dollars per property.
- 595/14** That Council direct the General Manager to arrange a delegation of the Mayor and General Manager to approach the State Treasurer or Premier on this matter.

5.15 Establishment of a Corporate Entity for the Waste Management Business

Councillor Taylor left the meeting at 6.30pm and returned to the meeting at 6.32pm during consideration of this item.

Councillor Best left the meeting at 6.30pm and returned to the meeting at 6.32pm during consideration of this item.

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

- 596/14** That Council authorise the General Manager to progress investigations and construct a detailed business case into the formulation of a corporate structure for the waste management business.
- 597/14** That Council authorise the General Manager to prepare a submission to the OLG to gain ministerial approval to establish an appropriate corporate structure for the waste management business.

A DIVISION was called by Councillor VINCENT:

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

5.16 DA 967/2013 - 405 Lot Subdivision at Crangan Bay

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that he is the Council delegate to the Joint Regional Planning Panel who will determine this matter.

Councillor Best declared a non-pecuniary insignificant conflict of interest in the matter for the reason that he is a member of the Joint Regional Planning Panel that will consider the matter and stated that:

"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 as a Councillor."

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

598/14 That Council receive the report on DA 967/2013 - 405 Lot Subdivision at Crangan Bay.

599/14 That Council determine whether it wishes to make a submission to the Joint Regional Planning Panel regarding the application.

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

AGAINST: NIL

6.1 Economic Benefit of Sports Tourism Events

Councillor Matthews left the meeting at 6.37pm and returned to the meeting at 6.39pm during consideration of this item.

Councillor Greenwald left the meeting at 6.41pm and returned to the meeting at 6.43pm during consideration of this item.

Councillor Matthews left the meeting at 6.45pm and returned to the meeting at 6.46pm during consideration of this item.

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

600/14 That Council receive the report on Economic Benefit of Sports Tourism Events.

6.2 Works in Progress - Water Supply and Sewerage

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

601/14 That Council receive the report on Works in Progress - Water Supply and Sewerage.

6.3 Activities of the Development Assessment and Building Certification Compliance and Health Units

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

602/14 That Council receive the report on Activities of the Development Assessment and Building Certification Compliance and Health Units for the month of April 2014.

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

Councillor Vincent left the meeting at 7.01pm and returned to the meeting at 7.02pm during consideration of this item.

It was MOVED by Councillor NAYNA and seconded by Councillor GREENWALD:

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

An AMENDMENT was MOVED by Councillor GREENWALD and seconded by Councillor VINCENT:

That Council note with concern the two bad ratings and request the General Manager report on the possible causes and long term resolution.

The AMENDMENT was put to the vote and declared LOST

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

603/14 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.

6.5 Investment Report for April 2014

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

604/14 That Council receive the Investment Report for April 2014.

6.6 Beach Safety Services - Completion of First Year of Contract

Councillor Troy left the meeting at 7.11pm and returned to the meeting at 7.13pm during consideration of this item.

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

605/14 That Council note the report on Beach Safety Services - Completion of First Year of Contract.

6.7 Quarterly Update on EP & A and LGA Developer Contributions

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

606/14 That Council receive the report on Quarterly Update on EP & A and LGA Developer Contributions.

6.8 Wyee Sewerage Servicing Strategy

Councillor Best left the meeting at 7.27pm and returned to the meeting at 7.28pm during consideration of this item.

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

607/14 That Council receive the report on Wyee Sewerage Servicing Strategy.

A DIVISION was called by Councillor VINCENT:

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

AGAINST: COUNCILLORS GRAHAM, GREENWALD, MATTHEWS AND VINCENT

6.9 Outstanding Questions on Notice and Notices of Motion

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

608/14 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

8.1 Notice of Motion - Littering in Wyong Shire

Councillor Matthews left the meeting at 5.34pm and returned to the meeting at 5.35pm during consideration of this item.

Councillor Vincent left the meeting at 5.34pm and returned to the meeting at 5.37pm during consideration of this item.

Ms Kay Wall, Resident, addressed the meeting at 5.27pm, answered questions and retired at 5.32pm.

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

609/14 That Council erect warning signs at sites subject to repeated littering as identified by the General Manager or his delegate.

610/14 That Council include the maximum penalties for littering on the signage erected under point 1.

611/14 That Council note that Council's Rangers will continue to have a targeted approach to littering including the regular monitoring of identified sites and the issue of Penalty Infringement Notices for all detected offences.

8.2 Notice of Motion - Asbestos Amnesty

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

- 612/14** That Council note the prevalence of illegally dumped asbestos within the Wyong local government area, which presents significant potential health risks to the public and which Council cleans up at significant cost.
- 613/14** That Council recognise the urgent need to reduce the incidence of illegal dumping of asbestos within the Wyong local government area.
- 614/14** That Council direct the General Manager to prepare an Asbestos Amnesty program, such program to:
- a.** Enable people who reside in the Wyong local government area to safely dispose of asbestos waste from their permanent home at no cost for a specified period;
 - b.** Be subject to the NSW Environment Protection Authority granting relevant exemptions such that no waste levy or contributions are required to be paid by Council in respect to asbestos waste it receives pursuant to the Asbestos Amnesty program;
 - c.** Include a requirement for educating the public about the risks associated with the illegal dumping of asbestos and of the operation of the Asbestos Amnesty program.
- 615/14** That Council acknowledge that such an education and disposal program will have significant cost around its safe delivery.
- 616/14** That Council request that the NSW Government partner with Council in the formulation and future implementation of the Asbestos Amnesty program, with that partnership to include the following:
- a.** the prompt consideration and determination of any request to the NSW Environment Protection Authority by Council seeking exemptions from any waste levy in respect to asbestos received by Council pursuant to the Asbestos Amnesty program;
 - b.** provision of financial assistance to Council to assist in the funding of the significant costs associated with the promotion and delivery of the Asbestos Amnesty program;
 - c.** providing assistance to Council in the formulation of the Asbestos Amnesty program, including technical assistance from the NSW Environment Protection Authority.
- 617/14** That Council direct that the proposed Asbestos Amnesty policy be reported to Council for consideration and adoption.
- 618/14** That Council note that it is of the opinion that the Waste Levy was originally established to provide the region with improved waste management options and as only a fraction of this \$11M annual levy has been spent locally, the proposed 'Asbestos Amnesty' program is an excellent opportunity for the NSW Government to partner with Council and honour the original intent of the NSW Government's Waste Levy.

QUESTIONS ON NOTICE

**Q68/14 Unleashed Dogs - East Budgewoi
Councillor Doug Vincent**

“East Budgewoi residents have raised ongoing concerns with unleashed dogs being walked in areas other than the designated Council runs.

The unleashed dogs are currently impacting negatively on beach users and wildlife in the rehabilitated dunes.

Could staff please advise if:

- 1 There are any monitoring patrols to check these areas?*
- 2 Who local residents should contact within Council to express concerns?”*

**Q69/14 Vandalism and Penalties
Councillor Greg Best**

“Mr Mayor,

I note in a recent press article that wilful and wanton destruction of earthmoving equipment was carried out at Council’s Lake Haven cinema construction site, allegedly by a gang of youths that were captured on CCTV footage, causing thousands of dollars in damages.

Council appreciates the good work of Staff and the Police in apprehending these individuals and recognises the hundreds and thousands of dollars Council has poured into CCTV surveillance across the shire.

Mr Mayor, could staff please, at the appropriate time, advise Council of the outcome / any court determinations around these acts of vandalism? I do hope the court is in step with Community expectations?”

THE MEETING closed at 7.42pm.