
WYONG SHIRE COUNCIL

MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 10 April 2013
COMMENCING AT 5:00 PM

PRESENT

Councillors D J Eaton (Chairperson), 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

Acting General Manager, Director Land Management, Acting Director Community and Recreation Services, Acting Director Development and Building, General Counsel, Executive Manager to the General Manager, Communications and Marketing Coordinator, Manager Integrated Planning and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.03 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.

APOLOGY

An apology for the inability to attend the meeting was received on behalf of Councillor Best as he is away on a family holiday.

RESOLVED unanimously on the motion of Councillor Eaton and seconded by Councillor Graham:

400/13 That Council accept the apology and grant leave of absence from the meeting.

At the commencement of the ordinary meeting report numbers 2.1, 2.2, 2.3, 2.4, 2.5, 4.1, 4.2, 4.3, 4.4, 4.9, 4.5, 4.6, 4.7, 4.8, 5.1, 7.1 and 8.2 were dealt with first then the remaining reports in order. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosure of Interest

2.5 DA 1033/2012 – Proposed 3 Lots Subdivision at North Wyong

Councillor Eaton declared a pecuniary interest in the matter for the reason that his family company is a landowner in the affected area, left the chamber at 5.52 pm, took no part in discussion, did not vote and returned to the chamber at 5.53 pm.

4.5 Grants Advisory Group – 22 March 2013

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of the Budgewoi Scouts, he is not a member of the Tuggerah Lakes Scouts and he 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.”

4.6 Proposed Councillors Community Improvement Grants

Councillor Matthews declared a non-pecuniary insignificant interest in the matter for the reason that in the past she has worked for Child and Family Services in the Wyong Shire. Councillor Matthews advised she was a contractor for a one off event which was not related to this funding. Councillor Matthews participated in consideration of this matter.

Councillor Matthews 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.”

4.6 Proposed Councillors Community Improvement Grants

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of the Budgewoi Scouts, he is not a member of the Tuggerah Lakes Scouts and he 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.”

4.9 Rebuild of Alison Homestead

Councillor Nayna declared a non-pecuniary insignificant interest in the matter for the reason that he is employed by the member for Wyong, Mr Darren Webber, MP and he participated in consideration of this matter.

Councillor Nayna stated:

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

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

401/13 That Council receive the report on Disclosure of Interests and note the advice of the disclosures.

PROCEDURAL MOTION

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

402/13 That Council allow meeting practice to be varied.

403/13 That Council use the exception method to deal with the balance of the Agenda.

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

404/13 That with the exception of report numbers 2.1, 2.2, 2.3, 2.4, 2.5, 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 5.1, 7.1 and 8.2 Council adopt the recommendations contained in the remaining reports.

1.2 Proposed Inspections and Briefings

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

405/13 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 VINCENT:

406/13 That Council receive the report on Invited Speakers.

407/13 That Council agree meeting practice be varied to allow reports from Directors and/or the General Manager to be dealt with following an Invited Speaker's address.

1.4 Notice of Intention to Deal with Matter in Confidential Session

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

408/13 That Council consider the following matter in Confidential Session, pursuant to Section 10A 2(c) and (d) of the Local Government Act 1993:

8.1 Report on the Status of the Current Contract for Reveal and Processing of Organics at Buttonderry Waste

8.2 Councillor Outcomes Report

8.3 Buy and Sell Agreement – Rustrum Development Toukley

409/13 That Council note its reasons for considering item 8.1 - Report on the Status of the Current Contract for Reveal and Processing of Organics at Buttonderry Waste as it contains commercial information of a confidential nature that would, if disclosed:

(i) prejudice the commercial position of the person who supplied it, or

(ii) confer a commercial advantage on a competitor of the Council, or

(iii) reveal a trade secret,

410/13 That Council note its reasons for considering item 8.2 – Councillor Outcomes Report 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.

411/13 That Council note its reasons for considering item 8.3 – Buy and Sell Agreement – Rustrum Development Toukley as it contains commercial information of a confidential nature that would, if disclosed:

(i) prejudice the commercial position of the person who supplied it, or

(ii) confer a commercial advantage on a competitor of the Council, or

(iii) reveal a trade secret,

412/13 That Council request the General Manager to report on this matter in open session of Council.

1.5 Confirmation of Minutes of Previous Meeting

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

413/13 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 27 March 2013.

1.6 Mayoral Minute - Civic Facilities Public Space Naming Policy

Councillor Troy left the meeting at 5:43 pm and returned at 5:45 pm during consideration of this item.

Councillor Vincent left the meeting at 5.50 pm and as a result took no part in voting.

RESOLVED unanimously on the motion of Councillor EATON:

414/13 That Council authorise the General Manager to develop a policy for the naming of public spaces within the Civic Centre, other public spaces, Council buildings and facilities which includes;

- **recognition of past Councillors with at least 10 years service;**
- **General Managers/Shire Clerks with more than 10 years service; and**
- **recognition of local citizens with outstanding contributions to the community.**

415/13 That Council request the General Manager to report the Policy to Council for consideration.

2.1 DA 1153/2009/C Dwelling at 2 Marina Street, Budgewoi

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

416/13 That Council grant consent, to modify Condition No 43 of Development Consent No 1153/2009/C, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, subject to the conditions detailed in the schedule attached to the report.

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

AGAINST: NIL

2.2 DA 1201/2009/A - Section 96 Application to delete Condition No 43 of Development Consent for a Dwelling at Chittaway Bay

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

417/13 That Council grant consent, to modify Condition No 43 of Development Consent No 1201/2009/A having regard to matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, subject to the conditions detailed in the schedule attached to the report.

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

AGAINST: NIL

2.3 DA 1482/2009/A - Section 96 Application to Amend Conditions of Consent for a dwelling at The Entrance North

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

418/13 That Council grant consent, to modify Condition No 44 of Development Consent No 1482/2009/A, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, subject to the conditions detailed in the schedule attached to the report.

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

AGAINST: NIL

PROCEDURAL MOTION

It was moved on the motion of Councillor VINCENT and seconded by Councillor GREENWALD:

That Council move into confidential session to further discuss item 2.4.

The MOTION was put to the vote and declared LOST.

FOR: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

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

2.4 DA 66/2010/A - Section 96 Application to delete Consent Condition for a Dwelling at The Entrance North

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

419/13 That Council grant consent to delete Condition Nos 7 and 60 of Development Consent 66/2010/A having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, subject to the conditions detailed in the schedule attached to the report.

2.5 DA 1033/2012 - Proposed 3 Lot Subdivision at North Wyong

Councillor Eaton declared a pecuniary interest in the matter for the reason that his family company is a landowner in the affected area, left the chamber at 5.52 pm, took no part in discussion, did not vote and returned to the chamber at 5.53 pm.

Councillor Webster assumed the chair for consideration of this item.

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

420/13 That Council grant consent, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act 1979 and other relevant issues, subject to the conditions detailed in the schedule attached to the report.

Councillor Eaton resumed the chair at 5.53 pm.

3.1 CPA/209092 - Evaluation and Selection of Tenders - Upgrade of Ourimbah Water Pump Station (WPS 17)

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

421/13 That Council accept the tender from the company nominated as Tenderer '3' in the attached Tender Evaluation Report, for the lump sum amount of \$782,304.00 (excl GST) for Contract CPA/209092 – Upgrade of Ourimbah Water Pump Station (WPS 17).

422/13 That Council determine that 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.

423/13 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

4.1 Consideration of submissions to the Community Strategic Plan 2030 (revised 2013)

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

424/13 That Council receive public submissions and staff recommendations listed herein concerning the exhibition draft of the Community Strategic Plan 2030 (revised 2013).

425/13 That Council determine the outcome of each submission and staff recommendation in terms of possible changes to the draft Plan before the final Plan is adopted.

426/13 That Council adopt the amendments detailed within the report.

4.2 Consideration of submissions to the Wyong Shire Council 2013-2017 Strategic Plan

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

- 427/13** That Council note that the draft 'Wyong Shire Council 2013-2017 Strategic Plan' was publicly exhibited from 4 March 2013 to 2 April 2013.
- 428/13** That Council receive the submissions received by Council following that public exhibition, as detailed in this report.
- 429/13** That Council note that it has considered those submissions, as required by Chapter 13 Part 2 of the Local Government Act 1993.
- 430/13** That Council note and endorse the amendments recommended by Council staff in this report.

4.3 Adoption of Community Strategic Plan 2030 (Revised 2013)

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

- 431/13** That Council endorse the Community Strategic Plan 2030 (revised 2013) as exhibited, with the changes determined in the separate report to Council that considered submissions to the Plan.

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

AGAINST: NIL

PROCEDURAL MOTION

It was MOVED by Councillor VINCENT and seconded by Councillor MATTHEWS:

That Council recommit item 4.2 - Consideration of Submissions to the Wyong Shire Council 2013-2017 Strategic Plan.

The MOTION was put to the vote and declared LOST

FOR: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

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

4.4 Adoption of the Wyong Shire Council 2013-2017 Strategic Plan
(incorporating the Four Year Delivery Program, Operational Plan and
Resourcing Strategy)

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

- 432/13 That Council adopt the Wyong Shire Council 2013-2017 Strategic Plan (containing the Resourcing Strategy that includes long-term financial planning, workforce management planning and asset management planning, the four year delivery program, the operational plan and the statement of revenue policy) as exhibited subject to the changes proposed in this report and as endorsed by Council in its resolution to item 4.2 of this Ordinary Meeting of Council.
- 433/13 That Council authorise the General Manager to make final minor changes to the plan to ensure correctness and clarity.
- 434/13 That Council approve the estimates of income and expenditure as detailed in the Plan.
- 435/13 That Council set the fees and charges for the 2013/14 rating year set out in the 'Wyong Shire Council 2013-2017 Strategic Plan' as adopted pursuant to resolution 1 above.
- 436/13 That Council authorise the General Manager to waive or reduce fees in particular cases.
- 437/13 That Council note that it is of the opinion that the following rateable land will derive benefit from the business related costs of The Entrance Town Centre Management that are funded in part or whole by The Entrance Town Centre 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 know as The Entrance.
 - b All land used as Major Facilities servicing tourists including Service Stations, Camp or Caravan Sites, Registered Clubs, Tourist Accommodation and Hotels/Motels as defined in Council's current Local Environmental Plan (LEP) and District Shopping Centres as defined in Council's current Retail Strategy in the suburbs known as The Entrance North, The Entrance, Blue Bay, Long Jetty, Toowoan Bay, Shelly Beach, Bateau Bay and Magenta.
 - c All land used as rental accommodation and which is categorised as Residential under Section 516 of the Local Government Act, 1993 which is rented or leased for periods of three months or less in the suburbs known as The Entrance North, The Entrance, Blue Bay and Toowoan Bay.
- 438/13 That Council is of the opinion that the following rateable land will derive benefit from the business related costs of the Greater Toukley Vision that are funded in part or whole by the Non Residential Properties 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.*

439/13 *That Council is of the opinion that the following rateable land will derive benefit from the business related costs of the Wyong-Tuggerah Chamber of Commerce that are funded in part or whole by the Non Residential Properties 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 F3 Freeway in the west;*
 - East of the F3 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.*

4.5 Grants Advisory Group - 22 March 2013

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of the Budgewoi Scouts, he is not a member of the Tuggerah Lakes Scouts and he 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 NAYNA and seconded by Councillor WEBSTER:

440/13 *That Council receive the draft minutes of the Wyong Shire Grants Advisory Group held on 22 March 2013.*

441/13 That Council allocate \$23,337.83 from the 2012-13 Community Benefit Grants Program Round 2 as follows:

Applicant	Project Name and Summary	Staff Funding Recommended excl. GST
Australian Seabird Rescue (ASR) Central Coast	Promotion of ASR - to increase membership in order to continue services	\$3,063.83
Central Coast Domestic Violence Committee	Say No to Violence 2013 - White Ribbon Walk to campaign to stop violence against women	\$4,300.00
Coastal a Capella	Performance Costumes - competing in Australian Sweet Adeline Competition in May, costumes not updated since 2009	\$1,080.00
Compass Housing - for Community Drug Action Team (CDAT) – Killarney Berkeley Tumbi (KBT)	KBT CDAT Funfest at Banksia Family Centre - to raise awareness of the impact of drug and alcohol misuse.	\$2,890.00
Lions Club of Gwandalan	Purchase of mobile fridge trailer - required for safe catering for a multitude of functions annually of up to 1000 people	\$3,000.00
Ocean and Coastal Care Initiatives - for Whale Dreamers Festival	Whale Dreamers Festival - information, speakers and whale watching at Norah Head Lighthouse	\$3,250.00
The Fathers Table	The Fathers Table - community outreach project providing hot meals, food, blankets, basic clothing and a safe meeting place, targeting homelessness and poverty in the Wyong area	\$3,280.00
Wyong District Museum and Historical Society	To purchase items necessary to preserve and store historical artifacts for future display in the Museum	\$1,200.00
Wyong Family History Group	Purchase of quality overhead projector for use at group activities	\$1,274.00

- 442/13 That Council allocate \$12,000.00 from the 2012-13 Community Benefit Grant program to the Central Coast Woodturners Co-op Ltd on the condition that it can fund the remainder to purchase equipment:

Applicant	Project Name and Summary	Staff Funding Recommended excl. GST
Central Coast Woodturners Co-op Ltd	Purchase of dust extractor - to protect health of members, passers by and other tenants in same complex	\$12,000.00

*Councillor Nayna wished to have his name recorded as voting against the Central Coast Woodturners Co -op Ltd application.

- 443/13 That Council defer the following Community Benefit Grants applications until the next round after consultation with Wyong Shire Council (WSC) staff, for the reasons as indicated in the table below:

Applicant	Project Name and Summary	Staff Assessment
Central Coast Ugnay Kabayan (People's Link)	Usap Kultura - Community Based Socio-cultural café in Wyong Shire	Recommend to defer - project has merit but lacks specific details including program plan. Recommend resubmit following consultation with WSC Cultural Planner
Toukley Neighbourhood Centre	Kathleen's Creative Millinery - instruction and workshops for students, in construction of headwear	Recommend defer application. Current application has merit but lacks specific details including costings, activities and timeframes. Request applicant to discuss further with WSC Community and Cultural Development (CCD) and submit in next round of funding
Rotary Club of Wyong for R.Y.D.A. Central Coast	Rotary Youth Driver Awareness (RYDA) Program - series of one day out of school programs delivering practical road safety information targeting attitude and awareness of young drivers and their passengers	Recommend defer until clarification is sought on alternate State funding sources

444/13 ***That Council decline the following Community Benefit Grant applications for the reasons as indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:***

Applicant	Project Name and Summary	Staff Assessment
<i>Fusion Central Coast Inc - auspice for Melinda Page</i>	<i>Behind Blue Eyes - funding to produce and print a therapeutic book on surviving life's traumas. Book to be available free of charge to relevant community groups and Council libraries</i>	<i>Not recommended - Project represents an individual seeking to publish a book. More suitable for sponsorship rather than community grant</i>
<i>Migrant North NSW - Association of Filipino Migrant and Workers Inc</i>	<i>'MANGGAGAWA' - Community Education focusing on career options for disadvantaged women and youth through leadership training</i>	<i>Not recommended. Project lacks detail and a specific budget. Applicant recommended to discuss proposal with WSC CCD Unit before re-applying</i>
<i>Razorbacks Rugby Club</i>	<i>Pedestrian Bridge Repairs - bridge linking Chittaway Road with the Ourimbah Campus destroyed in February floods.</i>	<i>Not recommended – WH&S issue to be addressed outside the Grants Process. Forwarded to WSC Sport Leisure and Recreation (SLR) The committee views this as needing urgent council repair</i>
<i>Regional Development Australia, Central Coast</i>	<i>Project Wi-Fi - provision of free Wi-Fi access at one location each at Wyong, The Entrance and Gravity Youth Centre.</i>	<i>Not recommended. Application has merit, but project lacks key details and relevant permissions. Applicant recommended to discuss proposal with WSC CCD Unit before re-applying</i>
<i>Take 3</i>	<i>Take 3 - A Marine Debris Initiative - Early Educators Workshops for preschoolers</i>	<i>Ineligible. Outstanding acquittal previous grant. Recommend reapply next round</i>
<i>The Entrance Bateau Bay Australian Football Club</i>	<i>Supply of new jerseys and equipment for new age groups and girls team in 2013</i>	<i>Not recommended - considered core business of organisation</i>
<i>Toowoona Bay Surf Lifesaving Club</i>	<i>Purchase of three soft rescue boards - less damage to rescuer and patient</i>	<i>Not recommended - considered part of core business - group has other funding opportunities</i>

<i>Trustees of Roman Catholic Church for the Diocese of Broken Bay - St Mary's Primary School</i>	<i>Interactive Workshop - How to bullyproof your child – Targetting parent and child</i>	<i>Not recommended. Project of limited benefit to broader community. Ability of non -school based participants to attend unclear</i>
<i>Ourimbah Wyoming Rugby League Football Club</i>	<i>To replace old fencing material of hessian and star post, with new modern and safe, custom made, retractable, sublimated shade cloth with winch</i>	<i>Not recommended as there is no direct community benefit</i>

445/13 That Council allocate \$66,910.00 from the 2012-13 Community Matching Fund Round 2 as follows:

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Staff Funding Recommended excl. GST</i>
<i>Association of Relatives And Friends of the Mentally Ill (ARAFMI)</i>	<i>Yakkalla Hub - "Where Mental Health Happens". Development of a Community Mental Health Training and Resource Centre at Bateau Bay</i>	<i>\$19,210.00</i>
<i>Berkeley Vale Rugby League and Sports Club</i>	<i>Major drainage works - Berkeley Vale Oval</i>	<i>\$39,700.00</i> <i>Note - subject to the submission of a second quote in accordance with the policy. SLR staff to co-ordinate</i>
<i>Scouts Australia NSW - 1st Tuggerah Lakes Scouts</i>	<i>Back Yard Blitz - Replace unsafe equipment and materials, remove rubbish, lay turf, replace garage door for safe storage of equipment</i>	<i>\$8,000.00</i> <i>Note - can provide own labour to remove existing grass and lay turf etc.</i>

446/13 That Council defer the following Community Matching Fund applications until the next round after consultation with WSC staff, for the reasons as indicated in the table below:

<i>Organisation</i>	<i>Project Name and Summary</i>	<i>Staff Assessment</i>

Northern Lakes Power AFL Inc	Green Generation Lighting System - purchase and installation at Northlakes Oval San Remo	Recommend defer until next round. Matching funding has not been realised - works currently being considered as part of Capital Expenditure (CAPEX) program in future years
Wyong Public School Parents and Citizens (P&C) Association	Community Garden and Kindergarten Play Space - Bringing together local not-for-profit registered training organisation, unemployed, local community, Wyong Public School P & C and Wyong School as Community Centre	Recommend defer pending further advice in relation to state funding options

447/13 That Council be **advised** that the following application is pending further information:

Organisation	Project Name and Summary	Staff Assessment
St Vincent de Paul Broken Bay	'Vinnie's Wyong Financial Advice and Support Program'	\$27,410.00

448/13 That Council **decline** the following Community Matching Fund applications for the reasons as indicated in the table below, the applicants be advised and where relevant, directed to alternate funding programs:

Organisation	Applicant	Staff Assessment
Toukley Gorokan Soccer Club	'Gunners celebrate 50 years' - comprising pictorial history, logo design competition, game day and celebration night	Not recommended. Project of limited broader community benefit - many benefits are limited specifically to club members. Applicant has ability to self fund
Tuggerah Lake Reserve (R1003002) Trust	Central Coast Wetlands - Pioneer Dairy Wetland Viewing, Education and Recreation Facility	Not recommended as previous Matching Fund project still ongoing. Recommend resubmit next round
Youth Connections.co m.au	Stairway to a Better Future - relocation of staircase at 2a Amy Close Wyong. Project	Not recommended. Proposal represents a capital upgrade to a commercial and

	<i>supports Better Futures Incubator, which assists young parents and their children in education and employment needs</i>	<i>privately owned property. Project lacks specific detail, has no quotations for materials, application states Development Application required yet no discussions evident with relevant WSC staff</i>
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449/13 That Council allow the following application to be transferred from Community Matching Funds to Community Benefit Grants and allocate \$4,480.00 from the 2012-13 Community Benefit Grants Program as follows:

Applicant	Project Name and Summary	Staff Funding Recommended excl. GST
<i>Impact 4 Life Church for Meals4Hope</i>	<i>Meals 4 Hope - Barbecue trailer to provide free meals to community disadvantaged</i>	\$4,480.00

4.6 Proposed Councillors' Community Improvement Grants

Councillor Matthews declared a non-pecuniary insignificant interest in the matter for the reason that in the past she has worked for Child and Family Services in the Wyong Shire. Councillor Matthews advised she was a contractor for a one off event which was not related to this funding. Councillor Matthews participated in consideration of this matter.

Councillor Matthews stated:

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

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of the Budgewoi Scouts, he is not a member of the Tuggerah Lakes Scouts and he 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 NAYNA and seconded by Councillor TAYLOR:

450/13 That Council allocate an amount of \$5,681.00 from the 2012-13 Councillors' Community Improvement Grants as follows:

Proposed Allocations for 10 April 2013		
1st Tuggerah Lakes Scouts (\$1000)	Purchase of Life Jackets (PFDs)	850.00
Budgewoi Beach Dunecare Inc. (\$700)	Purchase a cordless 18volt 2 pack hammer drill set to replace 1200 watt generator & drill units.	50.00

Central Coast Lapidary Club (\$1500)	Teaching of metalwork/jewellery to community members	100.00
Chain Valley Bay Progress Association (\$600)	Hire of display boards for art works	350.00
Child and Family Services Wyong Shire (\$2000) (\$400 already allocated)	Provide an Early Childhood Education and Care Service Crèche	500.00
Compass Housing Services (\$1500)	Community Garden in Avery Street complex	100.00
Country Women's Association of NSW - Toukley Branch (\$1618)	Mums and Bubs Group	100.00
Lions Club of Wyong (\$2000)	District 2013 Lions Convention - Camp Breakaway - November 2013	100.00
MIGAS Apprentices & Trainees (\$2000)	Awards Night	300.00
Northern Lakes Disability Tourism Precinct Committee Inc (\$572)	2 signs to be installed at Lakes Beach Café to promote the availability of beach wheelchairs for free use to the disabled to access the beach.	300.00
Northlakes High School P & C (\$2000)	CD produced by students	350.00
Razorbacks Rugby Club (\$2000)	Purchase of a shipping container	100.00
Tuggerah Lakes District Band (\$1931)	Band shirts with Council and band logos	1,931.00
Vicki Buchanan (\$550) Emergency GM approval	Attend AWLGA conference 15 March 2013 as representative of WSC Status of Women Advisory Group	550.00

4.7 2013 National General Assembly of Local Government

It was MOVED by Councillor EATON and seconded by Councillor:

- 1 *That Council nominate the following motions to be submitted to the National General Assembly of Local Government prior to 26 April 2013;*

A Essential Infrastructure Fund

Council: Wyong, NSW

That the Australian Local Government Association calls upon the Commonwealth Government to provide funding to Local Government to assist in delivering essential infrastructure such as Roads, Water, Sewer and Drainage in new residential sub-divisions as a mechanism to make housing more affordable.

B Low Interest Loan for Essential Infrastructure

Council: Wyong, NSW

That the Australian Local Government Association calls upon the Commonwealth Government to establish a low interest loan subsidy system for Local Government, for the provision of essential infrastructure such as Roads, Water, Sewer and Drainage

C Employment of Apprentices and Establish Skills Centre

Council: Wyong, NSW

That the Australian Local Government Association calls upon the Commonwealth Government to provide funds for Local Government to enable the employment of apprentices and to establish skills centres as a way of reducing youth unemployment.

- 2 That Council authorise interested Councillors and the General Manager or his delegate to attend the 2013 National General Assembly of Local Government between 16 and 19 June 2013.
- 3 That Council reimburse expenses incurred by Councillors attending the Assembly in accordance with Council's Facilities and Expenses Policy for Councillors.
- 4 That Council determine the voting delegate should the Mayor not attend.

An AMENDMENT was MOVED by Councillor VINCENT and SECONDED by Councillor MATTHEWS

- 1 That Council nominate the following motions to be submitted to the National General Assembly of Local Government prior to 26 April 2013;

A Essential Infrastructure Fund

Council: Wyong, NSW

That the Australian Local Government Association calls upon the Commonwealth Government to provide funding to Local Government to assist in delivering essential infrastructure such as Roads, Water, Sewer and Drainage in new residential sub-divisions as a mechanism to make housing more affordable.

B Low Interest Loan for Essential Infrastructure

Council: Wyong, NSW

That the Australian Local Government Association calls upon the Commonwealth Government to establish a low interest loan subsidy system for Local Government, for the provision of essential infrastructure such as Roads, Water, Sewer and Drainage

C Employment of Apprentices and Establish Skills Centre

Council: Wyong, NSW

That the Australian Local Government Association calls upon the Commonwealth Government to provide funds for Local Government to enable the employment of apprentices in-house and establish skills centres as a way of reducing youth unemployment.

- 2 That Council authorise interested Councillors and the General Manager or his delegate to attend the 2013 National General Assembly of Local Government between 16 and 19 June 2013.
- 3 That Council reimburse expenses incurred by Councillors attending the Assembly in accordance with Council's Facilities and Expenses Policy for Councillors.
- 4 That Council determine the voting delegate should the Mayor not attend.

The AMENDMENT was put to the vote and declared LOST

FOR: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

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

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

451/13 That Council nominate the following motions to be submitted to the National General Assembly of Local Government prior to 26 April 2013;

A Essential Infrastructure Fund

Council: Wyong, NSW

That the Australian Local Government Association calls upon the Commonwealth Government to provide funding to Local Government to assist in delivering essential infrastructure such as Roads, Water, Sewer and Drainage in new residential sub-divisions as a mechanism to make housing more affordable.

B Low Interest Loan for Essential Infrastructure

Council: Wyong, NSW

That the Australian Local Government Association calls upon the Commonwealth Government to establish a low interest loan subsidy system for Local Government, for the provision of essential infrastructure such as Roads, Water, Sewer and Drainage

C Employment of Apprentices and Establish Skills Centre

Council: Wyong, NSW

That the Australian Local Government Association calls upon the Commonwealth Government to provide funds for Local Government to enable the employment of apprentices and to establish skills centres as a way of reducing youth unemployment.

452/13 That Council authorise interested Councillors and the General Manager or his delegate to attend the 2013 National General Assembly of Local Government between 16 and 19 June 2013.

453/13 That Council reimburse expenses incurred by Councillors attending the Assembly in accordance with Council's Facilities and Expenses Policy for Councillors.

454/13 That Council determine the voting delegate should the Mayor not attend.

4.8 Facilities and Expenses Policy for Councillors

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

455/13 That Council propose the addition of Clause D66 to the Facilities and Expenses Policy for Councillors as follows:

"WSC will pay Councillors appointed to the Hunter and Central Coast Joint Planning Panel remuneration of \$650 per meeting of that Panel, that sum being the fee and allowances permitted by Clause 6 of Schedule 4 to the Environmental Planning and Assessment Act 1979."

456/13 That Council advertise the proposed amendment in accordance with the provisions of the Local Government Act.

457/13 That Council note that the term of the delegates on the Joint Regional Planning Panel is 3 years.

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

AGAINST: COUNCILLORS GRAHAM, GREENWALD, MATTHEWS AND VINCENT

4.9 Rebuild of Alison Homestead at 1 Cape Road Wyong

Councillor Nayna declared a non-pecuniary insignificant interest in the matter for the reason that he is employed by the member for Wyong, Mr Darren Webber, MP and he participated in consideration of this matter.

Councillor Nayna stated:

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

Councillor Matthews left the meeting at 6:38 pm and returned at 6:40 pm during consideration of this item.

Councillor Nayna left the meeting at 6:42 pm and returned at 6:42 pm during consideration of this item.

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

458/13 That Council agree in principle the replacement of Alison Homestead on the basis of Option 3 - Redesign and Rebuild as recommended by the Options Feasibility Study (Attachment 3) and the Heritage Report (Attachment 4).

459/13 That Council proceed to concept/sketch design stage, Development Application documentation and obtain Quantity Surveyor costs for this option.

460/13 That Council approves a maximum expenditure on the construction equal to the value of the insurance claim as paid to Council (Confidential Attachment 5) by State-wide Mutual Insurance on completion of construction.

461/13 That Council note the insurance value for the homestead as "commercial in

confidence.”

5.1 Wildlife Road Kill

Councillor Greenwald left the meeting at 7:12 pm and returned at 7:13 pm during consideration of this item.

Councillor Vincent left the meeting at 7:12 and returned at 7:13 pm during consideration of this item.

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

462/13 That Council receive the report on Wildlife Road Kill.

463/13 That Council reiterate its agreed policy position that wildlife corridors should not be on private land.

5.2 Response to Notice of Motion - Erosion of Yellawa Island, The Entrance

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

464/13 That Council monitor the situation on Yellawa Island and no hard engineering solution be implemented at this stage, due to the likely prohibitive costs involved, the unknown effectiveness of stabilisation and the potential risk issues.

5.3 Outstanding Questions on Notice and Notices of Motion

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

465/13 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

7.1 Notice of Motion - Pile Burning Policy Development

Councillor Webster left the meeting at 7:20 pm and returned at 7:21 pm during consideration of this item

RESOLVED on the motion of Councillor Taylor and seconded by Councillor Troy:

466/13 That 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.

467/13 That Council direct the General Manager to develop a Pile Burn Policy that includes the following:

a Minimisation to risk of life and property

- b Allow for pile burns up to 4m in diameter***
- c There be no fee set***
- d That there be appropriate fire fighting equipment such as water supply, tractor with bucket, etc.***
- e There should be a distance set from vegetation***
- f That a newspaper notification system be implemented to make individual permits redundant.***

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

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

CONFIDENTIAL SESSION

At this stage of the meeting being 7.53 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 8.06 pm and the General Manager reported on proceedings of the confidential session of the ordinary meeting of council as follows:

8.1 Report on the Status of the Current Contract for Reveal and Processing of Organics at Buttonderry Waste Management Facility

- 468/13 That Council note the expiry date for contract CPA/101670, for the Reveal and Processing of Organics is the 30th June 2015.***
- 469/13 That Council approve the commencement of a new procurement process for the reveal and processing of organics.***
- 470/13 That Council give the current contractor and leaseholder notice of Council's intention not to extend the contract and therefore to cancel the lease to expire on the same date as the expiry date for the contract CPA/101670.***

8.2 Councillor Outcomes Report

471/13 *That Council adopt the Councillor Outcomes report with tightened timeframes around Items 132, 136, 137, 145 and 205.*

472/13 *That Council note that not all outcomes were unanimous decisions.*

8.3 Buy and Sell Agreement - Rustrum Development Toukley

473/13 *That Council authorise the General Manager to continue to negotiate the final details and execute the Buy and Sell Agreement between Council and Rustrum Pty Ltd.*

474/13 *That Council note that a number of condition precedents need to be met before the agreement comes into effect.*

475/13 *That Council note that the transfer of lands will be completed at no cost to Council with Rustrum paying all costs associated with the transaction.*

476/13 *That Council resolve to affix the Council Seal to the Buy and Sell Agreement referred to in 1 above and also to any associated documents necessary to give effect to the agreement.*

QUESTION ON NOTICE

Q17/13 Costs associated with changing the name of Tony Sheridan function room
Councillor Ken Greenwald

F2010/00500

“Can the General Manager inform Council the cost of changing the name of the Tony Sheridan room?”

THE MEETING closed at 8.08 pm.