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# WYONG SHIRE COUNCIL

## MINUTES OF THE ORDINARY COUNCIL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 27 March 2013 COMMENCING AT 5:00 PM

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### 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 Management, Director Land Management, Director Community and Recreation Services, General Counsel, Communications and Marketing Coordinator and three administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.02 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.

Councillor Matthews advised that she attended the inaugural launch of the Indigenous Management Acceleration Program that the YMCA are adopting throughout their one hundred or so centres and facilities. This program looks at employing Indigenous youth who utilise these facilities, then assists them in furthering their career to possibly become Community Development Workers and CEO's throughout the YMCA.

### APOLOGIES

There were no apologies.

At the commencement of the ordinary meeting report numbers 1.1, 2.2, 2.4, 2.6, 2.3, 3.1, 4.1, 7.2 and 7.3 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**

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#### **4.4 Review of Alcohol Free Zones - Wyong Shire**

Councillor Greenwald declared a non-pecuniary insignificant conflict in the matter for the reason that he is employed by the NSW Police in an unrelated area.

Councillor Greenwald 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."*

**2.6 Proposed Rezoning - RZ/14/2012 - 'Old Farm' Old Maitland Road, Mardi**

Mr Brian Glendenning declared a non-pecuniary significant conflict in the matter for the reason that prior to commencing employment at Wyong Shire Council, he provided legal advice to a former director of the proponent who is now deceased.

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

**306/13 That Council receive the report on Disclosure of Interest and note advice of disclosures.**

**PROCEDURAL MOTION**

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

**307/13 That Council allow meeting practice to be varied.**

**308/13 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:**

**That with the exception of report numbers 1.5, 2.2, 2.3, 2.4, 2.6, 3.1, 4.1, 4.2, 4.5, 4.6, 4.7, 4.8, 4.9, 5.1, 5.9, 7.1, 7.2 and 7.3 Council adopt the recommendations contained in the remaining reports.**

**1.2 Proposed Inspections and Briefings**

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

**309/13 That Council receive the amended report on Proposed Inspections and Briefings.**

**1.3 Address by Invited Speakers**

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

**310/13 That Council receive the amended report on Invited Speakers.**

**311/13 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**

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

**312/13 That Council consider the following matter in Confidential Session, pursuant to Section 10A 2(c) of the Local Government Act 1993:**

**8.1 Proposed Acquisition of and Works Required on Private Land**

**313/13 That Council note its reasons for considering item 8.1 Proposed Acquisition of and Works Required on Private Land, 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.**

**314/13 That Council request the General Manager to report on this matter in open session of Council.**

**1.5 Confirmation of Minutes of Previous Meeting**

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Councillor Best left the meeting at 6.19 pm and returned to the meeting at 6.20 pm during consideration of this item.

Councillor Vincent left the meeting at 6.22 pm and returned to the meeting at 6.23 pm during consideration of this item.

Councillor Matthews left the meeting at 6.24 pm and returned to the meeting at 6.38 pm and as a result took no part in voting.

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

**315/13 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 13 March 2013.**

**Business Arising**

Councillor Nayna advised, in relation to the Notice of Motion he raised at the previous meeting titled 'Notice of Motion - Regional Sport Economic Benefit', that he commented on the process of the staff within Council in terms of dealing with the proposal put forth to try and attract the Rugby Regional Tournament to Wyong Shire. Councillor Nayna clarified that he was speaking on advice that he had been given which was current up until a Sports Committee he had attended. He has since engaged in discussions with the Director of Community and Recreation Services, who has assured that there has been further discussions held between the applicants and staff. Councillor Nayna requested that this information be entered on public record and expressed his support for the action taken by the Director of Community and Recreation Services and her department.

Mayor Eaton reported on the trip to Canberra that was endorsed at the previous meeting of Council during item 1.6, Mayoral Minute - Delegation to Canberra. The Mayor advised that he and the Director of Infrastructure and Operations, Mr Greg McDonald, travelled to Canberra on Thursday 21 March 2013 and met with The Hon. Tony Burke MP, Minister for Sustainability, Environment, Water, Population and Communities. During this meeting Minister Burke indicated that Wyong Shire Council should be optimistic about its further funding submission but was unable to give any timeframe on when a decision would be made. Correspondence has since come to light that indicates that a decision will not be made on this matter until the new financial year, Council's funding runs out at the end of June 2013.

The Mayor also met with The Hon. Simon Crean MP, Minister for the Arts, in relation to Council's Art House application for funding under the RDA. The Mayor reported that although this meeting went well, Mr Crean is now no longer the Minister for the Arts as this responsibility was delegated to The Hon. Tony Burke MP on the 25 March 2013.

The Mayor also met with The Hon. Peter Garret AM, MP, Minister for Education, Employment and Workplace relations portfolio, in relation to the Wyong Skills Centre. This meeting had a disappointing outcome as the advice received was that there might be a decision on this matter in April 2013 but there is no guarantee of funding.

### **ACT OF DISORDER**

Mayor Eaton advised that upon review of the audio recording from the previous meeting of Council he has determined that Councillor Vincent committed an act of disorder as he believes that Councillor Vincent raised his voice inappropriately towards the Chairperson during item 5.9, Recommendations and Minutes of the Employment and Economic Development Committee.

In accordance with Clause 256 of the Local Government (General) Regulation 2005, The Chairperson, Mayor Eaton required Councillor Vincent to provide an unreserved apology for this act of disorder. Mayor Eaton determined that Councillor Vincent did not provide an the required apology.

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

***316/13 That Council expel Councillor Vincent from the chamber in accordance with Clause 256 of the Local Government (General) Regulation 2005.***

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

AGAINST: COUNCILLORS GRAHAM, GREENWALD AND VINCENT

The Mayor adjourned the meeting at 6.27 pm for a period of 10 minutes.

Councillor Best left the meeting at 6.38 pm and returned to the meeting at 6.41 pm.

Councillor Vincent left the meeting at 6.39 pm and did not return.

Councillor Matthews left the meeting at 6.39 pm and did not return.

Councillor Greenwald left the meeting at 6.39 pm and did not return.

The meeting resumed at 6.40pm.

**2.1 Delegation of Making Local Environmental Plans to Council**

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

**317/13 That Council accept the delegation to councils of the functions of the Minister for Planning and Infrastructure under section 59 of the Environmental Planning and Assessment Act 1979 for the making of Local Environmental Plans (LEPs)**

**318/13 That in accordance with the provisions of Section 381(3) of the Local Government Act 1993, Council sub-delegate the functions of the Minister for Planning and Infrastructure under section 59 of the Environmental Planning and Assessment Act 1979 for the making of Local Environmental Plans (LEPs), to the General Manager.**

**319/13 That the Department of Planning and Infrastructure be advised of Council's decision.**

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

AGAINST: NIL

**2.2 DA/1015/2012 - Proposed Detached Dual Occupancy at Gorokan**

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Ms Helen Monks, representing the applicant, addressed the meeting at 5.10 pm answered questions and retired at 5.21 pm.

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

**320/13 That Council refuse the application subject to the reasons for refusal 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.**

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

AGAINST: NIL

**2.3 DA/9/2013 - Proposed Detached Secondary Dwelling at Chain Valley Bay**

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Councillor Best left the meeting at 6.38 pm and returned to the meeting at 6.41 pm during consideration of this item.

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

**321/13 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.**

- 322/13 *That Council advise those who made written submissions of its decision.*
- 323/13 *That Council levy Section 94 contributions at the secondary dwellings reduced rate*

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

AGAINST: NIL

## **2.4 Proposed Rezoning - RZ/2/2012 - Jilliby Stage 2**

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Councillor Troy left the meeting at 5.49 pm and returned to the meeting at 5.49 pm during consideration of this item.

Mr Alf Lester, representing the applicant, addressed the meeting at 5.25 pm, answered questions and retired at 5.33 pm.

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

- 324/13 *That a Planning Proposal be prepared to amend Wyong Local Environmental Plan, 1991, (or pending timing, Wyong Standard Instrument Local Environmental Plan) pursuant to Section 55 of the Environmental Planning and Assessment (EP & A) Act, 1979, for the rural residential development and conservation of the Jilliby Stage 2 area.*
- 325/13 *That Council, forward the Planning Proposal to the Department of Planning and Infrastructure accompanied by a request for a "Gateway Determination", pursuant to Section 56 of the EP & A Act, 1979.*
- 326/13 *That Council require, subject to the "Gateway Determination," the proponent enter into a Funding Agreement with Council in accordance with Council's Planning Proposal Procedure to recover the costs involved in further progressing the proposal.*
- 327/13 *That Wyong Development Control Plan, 2005 be revised and publicly exhibited to provide guidelines to future development.*
- 328/13 *That Council authorise the General Manager (or delegate) to sign the Funding Agreement.*
- 329/13 *That Council undertake community and government agency consultation, in accordance with the requirements attached to the "Gateway Determination".*
- 330/13 *That Council request the Department of Planning and Infrastructure to prepare a relevant Local Environmental Plan amendment, and that the Minister be requested to make the Plan, subject to there being no significant objections that cannot be resolved by making minor amendments to the Planning Proposal.*
- 331/13 *That Council request that the Gateway Panel meet with the Mayor and interested Councillors prior to their determination of this matter.*

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

AGAINST: NIL

**2.5 Proposed Rezoning - RZ/12/2012 - Lot 1 DP 1005467 - 165 Yeramba Road,  
Summerland Point**

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

**332/13** *That a Planning Proposal be prepared to amend Wyong Local Environmental Plan, 1991, (or pending timing, Wyong Standard Instrument Local Environmental Plan) pursuant to Section 55 of the Environmental Planning and Assessment (EP & A) Act, 1979, to rezone part of Lot 1 DP 1005467 from 7(b) Scenic Protection to 2(a) Residential (or equivalent).*

**333/13** *That Council, as part of the above Planning Proposal, amend Wyong Local Environmental Plan, 1991, to remove the application of Clause 53, Schedule 4, as it relates to land at Summerland Point.*

**334/13** *That Council forward the Planning Proposal to the Department of Planning and Infrastructure (DoPI) accompanied by a request for a "Gateway Determination", pursuant to Section 56 of the EP & A Act, 1979.*

**335/13** *That Council undertake community and government agency consultation, in accordance with the requirements attached to the "Gateway Determination".*

**336/13** *That Council request the DoPI to prepare a relevant Local Environmental Plan amendment, and that the minister be requested to make the Plan, subject to there being no significant objections that cannot be resolved by making minor amendments to the Planning Proposal.*

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

AGAINST: NIL

**2.6 Proposed Rezoning - RZ/14/2012 - 'Old Farm' Old Maitland Road, Mardi**

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Mr Brian Glendenning declared a non-pecuniary significant conflict in the matter for the reason that prior to commencing employment at Wyong Shire Council, he provided legal advice to a former director of the proponent who is now deceased.

Mr Laurie Denton, representing the owner, addressed the meeting at 5.55 pm, answered questions and retired at 6.06 pm.

**RESOLVED unanimously on the motion of Councillor BEST and Seconded By Councillor GRAHAM:**

- 337/13 That a Planning Proposal be prepared to amend Wyong Local Environmental Plan, 1991, (or pending timing, Wyong Standard Instrument Local Environmental Plan) pursuant to Section 55 of the Environmental Planning and Assessment (EP & A) Act, 1979, for the rural residential/rural village development of Old Farm.
- 338/13 That Council, forward the Planning Proposal to the Department of Planning and Infrastructure (DoPI) accompanied by a request for a "Gateway Determination", pursuant to Section 56 of the EP & A Act, 1979.
- 339/13 That Council require, subject to the "Gateway Determination," the proponent enter into a Funding Agreement with Council in accordance with Council's Planning Proposal Procedure to recover the costs involved in further progressing the proposal.
- 340/13 That Council authorise the General Manager (or delegate) to sign the Funding Agreement.
- 341/13 That Council undertake community and government agency consultation, in accordance with the requirements attached to the "Gateway Determination".
- 342/13 That a further report be submitted to Council to report on results of community consultation.
- 343/13 That Council request that the Gateway Panel meet with the Mayor and interested Councillors prior to their determination of this matter.

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

AGAINST: NIL

**3.1 CPA/192922 - Evaluation and Selection of Tenders - Construction of Water Pump Station No. 26 and Associated Pipework in Nikko Road, Warnervale**

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

- 344/13 That Council accept the tender from the company nominated as Tenderer '1' in the attached Tender Evaluation Report, for the lump sum amount of \$375,560.00 (excl GST) for Contract CPA/192922 – Construction of Water Pump Station WPS 26 and Associated Pipework in Nikko Road, Warnervale.



- 345/13 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.
- 346/13 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.
- 347/13 That Council directs The Mayor to write to IPART expressing the community's concerns with regard to ensuring the continuance of the water and sewer capital works program in light of the present draft determination that seeks to limit future capital works program. In particular the mayor should emphasise to IPART that the community is very sensitive to water restrictions after being in drought conditions for over a decade and seeing our water reserves dwindle to approximately 10% as a result of inadequate infrastructure.

#### 4.1 Lake Road Proposed Regional Sporting Complex

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

- 348/13 That Council authorise the General Manager to seek grant funding required to develop the proposed Central Coast Regional Sporting and Recreation Complex.
- 349/13 That Council authorise the Mayor to write to Mr Darren Webber MP, Member for Wyong, Mr Chris Spence MP, Member for The Entrance and The Hon. Chris Hartcher MP the Minister for the Central Coast, requesting funding and support for the development of the proposed Central Coast Regional Sporting and Recreation Complex.
- 350/13 That Council request the General Manager to develop a Plan of Management for the site in recognition of having clear objectives for the site. The Plan of Management will focus on:
- *Outlining acceptable activities and uses for both recreational and sporting (particularly emerging sports) activities and events*
  - *The development of a Committee to oversee the management of the complex*
  - *Working in partnership with the Central Coast Wetlands, Pioneer Dairy Trust.*

#### PROCEDURAL MOTION

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

- 351/13 That Council allow meeting practice be varied to consider items 7.3, Notice of Motion - Civic Recognition of Shire's First President/ Mayor, and 7.3, Notice of Motion - Coal Mining in the Valleys, before item 4.2, Final Wyong Shire Employment Land Study and Industrial Land Audit, as there are speakers present for these items.

#### **4.2 Final Wyong Shire Employment Land Study and Industrial Land Audit**

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

- 352/13 That Council adopt the Wyong Shire Employment Land Study (See Enclosure 1).
- 353/13 That a copy of the Wyong Shire Employment Land Study be made available on Council's website.
- 354/13 That Council note the excess supply of industrial lands and accordingly resolve that permissible uses on industrial lands be as broad as possible subject minimal or no impact on commercial and residential lands.
- 355/13 That Council note the investigation area generally west of the M1, north of the Link Road to Bushells Ridge Road has not been identified in the Employment Land Strategy and as such should revert to its original continuing rural use.

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

AGAINST: NIL

#### **4.3 Delegations of the Noxious Weed Officer**

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

- 356/13 That Council acting as the Local Control Authority for Wyong Shire:
- a Rescind all previous appointments and delegations under the Noxious Weeds Act 1993.
  - b Appoint Paul Marynissen as the Noxious Weeds Inspector under Section 41 of the Noxious Weeds Act 1993.
  - c Delegate powers under the Act to positions as outlined in Attachment 1.

#### **4.4 Review of Alcohol Free Zones - Wyong Shire**

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Councillor Greenwald declared a non-pecuniary insignificant conflict in the matter for the reason that he is employed by the NSW Police in an unrelated area.

Councillor Greenwald 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 VINCENT:**

- 357/13 That Council endorse the Alcohol Free Zones Review to re-establish the existing Alcohol Free Zones with minor extensions as outlined in the enclosure to this report for the period 30 June 2013 to 30 June 2017.

- 358/13 That Council proceed with the required public consultation process.
- 359/13 That Council advise the NSW Anti-Discrimination Board of the proposal.
- 360/13 That Council adopt the Alcohol Free Zones as outlined in the enclosure to this report should no objections be received during the public consultation process.

#### **4.5 Debt Recovery Policy**

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Councillor Webster left the meeting at 7.28 pm and returned to the meeting at 7.29 pm during consideration of this item.

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

- 361/13 That Council adopt the Debt Recovery Policy per attachment 1 to apply from the date of this meeting.

#### **4.6 Hardship Policy**

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

- 362/13 That Council adopt the Hardship Policy per attachment 1 to apply from the date of this meeting.

#### **4.7 Exhibition of draft Plan of Management for 30 Manns Rd, Fountaindale**

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

- 363/13 That Council place the draft Plan of Management for Lot 3 DP 657514 (30 Manns Rd, Fountaindale) on public exhibition for a period of twenty eight days and accept submissions for a period of 42 days.
- 364/13 That Council adopt the draft Plan of Management for Lot 3 DP 657514 (30 Manns Rd, Fountaindale), subject to there being no objections as a result of public exhibition that cannot be reasonably addressed.
- 365/13 That Council authorise the Mayor and the General Manager to execute all documents relating to establishing a Biobank site on Lot 3 DP 657514 under the "Linking Landscapes through Local Action" program, subject to successful negotiations regarding funding and conditions.
- 366/13 That following the adoption of the Plan of Management, Council staff implement a community engagement program for surrounding properties, for the purpose of raising awareness of suitable use of the reserve.
- 367/13 That following the adoption of the Plan of Management, Council staff apply for funding to assist reconstruction of the Pleasant Valley Fire Trail in accordance with the design produced under tender CPA/214619.

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

**4.8 Draft Minutes of the 19 December 2012 Audit and Risk Committee Meeting**

Councillor Webster left the meeting at 7.34 pm and returned to the meeting at 7.35 pm during consideration of this item.

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

- 368/13** *That the Council adopt the minutes of Wyong Shire Audit and Risk Committee meeting held on 19 December 2012.*
- 369/13** *That Council recognises the contribution of the chair of the Audit and Risk Committee Mr Bruce Turner for his exemplary efforts*
- 370/13** *That the Mayor invites Mr Bruce Turner to a future Council meeting so that Council can give the appropriate recognition.*
- 371/13** *That Council authorises the General Manager to advertise for a replacement member on Wyong Shire Council's Audit and Risk Committee.*

**4.9 Purchase of Green Energy at Small Sites**

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

- 372/13** *That Council rescind the resolutions of the 24 January 2007 and 22 September 2010 as detailed in the report where relevant.*
- 373/13** *That Council authorise the General Manager to cease the purchase of green energy at all sites.*

**5.1 Change to Procurement for Provision of Local Area Newspaper Advertising Services**

Councillor Nayna left the meeting at 7.54 pm and returned to the meeting at 7.56 pm during consideration of this item.

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

- 374/13** *That Council receive the report on Change to Procurement for Provision of Local Area Newspaper Advertising Services.*
- 375/13** *That Council request the General Manager write to the Minister of Local Government and Mr Ross Woodward, CEO Division of Local Government, calling on the Government in the review of the Local Government Act to allow Internet and email advertising of all statutory notices as an alternative to newspapers.*

- 376/13 That Council request the General Manager to investigate alternate publishing options with a view to reduce costs and increase circulation and increase coverage of Wyong events.

**5.2 Investment Report for February 2013**

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

- 377/13 That Council receive the Investment Report for February 2013.

**5.3 Quarterly Update on Section 94 Contributions**

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

- 378/13 That Council receive the report on Quarterly Update on Section 94 Contributions.

**5.4 Results of Water Quality Testing for Beaches and Lake Swimming Locations**

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

- 379/13 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.

**5.5 Activities of the Development Assessment and Building Certification and Health Units**

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

- 380/13 That Council receive the report on Activities of the Development Assessment and Building Certification and Health Units

**5.6 Works in Progress - Water Supply and Sewerage**

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

- 381/13 That Council receive the report on Works in Progress - Water Supply and Sewerage.

**5.7 Local Government Review Panel**

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

**382/13 That Council receive the report on Local Government Review Panel.**

**5.8 Whale Dreamers 2013 Progress Report**

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

**383/13 That Council receive the report on Whale Dreamers 2013 Progress Report .**

**5.9 Lakes Federal Funding Expenditure Report**

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

**384/13 That Council note the report on Lakes Federal Funding Expenditure Report.**

**5.10 Outstanding Questions on Notice and Notices of Motion**

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

**385/13 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.**

**7.1 Notice of Motion - Civic Recognition of Shire's First President/Mayor**

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Councillor Best left the meeting at 8.09 pm and returned to the meeting at 8.11 pm during consideration of this item.

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

**386/13 That Council acknowledge the first President of Wyong Shire, Albert Leslie Taylor.**

**387/13 That Council rename its most prominent and highly used Council facility, the function room (in addition to the Atrium), the A L Taylor Room.**

**388/13 That Council recognise that this naming process respects the tradition and guidelines to the Geographic Names Board.**

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

AGAINST: COUNCILLOR GRAHAM

**7.2 Notice of Motion - Unique Civic Hub in Shire's North**

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Mr Stuart Drurie, representing Lake Munmorah Chain Valley Bay Precinct Committee, addressed the meeting at 6.57 pm, answered questions and retired at 7.02 pm

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

**389/13 That Council confirm its recent strategic workshop discussions and its service standards review outcomes to improve our Shires northern access to core Council services through a progressive service delivery model of a northern areas Civic Hub.**

**390/13 That Council formalise its support for a Civic Service Delivery Hub in the north of the Shire.**

**391/13 That Council confirm that any such satellite Civic Hub should be:**

- a seeking to partner all levels of Government in a unique model that will deliver "whole of Government services" to our community**
- b commercially focused**
- c delivering a broad range of targeted Council services, for example face to face customer service and community information, ranger services, seniors and youth support, IT/Wifi, e-library/cafe and animal care support**
- d including a broad range of other day to day services from both State and Federal Governments and community organisations**
- e focusing on efficiencies of service for our community from this tri level government partnership.**

**392/13 That Council request the General Manager to report on options and indicative concepts, timelines for the proposed Civic Hub.**

**393/13 That Council recognises the complex nature and partnerships of this initiative will necessitate a staged approach to its delivery. This will provide Council the opportunity to test the strategic locations and models of service delivery to best meet the needs of the community.**

**7.3 Notice of Motion - Coal Mining in the Valleys**

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Mr Mike Campbell, representing Australian Coal Alliance, addressed the meeting at 7.10 pm, answered questions and retired at 7.23 pm.

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

**394/13 That Council defer this item, to be considered at a future meeting of Council.**

Confidential item 8.1, Proposed Acquisition of and Works Required on Private Land, was resolved via the exception method during open session. The General Manager reported on this item as follows:

**8.1 Proposed Acquisition of and Works Required on Private Land**

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- 395/13** *That Council approve work to be carried out on private land, being Lots 63 and 64 DP 13019 at 326-328 Tuggerawong Road, Tuggerawong, up to an amount of \$10,000 in order to secure the building.*
- 396/13** *That Council acquire the land referred to in Item 1 from the Trustees of Tuggerawong Progress Association at no cost to Council save for the payment of outstanding rates and reasonable costs associated with the purchase and discharge of mortgage.*
- 397/13** *That Council authorise the Common Seal of Wyong Shire Council to be affixed to the Transfer.*
- 398/13** *That Council authorise the Mayor and the General Manager to execute all documents relating to the Transfer.*
- 399/13** *That, in the event that the land referred to in Item 1 is not transferred to Council in accordance with Item 2, Council authorise staff to investigate alternative ways to acquire the land.*

**QUESTIONS ON NOTICE**

**Q15/13 Congratulations on Seniors Week**  
**Councillor Greg Best**  
F2004/06205

*“Mr General Manager*

*Congratulations on Seniors Week, I was delighted to attend the launch of the 2013 Seniors Week activities and opened the event on behalf of the Mayor.*

*The feedback I have received from this event and the activities of the week has been overwhelmingly supportive of the excellent effort by staff in the preparation of these activities.*

*Could you please pass on to staff our sincere appreciation for their tremendous efforts?*

*Thank you”*



**Q16/13 Previous Term of Council Motions**  
**Councillor Llyod Taylor**  
F2004/07706

*“Mr Mayor,*

*As a new Councillor I have received numerous comments and enquiries at various community and precinct committee meetings about issues raised in the previous Council, but are still ongoing.*

*To assist the current Council in following up and avoiding duplication on matters raised by Councillors in the previous term of Council, through formal notices of motion.*

*Could a list be provided of motions moved in the previous term, which identifies the mover and voting patterns.*

*This information would be much appreciated by new Councillors.*

*Thank you Mr Mayor”*

**THE MEETING** closed at 8.25 pm.