
WYONG SHIRE COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 12 MARCH 2014 COMMENCING AT 5.00PM

PRESENT

Councillors D J Eaton (Chairperson), G P Best, R L Graham, K G Greenwald, L A Matthews (arrived at 5.13pm), L R Y Nayna, L S Taylor, A Troy, D P Vincent and L D Webster.

IN ATTENDANCE

General Manager, Acting Director Development and Building/General Counsel, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, Manager Communications, Manager Corporate Governance, Manager IT and Operations, Team Leader Governance and Councillor Services and two 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.

Councillor Eaton delivered the opening prayer and Councillor Vincent read an acknowledgment of country statement.

Maxine Kenyon, Director Community and Recreation Services gave a brief explanation on the recent Workcover audit and thanked the two teams involved with the audit (Public Trees and Care and Education) and Work, Health and Safety section for input into the excellent results received.

Greg McDonald, Director of Infrastructure and Operations, advised that long serving staff member Mr Larry Jeffrey passed away last Thursday evening.

Larry was a valued member of the Wyong Council Stores team for the past 21 years and will be greatly missed by his family and co-workers.

His funeral is being held on Friday 14 March 2014 and there will be a number of staff members attending.

APOLOGY

There were no apologies.

At the commencement of the ordinary meeting report no's 1.1, 1.5, 2.1, 3.1, 4.1, 4.3, 5.1 and 7.1 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.

PROCEDURAL MOTION

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

198/14 That Council allow meeting practice to be varied.

199/14 That Council use the exception method to deal with the balance of the Agenda.

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

200/14 That with the exception of report numbers 1.5, 2.1, 3.1, 4.1, 4.3, 5.1 and 7.1 Council adopt the recommendations contained in the remaining reports.

1.1 Disclosures of Interest

3.1 CPA/237919 - Norah Head Boat Ramp - Construction

Councillor Nayna declared a non-pecuniary insignificant interest in the matter, item 3.1 - CPA/237919 - Norah Head Boat Ramp – Construction, for the reason that he is employed by the Federal Member for Dobell and the Federal Government has provided funds towards this project.

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."

4.3 Proposed Councillors' Community Improvement Grants

Councillor Vincent declared a non-pecuniary insignificant interest in the matter, item 4.3 - Proposed Councillors' Community Improvement Grants, for the reason that he is a member of Scouts NSW Budgewoi Group.

Councillor Vincent stated:

"I choose to leave the chamber and not participate in discussion and voting on this matter."

Councillor Vincent left the meeting at 5.39pm and returned to the meeting at 6.07pm during consideration of this item and as a result took no part in voting.

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

201/14 That Council receive the report on Disclosure of Interest and note advice of disclosures.

1.2 Proposed Inspections and Briefings

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

202/14 That Council receive the report on Proposed Inspections and Briefings.

1.3 Address By Invited Speakers

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

203/14 That Council receive the report on Invited Speakers.

1.4 Confirmation of Minutes of Previous Meeting

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

204/14 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 26 February 2014.

Business Arising

There was no business arising.

1.5 Mayoral Minute - Bluetongue Brewery

Councillor Matthews arrived at 5.13pm during consideration of this item .

RESOLVED unanimously on the motion of Councillor EATON:

205/14 That Council note this report.

206/14 That Council ratify the actions of the Mayor and GM in actively pursuing retention of the Bluetongue factory.

207/14 That Council delegate authority to the Mayor and GM to enter into agreements in relation to the retention of the factory site.

2.1 RZ/3/2012 - Planning Proposal - Craigie Avenue Precinct Kanwal - Outcome of Exhibition

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

208/14 That Council request the General Manager to exercise the Written Authorisation to Exercise Delegation for RZ-3-2012 issued by the Director General DoPI and proceed with the steps for drafting and making the LEP for the rezoning of the Craigie Avenue Precinct.

209/14 That Council adopt draft Wyong DCP 2013 Chapter 6.15 – Craigie Avenue Precinct and give appropriate public notice within 28 days that the draft DCP will come into effect on the date the LEP amendment comes into effect.

210/14 That Council forward a copy of amended Wyong Development Control Plan 2013 to the Director General of the NSW Department of Planning & Infrastructure within 28 days of the draft DCP coming into effect.

211/14 That Council advise those who made submissions of the decision.

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

AGAINST: NIL

3.1 CPA/237919 - Norah Head Boat Ramp - Construction

Councillor Nayna declared a non-pecuniary insignificant interest in the matter, item 3.1 - CPA/237919 - Norah Head Boat Ramp – Construction, for the reason that he is employed by the Federal Member for Dobell and the Federal Government has provided funds towards this project.

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 BEST and seconded by Councillor TROY:

212/14 That Council accept the tender received for Scope of Works ‘B’ from the company Bolte Civil Pty Ltd in the attached Tender Evaluation Report, for the estimated total amount of \$2,211,872.50 (excl GST) for Contract CPA/237919 – Norah Head Boat Ramp - Construction.

213/14 That Council determine the Tender Evaluation Report in Attachment A remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.

3.2 CPA/224705 - Dewatering of Sludge Lagoons at 4 Sewage Treatment Plants and Mardi Water Treatment Plant for a 3 Year Period

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

214/14 That Council accept the tender from the company Waste Processing Solutions Pty Ltd in the attached Tender Evaluation Report, for a period of up to 3 years for Contract CPA/224705 – Dewatering of Sludge Lagoons at Four Sewage Treatment Plants and Mardi Water Treatment Plant for a 3 Year Period. The estimated annual expenditure against this contract is \$425,000.00 per annum (excl GST), however actual expenditure may vary significantly with fluctuations in demand.

215/14 That Council determine the Tender Evaluation Report in Attachment A remains confidential in accordance with Section 10 A (2) (d) of the Local Government Act 1993 as the report contains commercial information of a confidential nature except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.

216/14 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

4.1 Preparation/Lodgement of Subdivision Development Application and Subsequent Market Offering 30 Jack Grant Avenue, Warnervale (Council Owned Land)

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

217/14 That Council note a development application (DA) for subdivision of Council owned land at 30 Jack Grant Avenue, Warnervale will be lodged in March 2014.

218/14 That Council note that an independent valuation of the site will be commissioned to establish the fair market price of the site.

219/14 That Council authorise whichever gives the higher return:

219/1 The sale of the site as an englobo development parcel through a competitive sales and marketing campaign, provided the sales price is not less than the independent valuation, subject to the approval of the above DA and/or

219/2 call for expressions of interest for potential development partners for the site.

4.2 Conference Attendance - Regional Airport Development 2014, Brisbane QLD

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

220/14 That Council note the approval granted by the General Manager for the Mayor and delegated Staff to attend the Regional Airport Development Conference 2014 in accordance with the Council's Facilities and Expenses Policy for Councillors.

221/14 That Council authorise the reimbursement of expenses for Councillors and partners in accordance with the Council's Facilities and Expenses Policy for Councillors.

4.3 Proposed Councillors' Community Improvement Grants

Councillor Vincent declared a non-pecuniary insignificant interest in the matter, item 4.3 - Proposed Councillors' Community Improvement Grants, for the reason that he is a member of Scouts NSW Budgewoi Group.

Councillor Vincent stated:

"I choose to leave the chamber and not participate in discussion and voting on this matter."

Councillor Vincent left the meeting at 5.39pm and returned to the meeting at 6.07pm during consideration of this item and as a result took no part in voting.

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

222/14 That Council allocate an amount of \$4,220.00 from the 2013-14 Councillors' Community Improvement Grants as follows:

12 March 2014		
1st Tumbi Scout Group (\$3200)	Clean out dam	1,300
Central Coast Lakes District Scouts (\$1350)	Maintenance to Scouts Saltwater Creek Boatshed at Long Jetty	250
Ourimbah United Football Club (\$990)	Purchase a PA System	990
Street Ratz Hotrod & Kustom Club (\$4000)	To assist with the Hotrod and Kustom Car Show	200
Toowoona Bay SLSC (\$4000)	60th Anniversary Celebrations	1,300
Wyong Family History Group Inc (\$180)	To cover the cost of rejuvenating an old and valuable atlas.	180

223/14 *That Council provide a monthly report to Councillors on the CCIG Grant applications that have not been fully allocated.*

4.4 **Councillor Attendance - Sculptures on the Green, Kooindah Waters Golf and Spa Resort, Wyong.**

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

224/14 *That Council authorise those interested Councillors to attend the Sculpture on the Greens Gala Opening Evening.*

225/14 *That Council meet reasonable expenses incurred by Councillors and their partners attending the above function in accordance with Council's Facilities and Expenses Policy for Councillors.*

4.5 **Councillor Attendance - Central Coast Economic Breakfast, Mingara Recreation Club, Tumbi Umbi**

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

226/14 *That Council authorise those interested Councillors to attend the Central Coast Economic Breakfast at Mingara Recreation Club, Tumbi Umbi.*

227/14 *That Council meet reasonable expenses incurred by Councillors and their partners attending the above function in accordance with Council's Facilities and Expenses Policy for Councillors.*

5.1 **Road Capital Works Program**

Councillor Greenwald left the meeting at 6.08pm and returned to the meeting at 6.10pm during consideration of this item.

Councillor Matthews left the meeting at 6.18pm and returned to the meeting at 6.19pm during consideration of this item.

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

228/14 *That Council receive the report on the status of the Council's Road Capital Rolling Works Program.*

5.2 Outstanding Questions on Notice and Notices of Motion

Councillor Matthews arrived at 5.13pm after consideration of this item and as a result took no part in voting.

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

229/14 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

7.1 Notice of Motion - Shire Wide Spring Clean and Free Tip Access

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

230/14 That Council recognise the urgent need to provide more flexible tipping options in an effort to curb escalating illegal dumping.

231/14 That Council direct the General Manager to investigate and report around the following improvement initiatives to assist ratepayers and minimise the risk of illegal dumping in our Shire:

213/1 Convert a number of the current free kerb side pick-ups to free tip access, thereby providing ratepayers with tangible tipping options.

213/2 The feasibility / logistics of 'whole area pick ups' similar to many Sydney LGAs to provide a suburb wide spring clean option in the lead up to the 2014 Christmas break.

213/3 Review, in partnership with Remondis, the kerb side pick-up booking process with a view to improved service delivery and systems efficiencies.

QUESTIONS ON NOTICE

**Q58/14 Installation of GPS units in Council Vehicles
Councillor Lisa Matthews**

“Can information be provided regarding what additional benefit the community will see through the installation of GPS units to not only the trucks in parks and reserves but also to the trailered parks and reserves mower that will detect both when the mower blades are up and or down?”

**Q59/14 Melanoma March
Councillor Greg Best**

“Mr Mayor, I understand that the annual Melanoma March is to be held on Sunday 23 March 2014 at Gosford Waterfront. I have been approached by the Central Coast Melanoma Support Group for assistance in highlighting the importance to the broader community in attending this important awareness event. Could you please be so kind as to refer this request to our Communications section for their assistance? Also an appropriate reference/story in your Mayoral column would be appreciated?”

**Q60/14 Lake Haven Skateboard Ramp
Councillor Greg Best**

“Mr Mayor, I have received numerous representations from a broad cross section of the community on issues associated with Council’s endeavours to relocate the Lake Haven skateboard ramp. Such is the community concern, that more than 50 local residents attended a community meeting on 7 February 2014 where it was unanimously resolved not to locate this facility in the suggested proximity of local residents. Could you please have staff provide council with a brief update of the current situation, options and suggested recommendations that will limit the impact to the local community?”

**Q61/14 RMS UpGrade to Pacific Highway
Councillor Ken Greenwald**

“Can Council gain a status report on the latest plan – options for the RMS upgrade of the Pacific Highway through Wyong Township?”

THE MEETING closed at 6.38 pm.