
WYONG SHIRE COUNCIL

**MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 12 JUNE 2013
COMMENCING AT 5:00 PM**

PRESENT

Councillors D J Eaton (Chairperson), G P Best, R L Graham, K G Greenwald, L A Matthews (entered at 5.07 pm), 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, Director Land Management, Director Community and Recreation Services, General Counsel, Manager Communications and two administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.01 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 Greenwald read an acknowledgment of country statement.

Mayor Eaton advised that Council has won a prestigious Bronze Award at the annual Australasian Reporting Awards in Melbourne, in recognition of the quality of our 2011/12 Annual Report entitled Taking Shape. Ms Kathleen Morris, Manager Integrated Planning, presented Council with the Award.

APOLOGIES

There were no apologies.

1.1 Disclosures of Interest

1.6 Mayoral Minute - Wyong Skills Centre

Councillor Best declared a pecuniary interest in the matter for the reason that he is the General Manager of Central Coast Group Training, left the chamber at 7.53 pm, took no part in discussion, did not vote and returned to the chamber at 8.23 pm.

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is the Council delegate to Central Coast Group Training.

Councillor Eaton stated:

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

2.4 DA/942/2012 Proposed Education Establishment at 48 and 54 Carters Road, Lake Munmorah

Councillor Best declared a pecuniary interest in the matter for the reason that he is a member of the Joint Regional Planning Panel which will review this application, left the chamber at 6.16 pm, took no part in discussion, did not vote and returned to the chamber at 6.24 pm.

Councillor Eaton declared a non-pecuniary significant interest in the matter for the reason that he is a member of the Joint Regional Planning Panel, left the chamber at 6.16 pm, took no part in discussion, did not vote and returned to the chamber at 6.24 pm.

Councillor Greenwald declared a non-pecuniary insignificant interest in the matter for the reason that the NSW Police, whom he works for in an unrelated area, have made a 'Safer by Design Report' for this item.

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."

4.2 Proposed Councillors' Community Improvement Grants

Councillor Nayna declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of the NSW Justices Association.

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."

4.4 Councillors' Attendance at Police Charity Ball 6 July 2013

Councillor Greenwald declared a non-pecuniary significant interest in the matter for the reason that he works for the NSW Police who would be a beneficiary, left the chamber at 7.02 pm, took no part in discussion, did not vote and returned to the chamber at 7.03 pm.

Councillor Matthews entered the meeting at 5.07 pm.

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

711/13 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 TROY:

712/13 That Council allow meeting practice to be varied.

713/13 That Council use the exception method to deal with the balance of the Agenda.

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

714/13 That with the exception of report numbers 1.6, 2.1, 2.2, 2.3, 2.4, 2.5, 4.1, 4.5, 4.6, 5.1, 5.2, 5.3, 7.1 and 7.2, Council adopt the recommendations contained in the remaining reports.

1.2 Proposed Inspections and Briefings

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

715/13 That Council receive the report on Proposed Inspections and Briefings.

1.3 Address by Invited Speakers

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

716/13 That Council receive the amended report on Invited Speakers.

717/13 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 Confirmation of Minutes of Previous Meeting

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

718/13 That Council confirm the minutes of the previous Extraordinary Meeting of Council held on Thursday 16 May 2013 and the Ordinary Meeting of Council held on Wednesday 22 May 2013.

Business Arising

There was no business arising.

1.5 Notice of Intention to Deal with Matter in Confidential Session

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

719/13 That Council consider the following matter in Confidential Session, pursuant to Section 10A 2(a) and (d) of the Local Government Act 1993:

1.6 Mayoral Minute – Wyong Skills Centre

7.1 Metro Cinemas

7.2 Future of Beach Safety Services

720/13 That Council note its reason for considering items 1.6 – Mayoral Minute – Wyong Skills Centre and item 7.1 – Metro Cinemas as they contain information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business and is 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.

721/13 That Council note its reason for considering item 7.2 – Future of Beach Safety as it contains information concerning particular individuals (other than Councillors).

722/13 That Council request the General Manager to report on this matter in open session of Council.

2.1 RZ/10/2012 - Rezoning to Permit Woolworths Supermarket, Petrol Filling Station and limited Specialty Shopping at Wadalba

Councillor Vincent left the meeting at 5.13 pm and returned to the meeting at 5.17 pm during consideration of this item.

Councillor Matthews left the meeting at 5.13 pm and returned to the meeting at 5.17 pm during consideration of this item.

Mr Michael Rumble, representing Fabcot Pty Ltd and Mr Anthony Iannuzzi representing Woolworths, addressed the meeting at 5.11 pm, answered questions and retired at 5.26 pm.

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

723/13 That Council initiate the Local Environmental Plan “Gateway” process, pursuant to Section 55 of the Environmental Planning and Assessment Act, 1979 by the preparation of a Planning Proposal.

724/13 That Council forward the Planning Proposal to the Department of Planning and Infrastructure requesting a “Gateway” determination, pursuant to

Section 56(1) of the Environmental Planning and Assessment Act.

- 725/13 That Council **executes** a Funding Agreement with the applicant to finance the ongoing assessment of the Planning Proposal, subject to the determination of the Gateway Process.
- 726/13 That Council **request** the General Manager to apply to accept plan making delegations for the rezoning.
- 727/13 That Council **note** that additional information will need to be submitted prior to proceeding to public exhibition/consultation.
- 728/13 That Council **develop and exhibit** appropriate Development Control Plan provisions to ensure consistency with the Planning Proposal and provide guidelines for future development.
- 729/13 That Council **direct** the General Manager to provide a further report be submitted to Council to report on the results of the consultation phase and the preparation of a relevant LEP and DCP amendment.

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

AGAINST: NIL

2.2 RZ/13/2012 - Proposed Rezoning - 2-10 Cams Road, Summerland Point

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

- 730/13 That a Planning Proposal be **prepared** to amend Wyong Local Environmental Plan, 1991, (or pending timing, Wyong Standard Instrument Local Environmental Plan (SI LEP)) pursuant to Section 55 of the Environmental Planning and Assessment (EP & A) Act, 1979, for the residential development of Pt 200 DP 1181286, 2-10 Cams Boulevard, Summerland Point.
- 731/13 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.
- 732/13 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.
- 733/13 That Council **authorise** the General Manager (or delegate) to sign the Funding Agreement.
- 734/13 That Council **enter** into a Voluntary Planning Agreement with the Proponent, if required, which details the mitigation and management requirements for the site's *Tetratheca juncea*, should the proposal have a 'significant impact' on the species.
- 735/13 That Council **undertake** community and government agency consultation, in accordance with the requirements attached to the "Gateway Determination".

- 736/13** That a further report be submitted to Council to report on results of community consultation.
- 737/13** That the Proponent be required to lodge a Section 96 application seeking the removal and/or amendment of Condition No's 6 and 48 of Development Consent DA/1453/2008 dated 14 June 2011 (as amended).
- 738/13** That Council request the General Manager to apply to accept plan making delegations for the rezoning.

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

MATTER ARISING

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

- 1 That Council note that *Tetratheca juncea* is endemic to the Central Coast and Hunter Region, however it is listed as vulnerable based on its distribution.
- 2 That Council write to the relevant State and Federal Government agencies requesting reconsideration of this endangered status.

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

- 1 That Council note that *Tetratheca juncea* is endemic to the Central Coast and Hunter Region, however it is listed as vulnerable based on its distribution.
- 2 That Council write to the relevant State and Federal Government agencies requesting clarification of this endangered status.
- 3 That Council staff provide additional information on the vulnerability of the *Tetratheca juncea* and its significance to the Shire.

The AMENDMENT was put to the vote and declared LOST.

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

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

- 739/13** That Council note that *Tetratheca juncea* is endemic to the Central Coast and Hunter Region, however it is listed as vulnerable based on its distribution.
- 740/13** That Council write to the relevant State and Federal Government agencies requesting reconsideration of this endangered status.

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

PROCEDURAL MOTION

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

741/13 That Council allow meeting practice to be varied.

742/13 That Council consider items 2.3, DA/846/2012 - Proposed Detached Secondary Dwelling at 6 Hillcrest Avenue, Tacoma, and 2.5, DA/264/2013 - Proposed Detached Secondary Dwelling at Killarney Vale, in conjunction with each other.

2.3 DA/846/2012 - Proposed Detached Secondary Dwelling at 6 Hillcrest Avenue, Tacoma

Councillor Matthews left the meeting at 6.09 pm and returned to the meeting at 6.12 pm during consideration of this item.

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

743/13 That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.

744/13 That Council levy Section 94 contributions at the secondary dwellings reduced rate of 35% Development Unit.

745/13 That Council advise those who made written submissions of its decision.

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

AGAINST: NIL

2.4 DA/942/2012 Proposed Education Establishment at 48 and 54 Carters Road, Lake Munmorah

Councillor Best declared a pecuniary interest in the matter for the reason that he is a member of the Joint Regional Planning Panel which will review this application, left the chamber at 6.16 pm, took no part in discussion, did not vote and returned to the chamber at 6.24 pm.

Councillor Eaton declared a non-pecuniary significant interest in the matter for the reason that he is a member of the Joint Regional Planning Panel, left the chamber at 6.16 pm, took no part in discussion, did not vote and returned to the chamber at 6.24 pm.

Councillor Greenwald declared a non-pecuniary insignificant interest in the matter for the reason that the NSW Police, whom he works for in an unrelated area, have made a 'Safer by Design Report' for this item.

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."

Councillor Vincent left the meeting at 6.20 pm and returned to the meeting at 6.21 pm during consideration of this item.

Councillor Eaton vacated the chair and Councillor Webster assumed the chair for consideration of this item.

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

746/13 That Council receive the report on DA/942/2012 Proposed Education Establishment at 48 and 54 Carters Road, Lake Munmorah.

747/13 That Council put forward a supporting submission to the Joint Regional Planning Panel regarding the Application.

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

AGAINST: NIL

Councillor Eaton resumed the Chair.

2.5 DA/264/2013 - Proposed Detached Secondary Dwelling at Killarney Vale

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

748/13 That Council grant consent subject to the conditions detailed in the schedule attached to the report and having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues.

749/13 That Council levy Section 94 contributions at the secondary dwellings reduced rate of 35% Development Unit.

750/13 That Council advise those who made written submissions of its decision.

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

AGAINST: NIL

2.6 Amendments to draft Wyong Local Environmental Plan 2012

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

751/13 That Council endorse the amendments to the draft Wyong Local Environmental Plan 2012, approved by the General Manager in consultation

with the Mayor, as set out within this report.

752/13 That Council request the approval of the Director-General of the Department of Planning & Infrastructure (or his delegate) to present an updated Section 68 submission under the provisions of Section 69 of the Environmental Planning and Assessment Act 1979 (as amended).

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

AGAINST: NIL

3.1 CPA/220970 - Replacement of Lift 1 and Lift 2 at WSC Civic Centre

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

753/13 That Council accept the tender from the company nominated as Tenderer No 3 in the attached Tender Evaluation Report, for the lump sum amount of \$290,400.00 (excl GST) for Contract CPA/220970 – Replacement of Lift 1 & Lift 2 to WSC Civic Centre.

754/13 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.

755/13 That Council approve the contingency sum as detailed in the Tender Evaluation Report in Attachment A.

4.1 Regional Airport Delegation

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

756/13 That Council authorise the Mayor, the General Manager and delegated staff to participate in the delegation to visit the Queensland Regional Airports detailed in this report.

757/13 That Council authorise the reimbursement of expenses for Councillors in accordance with WSC Facilities and Expenses Policy for Councillors.

A DIVISION was called by Councillors Vincent and Matthews.

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

AGAINST: COUNCILLORS MATTHEWS AND VINCENT

4.2 Proposed Councillors' Community Improvement Grants

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by

Councillor WEBSTER:

758/13 That Council allocate an amount of \$26,985.00 from the 2012-13 Councillors' Community Improvement Grants as follows:

Proposed Allocations for 12 June 2013		
Adam Molch Hillier Memorial Surf Classic (\$1200) (\$100 already allocated)	To cover running costs	1,100.00
Australian Filipino Association of the Central Coast (\$800)	Raise funds for charity and proceeds to go to 2GO Give Me 5 Kids Appeal and for building fund and equipment.	800
Bateau Bay Neighbourhood Centre (\$1000)	Community Garden and Landscaping Improvements in the grounds of the centre.	300.00
Central Coast CC Australian & Italian Friendship Society Inc. (\$2000)	Social Activities and Luncheon	1,078.00
Central Coast Multiple Sclerosis & Handicapped Group (\$1841) (\$1400 already allocated)	Major repairs to bus - new clutch	441.00
Central Coast Wetlands - Pioneer Dairy (\$2000)	Purchase of four outdoor umbrellas	2,000.00
Central Coast Wetlands - Pioneer Dairy (\$1800)	Fit out of Pioneer Dairy Cottage Kitchen	1,800.00
Coastcare The Entrance North (\$2000)	Benches at the ends of Florida and Leonard Streets with dune protection fencing around to prevent people walking across dunes.	2,000.00
Halekulani Library (\$500)	Purchase of new books	500.00
Killarney Vale AFC Inc trading as Central Coast Bombers (\$1000) (\$600 already allocated)	Outdoor gas catering BBQ	400.00
Lions Club of Wyong (\$2000) (\$400 already allocated)	District 2013 Lions Convention - Camp Breakaway - November 2013	350.00
Northern Women's Health Centre (\$1000)	To assist with the provision of childcare for counselling, legal advice and groups	300.00
Northlakes High School P & C (\$2000) (\$350 already allocated)	CD produced by students	250.00
NSW Justices Association Inc (\$2000) (\$600 already allocated)	Lap top, projector and screen for training of desk volunteers in libraries	400.00
Ourimbah United Football Club (\$1557)	To make the new amenities building secure.	1,557.00
Ourimbah United Football Club (\$2000)	To purchase shower partitions and doors, so players can shower after games.	1,700.00
The Entrance Amateur Swimming Club (\$1450)	Purchase new seating and 2 x marquees	700.00
The Entrance Rugby Club (\$2000) (\$600 already allocated)	Sporting equipment	600.00

<i>The Lakes Singers (\$300)</i>	<i>To assist with copyright, APRA license, insurance coverage and printing of music.</i>	<i>200.00</i>
<i>Toukley & Districts Art Society (\$2000) (\$500 already allocated)</i>	<i>Engage professional tutors to teach members and general public</i>	<i>350.00</i>
<i>Tuggerah Lakes Choral Society (\$2000) (\$600 already allocated)</i>	<i>Publicity costs for the choir, insurances, accompanist fees and hall rental for proposed function to celebrate Ronald Brelsford's 100th birthday and the 40th anniversary of the choir.</i>	<i>1,400.00</i>
<i>Tuggerah Lakes Memorial Pistol Club Inc (\$2000) (\$600 already allocated)</i>	<i>Replacement of faulty target winders on air pistol range</i>	<i>600.00</i>
<i>Tuggerah Lakes Secondary College - Tumby Umbi Campus (\$2000)</i>	<i>Student Exchange Program</i>	<i>2,000.00</i>
<i>Tuggerah Tuffs Winter Swim club (\$1700)</i>	<i>Purchase of club shirts</i>	<i>452.00</i>
<i>Tuggerah Tuffs Winter Swim club (\$407)</i>	<i>Purchase Dual U.H.F. Wireless Microphone - for use at the pool</i>	<i>407.00</i>
<i>Uniting Care Burnside Northern Lakes Family Centre (\$1000)</i>	<i>School Holiday Activities</i>	<i>600.00</i>
<i>WyCare (\$2000)</i>	<i>Purchase of pavers to upgrade access to Landcare Resource office with pavers to be laid by volunteers.</i>	<i>2,000.00</i>
<i>Wyong District U14's Rep Netball Team (\$2000)</i>	<i>Send team to represent Wyong Shire at Campbelltown in the State Age Championships</i>	<i>200.00</i>
<i>Wyong Drama Group Inc. (\$2000)</i>	<i>Contribution to 10th Annual Central Coast Theatrefest</i>	<i>1,700.00</i>
<i>Wyong Public School P & C Association (\$2000)</i>	<i>125 year celebrations at Wyong Public School to provide educational and entertainment to the community.</i>	<i>800.00</i>

4.3 Conference Attendance - 2013 LGMA Summit for Executive Women in Local Government

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

759/13 That Council authorise interested councillors to attend Local Government Women's Summit in Sydney at date to be confirmed in 2013.

760/13 That Council meet reasonable expenses incurred in councillors attending the above conference in accordance with Council's Facilities and Expenses Policy for Councillors.

4.4 Councillors' Attendance at Police Charity Ball 6 July 2013

Councillor Greenwald declared a non-pecuniary significant interest in the matter for the reason that he works for the NSW Police who would be a beneficiary, left the chamber at 7.02 pm, took no part in discussion, did not vote and returned to the chamber at 7.03 pm.

RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by

Councillor WEBSTER:

761/13 That Council authorise any interested Councillor/s and their partners to attend the Central Coast Charity Ball 2013 to be held on Saturday, 6 July 2013.

762/13 That Council meet any reasonable expenses incurred by Councillors and their partners attending the above function in accordance with Council's Facilities and Expenses Policy For Councillors.

PROCEDURAL MOTION

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

763/13 That Council allow meeting practice to be varied.

764/13 That Council recommit item 4.4, Councillors' Attendance at Police Charity Ball 6 July 2013.

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

765/13 That Council authorise any interested Councillor/s and their partners to attend the Central Coast Charity Ball 2013 to be held on Saturday, 6 July 2013.

766/13 That Council meet any 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 Amendment to the Facilities and Expenses for Councillors Policy

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

767/13 That Council note that one submission was received on the proposal.

768/13 That Council adopt the amended Facilities and Expenses for Councillors Policy.

A DIVISION was called by Councillors Vincent and Matthews.

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

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

4.6 Organisation Structure

Councillor Troy left the meeting at 6.42 pm and returned to the meeting at 6.44 pm during consideration of this item.

A motion was *MOVED* by Councillor NAYNA and seconded by Councillor TAYLOR:

- 1 That Council adopts the organisation structure as presented in Attachment 2 as the Wyong Shire Council Organisation Structure and resolve no permanent Award staff be impacted in the resolution.
- 2 That Council invite staff, Consultative Committee and the Unions to make submissions on this structure for 21 days.
- 3 That Council gives consideration to those submissions on 10 July 2013.
- 4 Council designate the positions of Manager Building, Certification, Compliance and Health, Manager Property Development, Manager Property Management, Manager Commercial Enterprises as Senior Designated Officers due to the reduction in Service Unit Managers from 26 to 19.
- 5 That Council note budgeted FTE will reduce from 1048 to 1035 in 2013/14.

An *AMENDMENT* was moved by Councillor MATTHEWS and seconded by Councillor GREENWALD:

- 1 That Council adopts the organisation structure as presented in Attachment 2 as the Wyong Shire Council Organisation Structure and resolve no permanent Award staff be impacted in the resolution.
- 2 That Council invite staff, Consultative Committee and the Unions to make submissions on this structure for 21 days.
- 3 That Council gives consideration to those submissions on 10 July 2013.
- 4 Council designate the positions of Manager Building, Certification, Compliance and Health, Manager Property Development, Manager Property Management, Manager Commercial Enterprises as Senior Designated Officers due to the reduction in Service Unit Managers from 26 to 19.
- 5 That Council note budgeted FTE will reduce from 1048 to 1035 in 2013/14.
- 6 That lifeguards be removed from Community Business and Tourism service unit and into the Open Space and Recreation service unit.

The AMENDMENT was put to the vote and declared LOST

FOR: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

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

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

- 769/13 That Council adopts the organisation structure as presented in Attachment 2 as the Wyong Shire Council Organisation Structure and resolve no permanent Award staff be impacted in the resolution.**
- 770/13 That Council invite staff, Consultative Committee and the Unions to make submissions on this structure for 21 days.**
- 771/13 That Council gives consideration to those submissions on 10 July 2013.**
- 772/13 Council designate the positions of Manager Building, Certification,**

Compliance and Health, Manager Property Development, Manager Property Management, Manager Commercial Enterprises as Senior Designated Officers due to the reduction in Service Unit Managers from 26 to 19.

773/13 That Council note budgeted FTE will reduce from 1048 to 1035 in 2013/14.

A DIVISION was called by Councillors Vincent and Greenwald.

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

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

5.1 Road Capital Works Program

Councillor Nayna left the meeting at 7.03 pm and returned to the meeting at 7.05 pm during consideration of this item.

Councillor Greenwald left the meeting at 7.03 pm and returned to the meeting at 7.05 pm during consideration of this item.

Councillor Matthews left the meeting at 7.05 pm and returned to the meeting at 7.11 pm and as a result took no part in voting.

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

774/13 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

5.2 Contract Variations and Finalisation for the period covering January 2013 to April 2013

Councillor Matthews left the meeting at 7.05 pm and returned to the meeting at 7.11 pm during consideration of this item.

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

775/13 That Council receive the Contract Variations and Finalisation for the period covering January 2013 to April 2013.

776/13 That Council note the additional expenditure above resolved estimates for the following contracts:

Contract Title	Contract No	Adjusted Contract Value (Excl GST)	Additional Budget Approval (Excl GST)
Detailed Design and Documentation for New Waste Cell 4.3 at Buttonderry Waste Management Facility	CPA/201014	\$192,794.37	\$9,875.00

<i>Integrated Water Cycle Management Strategy</i>	<i>CPA/163415</i>	<i>\$158,850.00</i>	<i>\$8,850.00</i>
<i>Sewer Main Rehabilitation</i>	<i>CPA/207013</i>	<i>\$1,293,480.00</i>	<i>\$80,250.40</i>
<i>Asphaltic Heavy Patching Works</i>	<i>CPA/200744</i>	<i>\$5,009,672.94</i>	<i>\$1,500,000.00</i>

777/13 That Council note the additional expenditures requested are within approved program budgets.

5.3 Repeated Flooding of Tuggerah Businesses

Councillor Webster left the meeting at 7.19 pm and returned to the meeting at 7.20 pm during consideration of this item.

Councillor Taylor left the meeting at 7.20 pm and returned to the meeting at 7.21 pm during consideration of this item.

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

778/13 That Council receive the report on Repeated Flooding of Tuggerah Businesses.

5.4 Outstanding Questions on Notice and Notices of Motion

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

779/13 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

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

780/13 That Council move into confidential session.

CONFIDENTIAL SESSION

At this stage of the meeting being 7.26 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 8.23 pm and the General Manager reported on

proceedings of the confidential session of the ordinary meeting of council as follows:

1.6 Mayoral Minute - Wyong Skills Centre

- 781/13 *That Council note the success of the Wyong Shire Council and Central Coast Group Training's funding submission for the 'Wyong Skills Centre' through the Federal Government, Department of Education, Employment and Workplace Relations.*
- 782/13 *That Council delegate to the General Manager signing of the funding agreement for \$2.7m for the construction of the 'Wyong Skills Centre' at Tuggerah.*
- 783/13 *That Council agree to accept ownership of land at Lot 2037 Bounty Close, Tuggerah, at no cost (gifted) prior to providing any grant funds to the Central Coast Group Training.*
- 784/13 *That Council direct the Mayor and General Manager to authorise the affixing of the Council seal to the documents associated with the transfer of ownership of land at Lot 2037 Bounty Close, Tuggerah.*

7.1 Metro Cinemas

- 785/13 *That Council endorse the principles that will guide development of a heads of agreement between Council and Metro Cinemas.*
- 786/13 *That Council authorise the General Manager to finalise the Heads of Agreement with Metro Cinemas.*

7.2 Future of Beach Safety Services

- 787/13 *That Council receive and note the report on Council's Beach Safety Services.*
- 788/13 *That Council undertake a competitive tender process for a beach safety service at the existing service standard, while also requesting new service models to be identified by the tenderers, this option includes:*
- *That Council permit staff to make a bid for the Beach safety service*
 - *That Council commence consultation with the unions and affected staff in accordance with the Local Government Award*
- 789/13 *That Council directs the General Manager to comply with all provisions of the Award in the implementation of Councils resolution.*

A DIVISION was called by Councillors Vincent and Matthews.

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

AGAINST: COUNCILLORS GREENWALD, MATTHEWS AND VINCENT

QUESTIONS ON NOTICE

Q23/13 [REDACTED] **Youth Connections**

Councillor Lloyd Taylor

F2004/07419

“Mr Mayor, I raise an issue of [REDACTED]. It has been revealed earlier this year that almost the entire Board of Youth Connections, including I believe, the Finance Officer, have resigned [REDACTED].”

Mr Mayor, this organisation has received millions of dollars of taxpayer funding and provides services to Council including usage/leasing of Council facilities, as a not-for-profit RTO. In my view, it is incumbent upon Council on behalf of the public purse to seek a thorough investigation into these alleged events and request a full set of independently audited books.

Mr Mayor, Could you please update Council as a matter of urgency regarding these issues also as to what disclosures if any Youth Connections have publicly volunteered?”

THE MEETING closed at 8.25 pm.