

---

---

# WYONG SHIRE COUNCIL

## MINUTES OF THE ORDINARY COUNCIL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 22 August 2012 COMMENCING AT 5:00 PM

---

---

### PRESENT

Councillors R L Graham (Chairperson), G P Best, D J Eaton, L A Matthews (arrived at 5.21 pm), E M McBride, J J McNamara, W R Symington, D P Vincent, L D Webster and S A Wynn.

### IN ATTENDANCE

General Manager, Director Environment and Planning Services, Director Infrastructure Management, Acting Director Corporate Services, Director Community and Recreation Services and General Counsel.

Manager Development Assessment, Manager Land Use Planning and Policy Development, Communications and Marketing Coordinator and two administration staff.

The Mayor, Councillor Graham, declared the meeting open at 5.05 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.

The Mayor announced that tonight was the last meeting for three councillors – Councillor Emma McBride, Councillor John McNamara and Councillor Bill Symington have chosen not to stand for re-election in the Wyong Shire local government elections on September 8, 2012. In the Mayor's end of Term comments, he acknowledged all three retiring councillors for being great contributors to the Council.

The Mayor also thanked the General Manager and staff for all their efforts over the last four years and highlighted major achievements for the Term. In particular, he said he was very proud of Council's achievements in building the \$120 million Mardi Mangrove Link to provide water security for the region; establishing the Central Coast Water Corporation; providing new sporting facilities at Hamlyn Terrace and Bateau Bay; building two new surf clubs; progress towards establishing the Warnervale Town Centre; improving financial viability for Council; and the environmental progress and riparian restoration of our creeks and lakes under the Estuary Management Plan (EMP).

The General Manager advised that Wyong Shire Council received a commendation from The Honourable Simon Crean, Minister for Regional Australia, Regional Development and Local Government acknowledging the Council's significant contribution to the Coastal Management Plan. The commendation was presented to Council by the General Manager.

The Director Community and Recreation advised that Council was presented with the final full colour photographic book Coastal Paradise Revealed, showcasing the wonderful coastal landscapes of our region, a project sponsored by Council. The resulting coffee table book coordinated by Ken Duncan includes stunning images by professional and amateur local photographers and is seen as a great opportunity to market and showcase the Wyong region for tourism.

The Mayor acknowledged Mr Grant Mc Bride, former Member for The Entrance, and his wife, who were in attendance at the meeting.

## **APOLOGIES**

There were no apologies.

At the commencement of the ordinary meeting report nos 5.9, 2.1, 2.2, 2.3, 2.4 and 2.5 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**

---

#### **4.1 NSW Local Infrastructure Renewal Scheme – Successful Application For A 4% Loan Interest Subsidy**

Councillor McNamara declared a pecuniary interest in the matter for the reason that he lives adjacent to the Warnervale Road construction location, left the chamber at 5.57 pm, took no part in discussion, did not vote and returned to the chamber at 6.54 pm.

#### **7.1 Notice Of Motion – Insurance Risk Briefing**

Councillor Matthews declared a pecuniary interest in the matter for the reason that she has been personally affected by a change in insurance premiums, left the chamber at 7.38 pm, took no part in discussion, did not vote and returned to the chamber at 8.10 pm.

#### **7.1 Notice Of Motion – Insurance Risk Briefing**

Councillor Best declared a non-pecuniary insignificant interest in the matter for the reason that he lives in an area that may be affected and participated in consideration of this matter.

Councillor Best 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 it is a Shire Wide issue.”*

#### **7.2 Notice Of Motion – Disability Friendly Miniature Train Railway**

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that Delta Electricity is referred to in the Mannering Park Precinct Committee correspondence and he is an employee of Delta Electricity and 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 because I am not advocating that the mini train system go on a Delta Electricity site, but rather the staff facilitate the Northern Lakes Disability Tourism Committee and the Pioneer Diary Model Railway Group to find a suitable site somewhere in the Shire.”*

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

**134/12 That Council receive the report on Disclosure of Interest and note advice of disclosures.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**SUSPENSION OF MEETING PRACTICE**

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

**135/12 That Council allow meeting practice to be varied.**

**136/12 That Council use the exception method to deal with the balance of the Agenda.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

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

**137/12 That Council adopt the recommendations contained in the remaining reports, with the exception of report numbers 2.1, 2.2, 2.3, 2.4, 2.5, 4.1, 4.3, 4.5 5.2, 5.9, 5.12, 7.1 and 7.2**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**1.2 Proposed Inspections and Briefings**

---

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

**138/12 That Council receive the report on Proposed Inspections and Briefings.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**1.3 Confirmation of Minutes of Previous Meeting**

---

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

**139/12 That Council confirm the minutes of the previous Ordinary Meeting of Council held on 8 August 2012.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**Business Arising**

There was no business arising.

**1.4 Address By Invited Speakers**

---

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

**140/12 That Council receive the amended report on Invited Speakers.**

**141/12 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.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**PROCEDURAL MOTION**

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

**142/12 That Council consider the following items simultaneously:**

**Item 2.1 DA 501/2012 - Proposed Detached Secondary Dwelling at Warnervale**

**Item 2.2 DA 531/2012 - Proposed Detached Secondary Dwelling at Bateau Bay**

**Item 2.3 DA 589/2012 - Proposed Detached Secondary Dwelling and Carport at Mardi**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**2.1 DA 501/2012 - Proposed Detached Secondary Dwelling at Warnervale**

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

**143/12 That Council, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, grant consent subject to the conditions detailed in the schedule attached to the report which has been amended to remove the condition regarding Section 94 Contributions.**

**144/12 That Council request the General Manager to advise those who made written submissions of Council's decision.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**2.2 DA 531/2012 - Proposed Detached Secondary Dwelling at Bateau Bay**

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

**145/12 That Council, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, grant consent subject to the conditions detailed in the schedule attached to the report which has been amended to remove the condition regarding Section 94 Contributions.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL



**2.3 DA 589/2012 - Proposed Detached Secondary Dwelling and Carport at Mardi**

---

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

- 146/12 *That Council, having regard to the matters for consideration detailed in Section 79C of the Environmental Planning and Assessment Act and other relevant issues, grant consent subject to the conditions detailed in the schedule attached to the report which has been amended to remove the condition regarding Section 94 Contributions.*
- 147/12 *That Council request the General Manager to advise those who made written submissions of Council's decision.*

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN  
AGAINST: NIL

**2.4 DA 51/2012 - Additions and Alterations to Existing Dwelling at Mardi**

---

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

- 148/12 *That Council grant consent subject to conditions 1 – 13 as set out in attachment 2 to Item 2.4 DA 51/2012 - Additions and Alterations to Existing Dwelling at Mardi and having regard to the matters for consideration detailed in 79C of the Environmental Planning and Assessment Act and other relevant issues.*
- 149/12 *That Council request the General Manager to advise the Department of Primary Industries, Catchment and Lands of Council's decision.*

**The MOTION was CARRIED the casting vote of the Mayor.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MCNAMARA AND WEBSTER.  
AGAINST: COUNCILLORS MCBRIDE, MATTHEWS, SMINGTON, VINCENT AND WYNN.

**2.5 State Government "Green Paper" on new Planning Legislation**

---

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

- 150/12 *That Council request the General Manager to lodge a formal submission to the Director General of the Department of Planning and Infrastructure in response to the Green Paper, "A New Planning System for NSW", in accordance with the matters raised in this report and the draft submission to be finalised in accordance with Council's comments.*

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN  
AGAINST: NIL

**3.1 Proposed Sale of Lot 1 DP 31313 at 2 Cambridge Circle, Ourimbah**

---

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

- 151/12 That Council authorise the sale of Lot 1 DP 31313, No. 2 Cambridge Circle, Ourimbah to Mr David Bews for \$42,000 ex gst.
- 152/12 That Council note the offer is consistent with the estimated market value of the property as already determined by a qualified registered valuer at Council's request.
- 153/12 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the formal documents for the sale and transfer of the land.
- 154/12 That Council authorise the Mayor and the General Manager to execute all documents.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**4.1 NSW Local Infrastructure Renewal Scheme - Successful Application for a 4% Loan Interest Subsidy**

---

Councillor McNamara declared a pecuniary interest in the matter for the reason that he lives adjacent to the Warnervale Road construction location, left the chamber at 5.57 pm, took no part in discussion, did not vote and returned to the chamber at 6.54 pm.

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

- 155/12 That Council delegate authority to the Mayor and General Manager to accept the loan offer and execute the associated contracts under the NSW Local Infrastructure Renewal Scheme for;
- a the interest rate subsidy for the Warnervale Road Culverts Project, with a total project value of \$3,200,000
- b the interest rate subsidy for the Local Roads Pavement Renewal Program, with a total project value of \$5,180,000.
- 156/12 That Council thank the NSW Government for the NSW Local Infrastructure Renewal Scheme through the local Members of Parliament and the Minister for the Central Coast.

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL



**4.2 2013-17 WSC Strategic Planning - Councillor Engagement Process**

---

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

**157/12 That Council endorse the 2013-17 Strategic Plan Councillor engagement Calender for the consideration of the Incoming Council.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**4.3 2011-15 Strategic Plan - June Quarter Review**

---

Councillor Vincent left the chamber at 7.01 pm and returned to the chamber at 7.03 pm during consideration of this item.

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

**158/12 That Council receive the fourth Quarterly Review Report on progress against the WSC 2011-15 Strategic Plan.**

**159/12 That Council note that Council's Responsible Accounting Officer has declared the financial position of Wyong Shire Council to be satisfactory.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**4.4 Amendment of Statement of Borrowings**

---

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

**160/12 That Council resolve to amend the Statement of Borrowings in the strategic plan to borrow loan monies in accordance with the NSW Local Infrastructure Renewal Scheme for:**

- a the Warnervale Road Culverts Project, with a total project value of \$3,200,000 requiring loan borrowings of \$3,200,000**
- b the Local Roads Pavement Renewal Program, with a total project value of \$5,180,000 requiring loan borrowings of \$3,930,000.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**4.5 Committee Review**

---

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

- 161/12 That Council receive the report on Committee Review.**
- 162/12 That Council recommend to the incoming Council of 2012 – 2016 an increased governance focus and working effectiveness through a wider use of Council Committees.**
- 163/12 That Council recommend to the incoming Council of 2012 – 2016 a consistent and transparent methodology for the purpose and establishment of committees.**
- 164/12 That Council recommend to the incoming Council of 2012 – 2016 that Committee charters are standardised particularly in respect of management and governance obligations.**
- 165/12 That Council recommend to the incoming Council of 2012 – 2016 that it require all Committees of Council to operate in accordance with Council's Code of Meeting Practice and other Groups in accordance with the Code of Meeting Practice unless varied by the General Manager.**
- 166/12 That Council recommend to the incoming Council of 2012-2016 a Committee Structure as outlined in the in the report in the table titled " Proposed Committee Structure".**
- 167/12 That Council recommend to the incoming Council of 2012-2016 the placement of existing and proposed groups as outlined in the report in the table titled "Existing and Proposed Groups" subject to the following:**
- a The inclusion of appropriate Advisory Groups that provide input to Strategic Committees (eg Community Environment Liaison Group, Cultural Advisory Group, Finance Advisory Group).**
  - b The proposed Heritage Advisory Group be categorised as a Statutory Committee.**
  - c The clarification of the number and naming of the Mining External Groups.**
  - d The confirmation of the status of the Handbrake Turn External Group.**

168/12 ***That Council recommend to the incoming Council of 2012-2016 the Strategic Finance Committee and the Environment Committee be discontinued and form part of the Strategic Corporate Committee and Strategic Environment and Planning Committee, respectively.***

169/12 ***That Council recommend that the incoming Council of 2012-2016 note that an appropriate Councillor Engagement Framework will be developed for the Water Corporation and the Joint Services Business.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

#### **4.6 Final Evaluation for Employee Assistance Program - Joint Tender 2012-15**

***Withdrawn – This Item was listed on the Agenda in error.***

#### **4.7 Funding Allocation for Surf Clubs**

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

170/12 ***That Council approve an allocation of \$234,612.00 for payment to the following surf clubs for refurbishment works:***

- North Entrance Surf Life Saving Club from \$86,154.00***
- The Entrance Surf Life Saving Club from \$86,064.00***
- Lakes Beach Surf Life Saving Club from \$62,393.00.***

171/12 ***That this adjustment be reported to Council through the quarterly review process.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

#### **5.1 Information Reports**

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

172/12 ***That Council receive the report on Information Reports.***

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**5.2 CCWC/JSB Project Status Update - August 2012**

---

Councillor Best left the chamber at 7.14 pm and returned to the chamber at 7.18 pm during consideration of this item.

Councillor Wynn left the chamber at 7.16 pm and returned to the chamber at 7.18 pm during consideration of this item.

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

**173/12 That Council receive and note the report on the CCWC/JSB Project Status Update - August 2012.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**5.3 Report of the Central Coast Water Corporation**

---

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

**174/12 That Council note the report on the activities of the Report of the Central Coast Water Corporation.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**5.4 Joint Water and Sewer Capital Projects**

---

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

**175/12 That Council receive the report on Joint Water and Sewer Capital Projects.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

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

---

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

**176/12 That Council receive the report on Works in Progress - Water Supply and Sewerage.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**5.6 Central Coast Tourism Inc - Update**

---

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

**177/12 That Council receive the report on Central Coast Tourism Inc - Update .**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**5.7 Investment Report for July 2012**

---

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

**178/12 That Council receive the Investment Report for July 2012.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**5.8 End of Financial Year Update on Section 94 Contributions**

---

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

**179/12 That Council receive the report on End of Financial Year Update on Section 94 Contributions.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**5.9 Proposed Works on Private Land at Bruce Crescent, Wallarah**

---

Councillor McBride left the chamber at 6.17 pm and returned to the chamber at 6.20 pm during consideration of this item.

Ms Kylie Albanese, owner speaking against the item, addressed the meeting at 5.47 pm, answered questions and retired at 6.21 pm.

*It was MOVED by Councillor EATON and SECONDED by Councillor BEST :*

- 1 *That Council acknowledge the landowner's belief of a prior commitment to construct rock walls to alleviate stream bank erosion caused by Council's culvert on 380 Bruce Crescent, Warnervale.*
- 2 *That Council request the General Manager to report by the end of October 2012 on a basic rock structure to address erosion and ways to fund this within Council's budget.*

*An AMENDMENT was MOVED by Councillor WYNN and SECONDED by Councillor GRAHAM:*

*That Council defer consideration of this item to allow further discussions with the property owners.*

***The AMENDMENT was put to the vote and declared LOST.***

FOR: COUNCILLORS GRAHAM, WEBSTER AND WYNN

AGAINST: COUNCILLORS BEST, EATON, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON AND VINCENT

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

***180/12 That Council acknowledge the landowner's belief of a prior commitment to construct rock walls to alleviate stream bank erosion caused by Council's culvert on 380 Bruce Crescent, Warnervale.***

***181/12 That Council request the General Manager to report by the end of October 2012 on a basic rock structure to address erosion and ways to fund this within Council's budget.***

FOR: COUNCILLORS BEST, EATON, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON AND VINCENT

AGAINST: COUNCILLORS GRAHAM, WEBSTER AND WYNN

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

---

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

**182/12 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

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

---

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

**183/12 That Council receive the report on Activities of the Development Assessment and Building Certification and Health Units.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**5.12 Wildlife Road Kill**

---

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

**184/12 That Council receive the report on Wildlife Road Kill.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

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

---

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

**185/12 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**7.1 Notice of Motion - Insurance Risk Briefing**

---

Councillor Matthews declared a pecuniary interest in the matter for the reason that she has been personally affected by a change in insurance premiums, left the chamber at 7.38 pm, took no part in discussion, did not vote and returned to the chamber at 8.10 pm.

Councillor Best declared a non-pecuniary insignificant interest in the matter for the reason that he lives in an area that may be flood affected and participated in consideration of this matter.

Councillor Best 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 it is a Shirewide issue."*

Councillor Vincent left the chamber at 7.43 pm and returned to the chamber at 7.44 pm during consideration of this item.

Ms Bev Weber, resident, speaking in favour of the item, addressed the meeting at 7.31 pm, answered questions and retired at 7.57 pm.

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

**186/12 That Council request the General Manager to arrange a briefing for the incoming Council on the wider community issues resulting from pressures on the insurance sector.**

**187/12 That Council request the General Manager to ensure the briefing includes coverage of the potential major insurance trends and the risks that will need to be addressed by residents and employers in the Shire.**

**188/12 That Council request the briefing to be held after the induction of the new Council.**

**189/12 That Council request the General Manager to make contact with the NSW Insurance Council to ascertain the facts on how premiums for flood prone properties are assessed.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL



**7.2 Notice of Motion - Disability Friendly Miniature Railway in the North of the Wyong Shire**

---

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that Delta Electricity is referred to in the Mannering Park Precinct Committee correspondence and he is an employee of Delta Electricity and 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 because I am not advocating that the mini train system go on a Delta Electricity site, but rather the staff facilitate the Northern Lakes Disability Tourism Committee and the Pioneer Dairy Model Railway Group to find a suitable site somewhere in the Shire."*

Councillor Webster left the chamber at 8.10 pm and returned to the chamber at 8.11 pm during consideration of this item.

Councillor Best left the chamber at 8.16 pm and returned to the chamber at 8.17 pm during consideration of this item.

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

**190/12 That Council support in principle the Northern Lakes Disability Tourism Precinct Committee in its endeavours to establish a disability friendly miniature railway system in the north of the Wyong Shire.**

**191/12 That Council request the General Manager to investigate possible locations for installing a disability friendly miniature railway system in the north of the Shire, as identified by and in consultation with, the Northern Lakes Disability Tourism Precinct Committee and the Pioneer Dairy Model Railway Group.**

**192/123 That Council request the General Manager to prepare a report in response to the sites identified, outlining the feasibility of each site.**

FOR: COUNCILLORS BEST, EATON, GRAHAM, MATTHEWS, MCBRIDE, MCNAMARA, SYMINGTON, VINCENT, WEBSTER AND WYNN

AGAINST: NIL

**QUESTIONS ON NOTICE**

**Q30/12 Investigate Load Limit on Woodbury Park Drive, Mardi  
Councillor Doug Eaton  
F2008/03238**

*"I have received representations from residents of Woodbury Park Drive, Mardi as to noises from the road cushions, particularly from heavy vehicles. To ameliorate this noise, can staff investigate placing a load limit, perhaps of 5 tonnes, to restrict heavy vehicle traffic on this road?"*

**Q31/12 Carbon Tax Impact on Rate payers**  
**Councillor Greg Best**  
F2011/01862

*“Mr General Manager, further to your staff report, item 4.3 of the 23 May 2012 meeting, staff highlight that the carbon tax will only directly add \$26.45 per annum to the rates. The report goes on to outline “however in real terms the impact on Wyong Shire Council (WSC) cost is estimated to be much higher as materials and services purchased from external suppliers take effect during the year, for example the nature of WSC business is such that significant components of purchase costs will be significantly affected by the tax and passed on to the Wyong Shire operational cost”...“Utility, fuel and energy costs will increase by \$1.9m”... “Waste management anticipated \$4.4m”... “Concrete and bitumen \$1.1m”... “Other indirect costs to suppliers \$4.0m”. These increases represent a huge “uncompensated” increase of \$11.4m to Council and the rate payers, could staff now please provide a new and updated assessment of likely budgetary impacts as a result of the carbon tax to our new 2012 council?”*

**THE MEETING** closed at 8.30 pm.