
WYONG SHIRE COUNCIL

**MINUTES OF THE
ORDINARY COUNCIL MEETING OF COUNCIL
HELD IN THE COUNCIL CHAMBER
WYONG CIVIC CENTRE, HELY STREET, WYONG
ON 26 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 5.36 pm), L R Y Nayna, L S Taylor, A Troy, D P Vincent (entered 5.05 pm) and L D Webster.

IN ATTENDANCE

General Manager, Acting Director Development and Building, Director Infrastructure and Operations, Director Land Management, Director Community and Recreation Services, General Counsel, Manager Communications and four administration staff.

The Mayor, Councillor Eaton, declared the meeting open at 5.00 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

John Hardwick delivered the opening prayer and Councillor Greenwald read an acknowledgment of country statement.

Councillor Best advised that Mr Andrew Spicer, joint employee with Wyong Shire Council and Central Coast Group Training as an apprentice received the State Horticultural Excellence Award.

APOLOGIES

There were no apologies.

At the commencement of the Ordinary Meeting report nos 1.1, 1.4, 2.2, 2.3, 2.4, 2.5, 3.1, 3.2, 3.3, 4.1, 5.1, 5.2, 5.5, 6.2, 6.3, 6.6, 6.7 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.

1.1 Disclosures of Interest

2.1 Mayoral Minute – General Manager’s Performance Plan

Michael Whittaker – General Manager declared a pecuniary interest in the matter for the reason that it affects his employment contract, left the chamber at 6.53 pm, took no part in discussion and returned to the chamber at 6.56 pm.

3.3 DA 212/2013 Proposed Works Depot at Ourimbah

Councillor Eaton declared a pecuniary interest in the matter for the reason that he is a member of the Hunter and Central Coast Joint Regional Planning Panel which is the body that is responsible for determination of this development application, left the chamber at 6.14 pm, took no part in discussion, did not vote and returned to the chamber at 6.18 pm.

Councillor Best declared a pecuniary interest in the matter for the reason that he is Council’s representative on the Joint Regional Planning Panel, left the chamber at 6.14 pm, took no part in discussion, did not vote and returned to the chamber at 6.18 pm.

5.6 The Entrance, Toukley and Wyong Town Centres Funding Agreements Extensions

Councillor Greenwald declared a non-pecuniary insignificant interest in the matter for the reason that he is a Council alternative representative on the Wyong Chamber of Commerce and participated in consideration of this matter.

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 Webster declared a non-pecuniary insignificant interest in the matter for the reason that she is a Director of The Entrance Town Centre Management Corporation and participated in consideration of this matter.

Councillor Webster stated:

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

Councillor Nayna declared a non-pecuniary insignificant interest in the matter for the reason that he is the Wyong Shire Council delegate to the Greater Toukley Vision and participated in consideration of this matter.

Councillor Nayna stated:

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

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Councillor delegate on The Entrance Town Centre Management Board and participated in consideration of this matter.

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."

6.7 Funding Agreement - Central Coast Youth Skills and Employment Centre

Councillor Best declared a pecuniary interest in the matter for the reason that he is the General Manager of Central Coast Group Training, a party in the agreement, left the chamber at 6.50 pm, took no part in discussion, did not vote and returned to the chamber at 6.52 pm.

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Councillor Delegate to Central Coast Group Training (CCGT), the organisation which made the submission to the Department of Education, Employment and Workplace Relations Youth Commitments Infrastructure Funding Program for this centre and participated in consideration of this matter.

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."

7.1 Agreement between Central Coast Group Training and Wyong Shire Council - Central Coast Youth Skills and Employment Centre

Councillor Best declared a pecuniary interest in the matter for the reason that he is the General Manager of Central Coast Group Training, a party in the agreement, left the chamber at 6.50 pm, took no part in discussion, did not vote and returned to the chamber at 6.52 pm.

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Councillor Delegate to Central Coast Group Training (CCGT), the organisation which made the submission to the Department of Education, Employment and Workplace Relations Youth Commitments Infrastructure Funding Program for this centre and participated in consideration of this matter.

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."

Councillor Vincent entered the meeting at 5.05 pm during consideration of this item.

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

790/13 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 GRAHAM:

791/13 That Council allow meeting practice to be varied.

792/13 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 VINCENT:

793/13 That with the exception of report numbers 1.4, 2.2, 2.3, 2.4, 2.5, 3.1, 3.2, 3.3, 4.1, 5.1, 5.2, 5.5, 6.2, 6.3, 6.6, 6.7 and 7.1 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 VINCENT:

794/13 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 VINCENT:

795/13 That Council receive the report on Invited Speakers.

796/13 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 GREENWALD and seconded by Councillor NAYNA:

797/13 That Council confirm the minutes of the previous Ordinary Meeting of Council held on Wednesday 12 June 2013 with an amendment to Councillor Greenwald's disclosure of interest on item 2.4 - DA/942/2012 Proposed Education Establishment at 48 and 54 Carters Road, Lake Munmorah, which should have read "made a 'Safer by Design Report' for this item".

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 VINCENT:

798/13 That Council consider the following matter in Confidential Session, pursuant to Sections 10A(2)(a) of the Local Government Act 1993:

2.1 – Mayoral Minute – General Manager’s Performance Plan

799/13 That Council note its reason for considering Report No 2.1 – Mayoral Minute – General Manager’s Performance Plan as it contains information concerning particular individuals (other than Councillors).

800/13 That Council request the General Manager to report on this matter in open session of Council.

Note: Explanation - Section 10A of the Local Government Act 1993 states:

“2(a) personnel matters concerning particular individuals (other than Councillors),”

2.2 Mayoral Minute - WSC Trade Tourism & Marketing Delegation to China - 25 May to 3 June 2013

RESOLVED unanimously on the motion of Councillor EATON:

801/13 That Council receive and note the delegates’ report on the WSC Trade Tourism & Marketing Delegation to China during the period 25 May – 3 June 2013 prepared by Councillors Eaton, Best, Nayna, Taylor and Troy (added as attachment 1),

802/13 That Council ratify the Memorandum of Understanding (MOU) with Qianjiang City which was signed by the Mayor on behalf of Wyong Shire Council generally in accordance with Council resolution 498/13, adopted by Council at its meeting on 24 April 2013 (added as attachment 2).

803/13 That Council note the unsolicited offer from Australia Chinese Theme Park Pty Ltd (ACTP) to provide unpaid representation of Council for the introduction of Council projects to potential Chinese investors.

2.3 Mayoral Minute - Wyong Shire Council Submission to Local Government Independent Review Panel

RESOLVED unanimously on the motion of Councillor EATON:

804/13 That Council endorse the attached submission to the Local Government Independent Review Panel.

PROCEDURAL MOTION

It was MOVED by Councillor VINCENT and SECONDED by Councillor GREENWALD:

805/13 *That Council allow meeting practice to be varied.*

806/13 *That Council recommit item 2.3 – Mayoral Minute – Wyong Shire Council Submission to Local Government.*

The MOTION was put to the vote and declared LOST.

2.4 Mayoral Minute - Wyong Shire Council Submission to Local Government Act Review Taskforce

RESOLVED unanimously on the motion of Councillor EATON:

807/13 *That Council endorse the attached submission to the Local Government Act Taskforce.*

2.5 Mayoral Minute - Provision to United Services Union of Confidential Report on Future of Beach Safety Services

RESOLVED unanimously on the motion of Councillor EATON:

808/13 *That, subject to resolutions 2 and 3 below, Council provide a redacted copy of the Confidential Council report on Beach Safety Services from the Ordinary Meeting of Council on 12 June 2013 to the United Services Union (“USU”) for the sole purpose of assisting in proceedings IRC492 of 2013 before the Industrial Relations Commission of NSW.*

809/13 *That Council redact personal information contained in this report prior to its distribution.*

810/13 *That Council make available as a public document, the redacted version of this report.*

3.1 Submission on the "White Paper for a New Planning System in NSW"

Councillor Matthews entered the meeting at 5:36 pm during consideration of this item.

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

811/13 *That Council receive and note the report on the White Paper.*

812/13 *That Council forward a copy of this report and the submission in Attachment 1 of this report to the Department of Planning and Infrastructure in response to the public exhibition of the White Paper.*

3.2 DA/160/2013 Proposed New Dwelling and Demolition of Existing Structures at Gorokan

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

813/13 *That, in accordance with Council's Interim Sea Level Rise Policy as set out in Council's resolution of 10 October 2012, Council grant consent subject to the conditions detailed in Attachment 2 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.*

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

AGAINST: COUNCILLORS GREENWALD AND VINCENT

3.3 DA 212/2013 Proposed Works Depot at Ourimbah

Councillor Eaton declared a pecuniary interest in the matter for the reason that he is a member of the Hunter and Central Coast Joint Regional Planning Panel which is the body that is responsible for determination of this development application, left the chamber at 6.14 pm, took no part in discussion, did not vote and returned to the chamber at 6.18 pm.

Councillor Best declared a pecuniary interest in the matter for the reason that he is Council's representative on the Joint Regional Planning Panel, left the chamber at 6.14 pm, took no part in discussion, did not vote and returned to the chamber at 6.18 pm.

Councillor Vincent left the meeting at 6:14 pm and returned to the meeting at 6:15 pm during consideration of this item.

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

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

814/13 *That Council receive the report on DA 212/2013 – Proposed Regional Works Depot at Ourimbah Creek Road, Ourimbah.*

815/13 *That Council make a submission to the Joint Regional Planning Panel supporting the Application.*

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

AGAINST: NIL

Councillor Eaton resumed the chair

4.1 CPA/225036 - Supply and Delivery of Domestic Water Meters

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

- 816/13 That Council accepts the tender from the company nominated as Elster Metering Pty Ltd in the attached Tender Evaluation Report for a period of up to 2 years with 2 optional 1 year extensions for Contract CPA/225036 – for the Supply and Delivery of Domestic Water Meters.
- 817/13 That Council accepts the tender from the company nominated as Global Valve Technology Ltd in the attached Tender Evaluation Report for a period of up to 2 years with 2 optional 1 year extensions for Contract CPA/225036 – for the Supply and Delivery of Domestic Water Meters.
- 818/13 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.
- 819/13 That Council delegates to the General Manager the option to approve contract extensions.
- 820/13 That Council note the acquisition of water meters from Global Valve Technology Ltd will be subject to a satisfactory field trial. Pending the success of the field trial, the allocation of orders against either supplier over the course of the contracts will be on the basis of the most economical option available to Council (considering meter cost, installation costs, technical reliability and availability of meters at the time of order placement). The estimated annual expenditure against both contracts is estimated at \$460,000.00 (excl GST) however, actual expenditure may vary significantly with fluctuations in demand.
- 821/13 That Council receive a report in three months on the trial of the water meter.

5.1 Strategic Plan 2013-2017 - Post IPART Determination of Special Rate Variation Application

Councillor Troy left the meeting at 6:25 pm and returned to the meeting at 6:26 pm during consideration of this item.

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

- 822/13 That Council note the IPART decision to approve a Special Rate Variation of 6.9% (including the rate peg) per year for four years commencing 2013/14 and the conditions attached.
- 823/13 That Council confirm the adoption of the Option 3 elements of the 2013/14 Operational Plan and Estimates of Income and Expenditure to reflect the change in anticipated rate income as a result of the IPART Special Rate Variation decision.
- 824/13 That Council note the revised Asset Backlog Capital Works Program for 2013/14 as a result of the IPART Special Rate Variation decision.

- 825/13 That Council note that amendments will be made to the Long Term Financial Plan and other elements of the Resourcing Strategy to incorporate the outcomes arising from the IPART Special Rate Variation decision.
- 826/13 That Council note the approved Special Rate Variation, being less than the seven years applied for, will require changes to the timing of proposed asset improvement works which may impact on the provision of services to the community.
- 827/13 That Council direct the General Manager to communicate the IPART Special Rate Variation determination and the impact on Council to the community.
- 828/13 That Council direct the General Manager to develop a communications framework to regularly inform the community of the status of the asset gap issue, in accordance with the IPART determination.

5.2 2013/14 Adopted Budget Amendments

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

- 829/13 That Council adopt the proposed 2013/14 Adopted Budget Amendments as detailed in this report.

5.3 Making and fixing of rates and charges for 2013-14

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

- 830/13 That Council make the following ordinary rates for 2013-14 consisting of a base amount to which an ad valorem amount is added, pursuant to Sections 492-494, 497-500, 535-537 of the Local Government Act 1993:

Ordinary Rate Category - Section 493	Ordinary Rate Sub Category – Section 529	Base Amount	% revenue sourced from base amount for each category /sub category	Ad Valorem Amount (cents in the \$)
Farmland		\$180.00	7.73%	0.24661
Residential		\$180.00	19.44%	0.40395
Mining		\$180.00	0.10%	8.16776
Business		\$180.00	6.17%	0.75354
Business	Business Major Retail	\$180.00	0.31%	1.13031

- 831/13 That Council make the following special rates and amounts for 2013-14 consisting of a base amount to which an ad valorem amount is added, pursuant to Sections 492, 495, 497-500, 535-538 of the Local Government Act 1993:

Special Rate	Base Amount	% revenue sourced from base amount for each Special Rate	Ad Valorem Amount (cents in the \$)
The Entrance Town Centre	\$81.00	12.79%	0.30792
Toukley Area	\$81.00	10.06%	0.25293

Wyong Area	\$81.00	17.81%	0.11204
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832/13 That Council adopt the following descriptions of rateable land to which each special rate will apply for 2013-14, pursuant to Section 538 of the Local Government Act 1993:

- a The Entrance Town Centre Special Rate will apply to the following rateable land:
- i All land used for business purposes and categorised as such in accordance with section 518 of the Local Government Act 1993 in the suburb known as The Entrance.
 - ii All land used as Major Facilities servicing tourists including Service Stations, Camp or Caravan Sites, Registered Clubs, Tourist Accommodation and Hotels/Motels as defined in Council's current Local Environmental Plan (LEP) and District Shopping Centres as defined in Council's current Retail Strategy in the suburbs known as The Entrance North, The Entrance, Blue Bay, Long Jetty, Toowoan Bay, Shelly Beach, Bateau Bay and Magenta.
 - iii All land used as rental accommodation and which is categorised as Residential under Section 516 of the Local Government Act, 1993 which is rented or leased for periods of three months or less in the suburbs known as The Entrance North, The Entrance, Blue Bay and Toowoan Bay.
- b The Non Residential Properties Toukley Area Special Rate will apply to all rateable land used for business purposes and categorised as such in accordance with Section 518 of the Local Government Act 1993 in suburbs known as Toukley, Canton Beach, Noraville and Norah Head.
- c The Non Residential Properties Wyong Area Special Rate will apply to all rateable land used for business purposes and categorised as such in accordance with Section 518 of the Local Government 1993 in the following areas:
- i The suburb known as Watanobbi.
 - ii The suburb known as Wyong, bounded by the following:
 - North of the Wyong River from Boyce Avenue in the east to the M1 Motorway in the west.
 - East of the M1 Motorway from the Wyong River to the suburb boundary between Wyong and Warnervale but to exclude Lot 32 DP 814964.
 - South of the northern Wyong boundary to its intersection with the Pacific Highway and then south of the Pacific Highway to the intersection of Pollock Avenue, but to include Lot 400 DP 1114793, (being to the north of the Pacific Highway).
 - The eastern boundary of the suburb of Wyong from Johns Road to Wyong River.

833/13 That Council make the following schedule of annual charges for storm water management services for 2013-14, pursuant to Sections 496(A) and 510(A) of the Local Government Act 1993:

Description	Unit of Charge	Charge Amount
Residential	Per property	\$25.00
Residential Strata	Per lot	\$12.50
Residential Company Title	Per Company Title complex apportioned according to the number of shares in the company owned by each shareholder	\$25.00
Business	Business Per 850 square metres or part thereof of the land area of the property to a maximum of \$5,000 per property	\$25.00
Business Strata	Per 850 square metres or part thereof of the land area of the strata complex to a maximum of \$5,000 per strata complex, apportioned equally to each lot within the strata complex	\$25.00
Business Company Title	Per 850 square metres or part thereof of the land area of the Company Title complex to a maximum of \$5,000 per Company Title complex, apportioned according to the number of shares in the company owned by each shareholder	\$25.00

834/13 That Council apply the Stormwater Management Charge to all properties in the Shire eligible under Section 496(a) of the Local Government Act 1993 and located east of the M1 Motorway.

835/13 That Council make the following annual Domestic Waste Management Charges for 2013-14, pursuant to Section 496 of the Local Government Act 1993:

Description	Charge Amount
Domestic Waste Management Availability Charge	\$61.00
Domestic Waste Management Charge	\$483.00
Domestic Waste Management Charge West of M1 Motorway	\$410.00
Domestic Waste Management Charge – 240 litre Waste Upgrade	\$151.00
Domestic Waste Management Charge – Additional 240 litre Waste Bin Service	\$457.00
Domestic Waste Management Charge – Additional 140 litre Waste Bin Service	\$305.00
Domestic Waste Management Charge – Additional 240 litre Recycling Bin Service	\$74.00
Domestic Waste Management Charge – Additional 240 litre Vegetation Bin Service	\$74.00
Domestic Waste Management Charge – Additional Short Term Extra Service – 140 litre Waste Bin - price per service	\$16.30
Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Waste Bin - price per service	\$17.30
Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Recycling Bin - price per service	\$16.30
Domestic Waste Management Charge – Additional Short Term Extra Service – 240 litre Vegetation Bin - price per service	\$16.30

836/13 That Council continue the current policy of not providing a Domestic Waste Management service to parcels of land which have no Council approval for a residential building.

837/13 That Council make the following Waste Management Charges for 2013-14, pursuant to Section 501 of the Local Government Act 1993:

Description	Charge (incl 10% GST)
Waste Management Charge – 140 litre Waste Bin Service	\$377.30
Waste Management Charge – 240 litre Recycling Bin Service	\$81.40
Waste Management Charge – 240 litre Vegetation Bin Service	\$81.40
Waste Management Charge - 240 litre Waste Bin Service	\$502.70
Waste Management Charge - 660 litre Waste Bin Service	\$1,999.80
Waste Management Charge - 1.1 cubic metre Waste Bin Service	\$2,823.70
Waste Management Charge - 1.5 cubic metre Waste Bin Service	\$3,804.90

838/13 That Council apply a proportional charge adjustment, calculated on a daily basis, where Domestic Waste Management or Waste Management services commence or cease during the year.

839/13 That Council charge the maximum interest rate as specified by the Minister for Local Government and published in the Government Gazette in respect of overdue rates and charges levied under the Local Government Act 1993 and this interest be calculated on a daily basis using the simple interest method in accordance with Section 566 of the Local Government Act 1993, for the period between 1 July 2013 and 30 June 2014.

840/13 Incentive Scheme

- a That Council offer an incentive scheme for those eligible ratepayers who elect to pay, their 2013-14 Rates and Charges in full by 31 August 2013 and for those ratepayers who elect to pay by direct debit.
- b That Council implement the incentive scheme in accordance with the rules detailed in Attachment 1.
- c That Council consider a report detailing the success or otherwise of the scheme following the scheme period.

5.4 Debt Management - Interfund loan

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

841/13 That Council approve the interfund loan from General fund to Water fund based on terms contained in the attached documents.

5.5 Wyong Shire Council Heritage Strategy

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

842/13 That Council adopt the Wyong Heritage Strategy 2012-2014.

843/13 That Council appoint a Councillor to the Wyong Shire Council Heritage Committee.

MATTER ARISING

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

844/13 *That Council appoint Councillor Taylor as a delegate to the Wyong Shire Council Heritage Committee.*

5.6 The Entrance, Toukley and Wyong Town Centres Funding Agreements Extensions

Councillor Greenwald declared a non-pecuniary insignificant interest in the matter for the reason that he is a Council alternative representative on the Wyong Chamber of Commerce and participated in consideration of this matter.

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 Webster declared a non-pecuniary insignificant interest in the matter for the reason that she is a Director of The Entrance Town Centre Management Corporation and participated in consideration of this matter.

Councillor Webster stated:

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

Councillor Nayna declared a non-pecuniary insignificant interest in the matter for the reason that he is the Wyong Shire Council delegate to the Greater Toukley Vision and participated in consideration of this matter.

Councillor Nayna stated:

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

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Councillor delegate on The Entrance Town Centre Management Board and participated in consideration of this matter.

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."

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

- 845/13 That Council endorse the suite of funding agreements for The Entrance, Toukley and Wyong Town Centres, appended to this report.**
- 846/13 That Council authorise the General Manager to make minor amendments and execute the agreements with the town centre entities.**
- 847/13 That Council decide to resolve that a satisfactory result would not be achieved by inviting tenders for entities to undertake the management of the three town centres due to the extenuating circumstances, discussed in this report.**

5.7 Grant Advisory Committee Meeting 13 June 2013

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

848/13 That Council receive the minutes of the Wyong Shire Grants Advisory Group held on 13 June 2013.

849/13 That Council allocate \$26,705.00 from the 2012-13 Community Matching Fund Round 2 as follows:

Applicant	Project Name and Summary	Funding Recommended excl. GST	Recommendation
Wyong Public School Parents and Citizens (P&C)	Community Garden and Kindergarten Play Space - Bringing together local not for profit registered training organisation, unemployed, local community, Wyong Public School P & C and Wyong School as Community Centre	\$13,000.00 provided program remains viable without the project fees (i.e. training component)	Recommended – project has merit, strong match and community contribution.
St Vincent de Paul Broken Bay	Vinnie's Wyong Financial Advice and Support Program	\$13,705.00	Recommended – project has merit and addresses a significant community need with some innovative approaches. Project will also establish a local CRS (Corporate Responsibility Scheme) and education program to address entrenched local social practices that lead to debt. Funding recommended for six months only - should project prove successful group should be encouraged to apply for further future grant funding

5.8 Recommendations and Minutes of the Employment and Economic Development Committee

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

850/13 That Council receive the minutes of the Employment and Economic Development Committee meeting held on 5 June 2013.

851/13 That Council request the General Manager to incorporate the following change to the Sign Policy in amendment 1 to the new LEP;

- a 'A' frame boards be included as exempt development.**

5.9 Minutes of the Estuary Management, Coastal and Floodplain Management Committee held on 6 June 2013

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

852/13 That Council receive the Minutes of the Estuary Management, Coastal and Floodplain Management Committee held on 6 June 2013.

853/13 That Council endorse the Committee's recommendations.

6.1 Investment Report for May 2013

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

854/13 That Council receive the Investment Report for May 2013.

6.2 Review of Recreation Facilities Strategy

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

855/13 That Council receive the report on the Review of Recreation Facilities Strategy.

6.3 Pricing Determination by Independent Pricing and Regulatory Tribunal - Clarification of Outcomes

It was MOVED by Councillor EATON and seconded by Councillor TROY:

That Council write to IPART requesting an explanation for the differences between the water, sewerage and drainage charges approved for Wyong Shire Council and those approved for Gosford City Council.

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

- 1 That Council write to IPART requesting an explanation for the differences between the water, sewerage and drainage charges approved for Wyong Shire Council and those approved for Gosford City Council.*
- 2 That Council write to the Premier, Minister for the Central Coast and local Members of Parliament highlighting the variation between the water, sewerage and drainage charges for Wyong Shire Council and those for Gosford City Council and requesting that they investigate the reasons for the difference.*

The AMENDMENT was put to the VOTE and declared LOST.

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

856/13 That Council write to IPART requesting an explanation for the differences between the water, sewerage and drainage charges approved for Wyong Shire Council and those approved for Gosford City Council.

6.4 Works in Progress - Water Supply and Sewerage

857/13 RESOLVED unanimously on the motion of Councillor GRAHAM and seconded by Councillor VINCENT:

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

6.5 Activities of the Development Assessment and Building Certification and Health Units

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

858/13 That Council receive the report on Activities of the Development Assessment and Building Certification and Health Units for May 2013.

6.6 Results of Water Quality Testing for Beaches and Lake Swimming Locations

Councillor Greenwald left the meeting at 6:50 pm and councillor Greenwald returned to the meeting at 6:50 pm during consideration of this item.

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

859/13 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.

6.7 Funding Agreement - Central Coast Youth Skills and Employment Centre

Councillor Best declared a pecuniary interest in the matter for the reason that he is the General Manager of Central Coast Group Training, a party in the agreement, left the chamber at 6.50 pm, took no part in discussion, did not vote and returned to the chamber at 6.52 pm.

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Councillor Delegate to Central Coast Group Training (CCGT), the organisation which made the submission to the Department of Education, Employment and Workplace Relations Youth Commitments Infrastructure Funding Program for this centre and participated in consideration of this matter.

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."

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

860/13 That Council receive the report on Funding Agreement - Central Coast Youth Skills and Employment Centre.

6.8 Outstanding Questions on Notice and Notices of Motion

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

861/13 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

6.9 State Significant Development Wallarah 2 Coal Project (SSD 4974) - Response to Exhibition of EIS

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

862/13 That Council receive the report on State Significant Development Wallarah 2 Coal Project (SSD 4974) - Response to Exhibition of EIS.

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

AGAINST: NIL

7.1 Agreement between Central Coast Group Training and Wyong Shire Council - Central Coast Youth Skills and Employment Centre

Councillor Best declared a pecuniary interest in the matter for the reason that he is the General Manager of Central Coast Group Training, a party in the agreement, left the chamber at 6.50 pm, took no part in discussion, did not vote and returned to the chamber at 6.52 pm.

Councillor Eaton declared a non-pecuniary insignificant interest in the matter for the reason that he is a Councillor Delegate to Central Coast Group Training (CCGT), the organisation which made the submission to the Department of Education, Employment and Workplace Relations Youth Commitments Infrastructure Funding Program for this centre and participated in consideration of this matter.

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."

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

863/13 That Council receive the report on Agreement between Central Coast Group Training and Wyong Shire Council - Central Coast Youth Skills and Employment Centre.

Confidential item 2.1, Mayoral Minute – General Manager’s Performance Plan, was resolved via the exception method during open session. The Mayor reported on this item as follows:

2.1 Mayoral Minute General Manager’s Performance Plan

That Council approve the General Manager’s performance appraisal content and development plan for 2013/14 as attached.

QUESTIONS ON NOTICE

**Q24/13 Confidential Central Coast Mariners
Councillor Lloyd Taylor**

F2011/02504

The Mayor ruled the question to be confidential.

Recorded in the Minutes of the Confidential Session of this meeting.

**Q25/13 2.2 Million Dollar RMS Ruttleys Road Upgrade
Councillor Greg Best**

F2004/06668

“Mr Mayor, From my Notice of Motion – Reducing Serious and Fatal Accidents Ruttleys Road Mannering Park considered at the February 2013 Ordinary Meeting on behalf of the local north community. I note that the RMS has now agreed to support Councils recommendation for a 2.2 million dollar upgrade, in response to some horrific fatal accidents.

Mr Mayor, Could you please pass on our sincere appreciation to staff and particularly our State Member Mr Gary Edwards?”

**Q26/13 Toukley Taj Mahal Saga
Councillor Greg Best**

DA/627/2004

“Mr Mayor, On behalf of the residents and ratepayers of the greater Toukley district once again raise their concerns and utter frustration at the now some seven year sorry saga of what has known locally as the Toukley Taj Mahal. Mr Mayor, Could you please advise asap and update Council as to what is going on with this eyesore of a would be development site located at our lakes gateway to the beautiful Toukley and Shires north?”

THE MEETING closed at 6.56 pm.