
WYONG SHIRE COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 09 APRIL 2014 COMMENCING AT 5.00PM

PRESENT

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

IN ATTENDANCE

General Manager, Acting Director Development and Building/General Counsel, Director Infrastructure and Operations, Director Property and Economic Development, Director Community and Recreation Services, Chief Information Officer Manager, Communications, Manager Corporate Governance, Manager IT and Operations, 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.

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

The Mayor, Councillor Eaton advised that Warnervale Road opened at 2.00pm this afternoon (9 April 2014) and is being used by the local community.

Greg McDonald, Director of Infrastructure and Operations, announced that Todd Pattison, Operator in Charge, Mardi attended the Water Industries Operators (WIO) Conference and he was awarded the Operator of the Year Award for 2014.

APOLOGY

An apology for the inability to attend the meeting was received on behalf of Councillor Taylor due to family commitments.

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

303/14 That Council grant leave of absence from the meeting.

At the commencement of the ordinary meeting report no's ,1.1, 1.2, 2.1, 2.2, 2.3, 4.1, 4.6, 4.7, 4.8, 4.9, 4.12, 5.1, 5.3, 6.3, 7.1, 8.1 and 8.2 were dealt with individually then the remaining reports by the exception method. However for the sake of clarity the reports are recorded in their correct agenda sequence.

1.1 Disclosures of Interest

2.1 Draft Development Control Plan 2013: Chapter 6.22 – Glenning Valley

Councillor Matthews declared a non-pecuniary significant conflict of interest in the matter for the reason that clients of her business are owners of land within the Glenning Valley area and she believes that her relationship with them would give rise to a perception that she would exercise her functions in a biased manner left the chamber at 5.14 pm, took no part in discussion, did not vote and returned to the chamber at 5.22 pm.

2.3 DA/1066/2013 – Proposed Performing Arts and Conference Centre at Wyong

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that he is council's representative on the Joint Regional Planning Panel (JRPP) left the chamber at 5.44 pm, took no part in discussion, did not vote and returned to the chamber at 5.53 pm.

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that he is council's representative on the Joint Regional Planning Panel (JRPP) left the chamber at 5.45 pm, took no part in discussion, did not vote and returned to the chamber at 5.53 pm.

8.2 Mayoral Minute – Legal Advice on Proceedings regarding DA/853/2013 – Skydiving and other uses of Central Coast Wetlands Pioneer Dairy, 1897 South Tacoma Road, Tuggerah

Councillor Greenwald declared a non-pecuniary significant conflict of interest in the matter for the reason that he is involved in the matter left the chamber at 5.44 pm, took no part in discussion, did not vote and returned to the chamber at 5.53 pm.

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

304/14 That Council receive the report on Disclosure of Interest and note advice of disclosures.

1.2 Proposed Inspections and Briefings

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

305/14 That Council receive the report on Proposed Inspections and Briefings.

PROCEDURAL MOTION

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

306/14 That Council allow meeting practice to be varied.

307/14 That Council use the exception method to deal with the balance of the Agenda.

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

308/14 That with the exception of report numbers 2.1, 2.2, 2.3, 4.1, 4.6, 4.7, 4.8, 4.9, 4.12, 5.1, 5.3, 6.3, 7.1, 8.1 and 8.2 Council adopt the recommendations contained in the remaining reports.

1.3 Confirmation of Minutes of Previous Meeting

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

309/14 That Council confirm the minutes of the Extraordinary Meeting of Council held Wednesday 19 March 2014 and the previous Ordinary Meeting of Council held on Wednesday 26 March 2014.

1.4 Notice of Intention to Deal with Matters in Confidential Session

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

310/14 That Council consider the following matters in Confidential Session, pursuant to Sections 10A(2c&d)(ii) and (g) of the Local Government Act 1993:

8.1 - Council Owned Iconic Development Sites - Wyong, Toukley and The Entrance - Proposals Received

8.2 Mayoral Minute - Legal advice and related matters arising from the appeal proceedings in the Land and Environment Court in respect to conditions imposed on the consent to development application DA/853/2013 - skydiving and other uses of Central Coast Wetlands Pioneer Dairy, 1897 South Tacoma Rd, Tuggerah

311/14 That Council note its reason for considering Report No 8.1 - Council Owned Iconic Development Sites - Wyong, Toukley and The Entrance - Proposals Received as it contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and confer a commercial advantage on a competitor of the Council.

312/14 That Council note its reason for considering Report No 8.2 - Mayoral Minute - Legal advice and related matters arising from the appeal proceedings in the Land and Environment Court in respect to conditions imposed on the consent to development application DA/853/2013 - skydiving and other uses of Central Coast Wetlands Pioneer Dairy, 1897 South Tacoma Rd, Tuggerah as it contains advice concerning litigation, or advice that would

otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

313/14 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(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,

2(d) 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,

2(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.”

2.1 Draft Development Control Plan 2013: Chapter 6.22 - Glenning Valley

Councillor Matthews declared a non-pecuniary significant conflict of interest in the matter for the reason that clients of her business are owners of land within the Glenning Valley area and she believes that her relationship with them would give rise to a perception that she would exercise her functions in a biased manner left the chamber at 5.14 pm, took no part in discussion, did not vote and returned to the chamber at 5.22 pm.

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

314/14 That subject to resolution 3 below Council adopt draft Development Control Plan (dDCP) 2013 (Chapter 6.22 - Glenning Valley) and appropriate public and government agency notification be given within 28 days that the draft DCP will come into effect on the date identified within the notice;

315/14 That Council advise all those who made submissions of Council’s decision.

316/14 That Council adopt the draft with minor amendments being;

a Deletion of all of point 2 under Part 1.1 Objectives and

b Deletion of the word ‘practice’ and inserting the word ‘value’ under bullet point 7 under Part 1.1 Objectives.

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

AGAINST: COUNCILLOR VINCENT

2.2 Polices Due for Review within Development and Building Department

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

317/14 That Council repeal the following policies:

- A3 Aboriginal Heritage**
- C6 Controls on Site Waste Management**
- F3 Filling of Land**
- F5 Flood Prone Land Development**
- P1 Potentially Contaminated Land**
- R3 Relatives Accommodation**
- W1 Water Catchment Areas**

318/14 That Council repeal the following policy but adopt it as an additional Chapter to the Enforcement Policy.

- I1 Incomplete works and Dilapidated buildings.**

319/14 That Council adopt the following policies in their new format in accordance with the recommendations contained in this report.

- B1 Bonding of Development Works**
- F6 Operation of Temporary Food Premises**
- H Hoardings**
- L1 Landscape**
- M1 Management of Feral Animals**
- O2 Outdoor Eating Areas**

320/14 That Council amend DCP 2013 as follows:

- 3.1 Chapter 3.1 Controls for Site Waste Management be amended to require the submission of Waste Management Plans prior to demolition (if proposed), or at Construction Certificate Stage rather than at Development Application Stage.**
- 3.2 Chapter 3.7 Heritage be amended to incorporate the requirements for protection of aboriginal objects and declared aboriginal places as outlined in the Due Diligence Code of Practice for Protection of Aboriginal Objects in NSW, the Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW, Aboriginal Cultural Heritage Consultation requirements for Proponents, the Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW and the Guide to Aboriginal Heritage Impact Permit Processes and Decision Making Documents prepared by the NSW Office of Environment and Heritage.**

321/14 That Council review DCP 2013 to consider incorporation of specific requirements for information necessary to assess proposed developments within the Shire's water catchment.

322/14 That Council request the General Manager to provide a report on the investigation on the option of repealing the landscape policy and adding it as a chapter of the DCP.

323/14 That Council make minor amendments:

- a B1 Bonding of development works policy at paragraph D3 sub paragraph 1 by inserting “/or” after “and”; and**
- b O2 Outdoor Eating areas policy in paragraph D18 delete the words “by the Proprietor and is”.**

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

AGAINST: NIL

2.3 DA 1066/2013 - Proposed Performing Arts and Conference Centre at Wyong

Councillor Eaton declared a non-pecuniary significant conflict of interest in the matter for the reason that he is council’s representative on the Joint Regional Planning Panel (JRPP) left the chamber at 5.44 pm, took no part in discussion, did not vote and returned to the chamber at 5.53 pm.

Councillor Best declared a non-pecuniary significant conflict of interest in the matter for the reason that he is council’s representative on the Joint Regional Planning Panel (JRPP) left the chamber at 5.45 pm, took no part in discussion, did not vote and returned to the chamber at 5.53 pm.

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

POINT OF ORDER

Councillor Graham raised a point of order against Councillor Vincent for the reason that the he was not debating the motion before the Council, but the location of the Proposed Performing Arts Centre which had already been dealt with by the prior elected Council.

The Deputy Mayor upheld the point of order against Councillor Vincent and advise he should not discuss the location in his debate.

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

324/14 That Council receive the report on DA 1066/2013 - Proposed Performing Arts and Conference Centre at Wyong.

325/14 That Council waive the Section 94A contribution for the proposed development.

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

AGAINST: COUNCILLOR VINCENT

Councillor Eaton resumed the chair.

3.1 T06 Sewer Rising Main Partial Replacement Noraville

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

326/14 That Council accept the tender from the company nominated as *McNamee Constructions Pty Ltd* in the attached *Tender Evaluation Report*, for the lump sum amount of \$940,550.00 (excl GST) for Contract CPA/235534 – T06 Sewer Rising Main Partial Replacement, Noraville.

327/14 That Council determine the *Tender Evaluation Report in Attachment A*, remains confidential in accordance with Section 10 A (2) (d) of the *Local Government Act 1993* as the report contains commercial information of a confidential nature, except for the name of the successful tenderer, which may be disclosed after Council has resolved to accept that tender.

328/14 That Council approve the contingency sum as detailed in the *Tender Evaluation Report in Attachment A*.

4.1 Exhibition of Draft Wyong Shire Council Strategic Plan 2013-2017 - Year 2 (incorporating the Four Year Delivery Program and 2014/15 Operational Plan)

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

329/14 That Council adopt the *Draft Wyong Shire Council Strategic Plan 2013-2017 – Year 2 (the Draft Plan)* for public exhibition including the following changes:

Page	Section	Original Wording	Amended Wording
23	2	<i>(SRV table) Gorokan Park, Spotted Gum Reserve Watanobbi, Heritage Drive Kanwal and Sunshine Reserve Chittaway – playground renewal program.</i>	<i>Spotted Gum Reserve Watanobbi and Heritage Drive Kanwal - playground renewal program.</i>
23	2	<i>Minnesota Road</i>	<i>Minnesota Road</i>
60	3	<i>Remove item 9-034 Implement Council's Property Strategy and Economic Development Strategy (Civic Leadership theme).</i>	<i>Insert item 7-005 Implement Council's Property Strategy and Economic Development Strategy (Our Economy theme) (Page 55). Renumber items 9-035 to 9-056 – now 9-034 to 9-055.</i>
55	3	<i>5-001 7-005 to 7-009.</i>	<i>Renumber item 7-006 Renumber items 7-007 to 7-011.</i>
92	5	<i>Remove option 2 from average residential rates table (negligible difference between the options) in the Long Term Financial Strategy (page 92).</i>	<i>Insert full average residential rates table showing options 1 and 2 into Statement of Revenue (page 176) supported by explanatory text.</i>
195	5	<i>Map 14 removed.</i>	<i>Map 14 added including legend.</i>

330/14 That Council receive submissions from the community and interested groups or stakeholders concerning the Draft Strategic Plan for consideration and possible inclusion in the final plan to be adopted by Council in May 2014.

331/14 That Council authorise the General Manager to make appropriate corrections in the Draft Strategic Plan to eliminate numerical inconsistencies and typing errors.

4.2 Lake Haven and Bateau Bay Masterplans

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

332/14 That Council adopt the Lake Haven Town Centre Masterplan and the Bateau Bay Town Centre Masterplan and appropriate notice be given.

333/14 That Council request the General Manager to advise those who made written submissions of the decision.

- 334/14 That Council request a Planning Proposal be prepared to amend Wyong Local Environmental Plan 2013 to rezone the relevant sections of the Lake Haven Town Centre and Bateau Bay Town Centre to B4 Mixed Use, as per the Masterplans' Implementation Plan.
- 335/14 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.
- 336/14 That Council request the DoPI to prepare a relevant Local Environmental Plan amendment, and that the Minister be requested to make the Plan, subject to there being no significant objections that cannot be resolved by making minor amendments to the Planning Proposal.

4.3 Renaming of George Fulcher Playground, Killarney Vale

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

- 337/14 That Council endorse the name variation from George Fulcher Playground to George Fulcher Reserve.
- 338/14 The Council publicly notify the proposal for 28 days.
- 339/14 That Council apply to the Geographical Names Board (GNB) for the reserve to be named George Fulcher Reserve subject to no significant objections being received.

4.4 Temporary Economic Stimulus Plan

Councillor Greenwald left the meeting at 6.08 pm and returned to the meeting at 6.09 pm during consideration of this item.

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

- 340/14 That Council amend the consolidated Temporary Economic Stimulus Plan, adopted by Council at its Ordinary Meeting of 13 November, 2013, by authorising the Director of Development and Building to finalise the submitted applications of the TESP, as detailed in this report, via a condition of consent or a Voluntary Planning Agreement.
- 341/14 That Council endorse the Temporary Economic Stimulus Plan rates being applied via a condition of consent for DA/575/2013, DA/576/2013, DA/601/2013, DA/646/2013, DA/876/2013, DA/499/2013 & DA/117/2014.

4.5 Community Subsidy Program and Sport & Cultural Sponsorship Program Applications

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

342/14 That Council allocate \$2,365.00 from the 2013-14 Community Subsidy Program as follows:

Applicant	Project Name and Summary	Committee Funding Recommended
Gwandalan-Summerland Point Rural Fire Brigade	Hire of Mannering Park Oval for fundraiser for McGrath Foundation to place Breast Care Nurses in local communities.	\$181.00
National Seniors Australia - Central Coast, Wyong Inc	Support with digital colour printing to increase membership and diversify services delivered to our local seniors.	\$1,000.00
Impact 4 life church / 4 Hope Ministries	Hire of Gwandalan Community Centre Hall for community kitchen - 5 March 2014 thru 17 December 2014.	\$1,184.40

343/14 That Council allocate \$4,000.00 from the 2013-14 Sport and Cultural Sponsorship Program as follows:

Applicant	Project Name and Summary	Committee Funding Recommended
Mrs Heidi McTernan	Representing Central Coast - Hunter team to participate in the National Touch League in Coffs Harbour.	\$250.00
Mrs Jodi Dillon	Representing Central Coast - Hunter team to participate in the National Touch League in Coffs Harbour .	\$250.00
Mr Dylan Clark	Representing Australian Indigenous team in Oztag Oceania Cup in New Zealand.	\$1,000.00
Mr Jack Barr	Representing Australian Futsal Association in Malaysian tour with the AFA All Star U12s Futsal Team, including playing against the Malaysian representative team.	\$1,000.00
Mr Kyle Schneider	Representing NSW in Australian boxing championships in Fremantle Western Australia.	\$500.00
Mr Mitchell Leard	Representing Australia in 'Australian Expos Baseball' 2014 USA Tour.	\$1,000.00

- 344/14** That Council decline applications for the reasons indicated in the table below and the applicants be advised and where relevant, directed to alternate funding programs:

<i>Applicant</i>	<i>Project Name and Summary</i>	<i>Committee Assessment</i>
<i>Mr Rod Dillon</i>	<i>Representing Central Coast – National Touch League Touch Football Tournament in Coffs Harbour.</i>	<i>Applicant has previously received funding this financial year.</i>

- 4.6** Wyong Shire Council's Submissions in response to the Independent Local Government Review Panel and Local Government Acts Taskforce Final Reports
-

Councillor Troy left the meeting at 6.33pm and returned to the meeting at 6.35 pm during consideration of this item.

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

- 345/14** That Council receive and endorse Wyong Shire Council's submissions to the Office of Local Government in response to the NSW Independent Local Government Review Panel Final Report and the Local Government Acts Taskforce Final Report.

- 4.7** 2014 National General Assembly of Local Government and Regional Capitals Australia Networking Breakfast
-

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

- 346/14** That Council note that motions are to be resolved by Council and submitted to the National General Assembly of Local Government prior to Thursday 17 April 2014.

- 347/14** That Council endorse the following motions for submission to the National General Assembly of Local Government:

A *Regional Tourism*

That the Australian Local Government Association calls upon the Commonwealth Government to establish a Regional Australia Tourism program that provides funds to Regional and Rural Councils to develop and grow their tourism sectors.

That the Federal Government recognises that tourism is crucial to Regional Australia and that the establishment of a Regional Australia Tourism Program will provide the leadership and incentive to attract private sector investment and will create local jobs.

B *Central Coast Regional Airport*

That the Australian Local Government Association calls upon the Commonwealth Government to provide resources (key Commonwealth Government staff) to assist in developing and delivering a Regional Airport for the NSW Central Coast.

The Central Coast Region believes this project will be a key catalyst to stimulate economic investment and to create local jobs in this region of 330,000 people.

C Regional Development Australia

That the Australian Local Government Association calls upon the Commonwealth Government to review the structure, operation and funding arrangements to Regional Development Australia to ensure its strategies and outcomes align to the strategic directions that the Local Governments in the regions are taking on delivering essential infrastructure to support economic growth and to create local jobs.

D Financial Assistants Grants

That the Australian Local Government Association calls upon the Commonwealth Government to remove the minimum payment within Financial Assistance Grants (FAG) methodology and replace it with a methodology which gives greater recognition to population growth and the associated infrastructure requirements and secondly to Councils that have infrastructure backlogs. This would support Councils that have Communities with the greatest growth pressure/need and with the focus placed on infrastructure backlogs and infrastructure for future growth will ensure that our existing and new communities are planned and established with an adequate standard of service.

348/14 *That Council authorise interested Councillors and the General Manager or his delegate to attend the 2014 National General Assembly of Local Government between 15 and 18 June 2014.*

349/14 *That Council authorise interested Councillors and the General Manager or his delegate to attend the Regional Capitals Australia Networking Breakfast on 18 June 2014.*

350/14 *That Council reimburse expenses incurred by Councillors and accompanying persons attending the Assembly in accordance with Council's Facilities and Expenses Policy for Councillors.*

351/14 *That Council determine the voting delegate should the Mayor be unable to attend.*

4.8 "Key Site" The Entrance - Adoption of Site Specific Development Control Plan

Councillor Matthews left the meeting at 6.49pm and returned to the meeting at 6.51pm during consideration of this item.

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

352/14 That Council adopt the draft site specific development control plan for the 'Key' Site at The Entrance, comprising Lot 1 DP 513519 (2 Ocean Parade, The Entrance) and Lot 2 DP 536168 (14 The Entrance Road, The Entrance).

4.9 Proposed Councillors' Community Improvement Grants

Councillor Best left the meeting at 7.03pm and returned to the meeting at 7.05pm during consideration of this item and as a result took no part in voting.

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

353/14 That Council allocate an amount of \$11,590.00 from the 2013-14 Councillors' Community Improvement Grants as follows:

9 April 2014		
Berkeley Vale Neighbourhood Centre Assoc Inc. (\$600)	To purchase a petrol generated irrigation pump for the Berkeley Vale Community Garden to assist in the distribution of water from the tank across the site.	460
Central Coast Bombers (\$1400)	Provide playing uniforms for women and girls only teams in first year of women's and girls only competition in AFL.	740
Homeless No More (\$3500)	Facilitate recruitment workshops.	650
Homeless No More (\$3500)	Annual Charity Walkathon	1,150
Long Jetty and District Senior Citizens Club (\$1000)	Seniors Week Program	550
NSW Active Retirees and Mentors Inc. (\$4000)	Volunteers to attend an accredited Training Course	200
PFLAG NSW Central Coast (\$490) (Emergency Approved by GM)	Funding to be represented at G.O.A.T.S. Festival (e.g. stall hire, banner, info brochures)	490
The Entrance Bateau Bay Australian Football Club (\$2000)	Upgrade training and playing equipment.	300
The Glen Drug and Alcohol Rehabilitation Centre/Ngaimpe Aboriginal Corporation (\$4000) (Emergency Approved by GM)	Bringing a rugby league charity match of former State of Origin players to the Wyong Shire. Coaching clinics, hospital visits.	4,000
The Rotary Club of The Entrance (\$4000)	The Rotary Youth Driver Awareness Program (RYDA) is a one day out of school program delivering practical road safety information targeting attitude and awareness of young drivers and their passengers.	900
Tuggerah Lakes Memorial Pistol Club Inc. (\$3800)	Roofing over 25m Pistol Frames in Range 3	2,150

4.10 Draft Minutes of the Waste Watch Committee Meeting - 27 February 2014

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

- 354/14 That Council receive and note the draft minutes of the Waste Watch Committee meeting held on 27 February 2014.
- 355/14 That Council endorse the renaming of the Waste Watch Committee to the Expenditure Review Committee.
- 356/14 That Council adopt the amended Terms of Reference for the Expenditure Review Committee to amend the name and the quorum.
- 357/14 That Council provide a report to the Expenditure Review Committee with details on the number of kerbside pickups throughout the Shire.
- 358/14 That Council provide a report to the Expenditure Review Committee on the viability of having a scheme were residents can either use the telephone booking service for waste pick up or pro-rata for taking to landfill.
- 359/14 That Council provide a report to the Expenditure Review Committee on the comparative costs of servicing new subdivisions and the respective rates income.

4.11 Councillor Attendance - Special Olympics New South Wales 2014 Gala Dinner

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

- 360/14 That Council authorise those interested Councillors to attend The Special Olympics, New South Wales, 2014 Gala Dinner.
- 361/14 That Council meet reasonable expenses incurred by Councillors and their partners attending the above function in accordance with Council's Facilities and Expenses Policy for Councillors.

4.12 Public Library Funding Campaign

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

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

- 362/14 That Council support the campaign mounted by the NSW Public Library Associations for increased State funding to local government for public libraries.
- 363/14 That Council provide representation to the local State Member in relation to the need for additional funding from the NSW State Government for the provision of public library services.

- 364/14 That Council request the General Manager to write to the Hon. George Souris, Minister for the Arts, calling upon the Government to implement the Reforming Public Library Funding submission of the Library Council of NSW in 2012 for the reform of the funding system for NSW public libraries.
- 365/14 That Council approve the distribution of NSW Public Library Associations campaign information in Council libraries.

5.1 Options for Dredging Ourimbah Creek mouth within the current dredging budget

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

- 366/14 That Council receive the report on the Options for Dredging Ourimbah Creek mouth within the current dredging budget.
- 367/14 That Council request the General Manager to write to the Local Members to support grant funding for dredging at Ourimbah Creek.

5.2 Road Capital Works Program

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

- 368/14 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

5.3 Outstanding Questions on Notice and Notices of Motion

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

- 369/14 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

6.3 Shire Wide Spring Clean and Free Tip Access

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

- 370/14 That Council defer consideration of this item to an Ordinary Meeting before 30 June 2014.

7.1 Notice of Motion - Bicentennial Time Capsule - Relocation

Councillor Webster left the meeting at 7.26pm and returned to the meeting at 7.27pm during consideration of this item.

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

371/14 That Council note that a time capsule was placed in the Wyong Bicentennial Rotary Garden located adjacent to the Wyong Memorial Hall, established in 1988.

372/14 That Council note that the time capsule is to be opened at the Australian Tercentenary (2088).

373/14 That Council note that the proposed drainage works associated with the establishment of the Wyong Art House has necessitated the removal of the Rotary Garden and the capsule and that a new site is currently being identified.

374/14 That Council invite interested members of the community who were present at the original ceremony and other stakeholders to be present when the new location is established.

QUESTIONS ON NOTICE

Q62/14 Hoons Taking Over Norah Head
Councillor Greg Best
F2010/00500

“Mr Mayor, I have received numerous complaints from local residents living near the Norah Head launching ramp due to the huge number of Hoons that now nightly take over the car park turning it into a highly dangerous booze filled burn out strip.

I appreciate this is a Police matter, however I feel obligated as the local area Councillor to request Council formally raise this issue with the Local Area Command LAC / Police for urgent action?”

CONFIDENTIAL SESSION

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

30375/14 That Council move into Confidential Session.

At this stage of the meeting being 7.27 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 7.49pm and the General Manager reported on proceedings of the Confidential Session of the Ordinary Meeting of Council as follows:

8.1 Council Owned Iconic Development Sites - Wyong, Toukley and The Entrance - Proposals Received

- 376/14 *That Council accept the late submission identified in the report and include it in the EOI process.*
- 377/14 *That Council invite tenders from the shortlisted firms identified in Table 2 of the report for the purchase of the Short Street Iconic Development Site.*
- 378/14 *That Council direct the General Manager to provide a further confidential report on the outcome of the selective tender process for the Short Street site in May 2014.*
- 379/14 *That Council shortlist the four proposals identified in Table 3 of the report for Toukley (including the late submission) and to negotiate directly with the shortlisted Proponent(s) with a view to achieving a redevelopment proposal for the site which is aligned to Council's vision for the Town Centre.*
- 380/14 *That Council negotiate directly with the shortlisted proponent(s) with a view to seek a value for the purchase of the Oasis site.*
- 381/14 *That Council apply to the Minister for Lands to close part of Short Street and part of Theatre Lane, The Entrance.*
- 382/14 *That Council authorise the General Manager to sign any documentation associated with this road closure(s).*
- 383/14 *That Council classify that part of Short Street and Theatre Lane subject to the road closure as operational land once the road closure is finalised.*
- 384/14 *That Council authorise the General Manager or his delegates to approach and utilise property agents with national and international reach to work with Council on maximising the value of key Council lands.*

8.2 Mayoral Minute - Legal Advice on Proceedings regarding DA/853/2013 - Skydiving and other uses of Central Coast Wetlands Pioneer Dairy, 1897 South Tacoma Rd, Tuggerah

- 385/14 *That Council resolve to authorise the General Manager to make appropriate amendments to the conditions imposed by the Council on the consent to development application DA/853/2013, in accordance with the advice given to Council this evening.*
- 386/14 *That Council enact this resolution immediately.*

THE MEETING closed at 7.52 pm.