
WYONG SHIRE COUNCIL

MINUTES OF THE ORDINARY COUNCIL MEETING OF COUNCIL HELD IN THE COUNCIL CHAMBER WYONG CIVIC CENTRE, HELY STREET, WYONG ON 23 October 2013 COMMENCING AT 5:00 PM

PRESENT

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

IN ATTENDANCE

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

The Mayor, Councillor Eaton, declared the meeting open at 5.03 pm and advised in accordance with the Code of Meeting Practice that the meeting is being recorded.

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

APOLOGY

An apology for the inability to attend the meeting was received on behalf of Councillor Matthews for the reason that she is currently on a family holiday.

At the commencement of the ordinary meeting report nos 1.1, 1.2, 1.6, 4.1, 4.10, 2.1, 4.2, 4.4, 4.6, 4.13, 7.1, 5.8, 5.10 and 7.2 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

1.6 Mayoral Minute – Bush Fires

Councillor Greenwald declared a non-pecuniary insignificant interest in the matter for the reason that he is an employee of the NSW Police Force, which is part of Police Emergency Services, 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 Troy declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of the Rural Fire Service and participated in consideration of this matter.

Councillor Troy 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.”

2.1 Swimming Pool Inspection Programme

Councillor Best declared a non-pecuniary insignificant interest in the matter for the reason that he has a swimming pool 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 as this will not affect my views.”

Councillor Webster declared a non-pecuniary insignificant interest in the matter for the reason that she owns a swimming pool 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 has not influenced me in carrying out my public duty .”

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he owns a swimming pool 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.”

Councillor Graham declared a non-pecuniary insignificant interest in the matter for the reason that he owns a swimming pool at his property and participated in consideration of this matter.

Councillor Graham stated:

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

4.4 Proposed Councillors' Community Improvement Grants

Councillor Best declared a pecuniary interest in the matter for the reason that he is the General Manager of Central Coast Group Training (CCGT)), an organisation which is a grant recipient included in this item, left the Chamber at 7.40 pm, took no part in discussion, did not vote and returned to the chamber at 7.42 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), an organisation which is a grant recipient included in this item, 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 NAYNA and seconded by Councillor GREENWALD:

1247/13 That Council receive the report on Disclosure of Interest and note advice of disclosures.

PROCEDURAL MOTION

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

1248/13 That Council allow meeting practice to be varied.

1249/13 That Council use the exception method to deal with the balance of the Agenda.

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

1250/13 That with the exception of report numbers 1.6, 2.1, 4.1, 4.2, 4.4, 4.6, 4.10, 4.13, 5.8, 5.10, 7.1 and 7.2 Council adopt the recommendations contained in the remaining reports.

1.2 Proposed Inspections and Briefings

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

1251/13 That Council receive the report on Proposed Inspections and Briefings.

1.3 Address By Invited Speakers

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

1252/13 That Council receive the report on Invited Speakers.

1253/13 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:

1254/13 That Council confirm the minutes of the previous Extraordinary Meeting of Council and the Ordinary Meeting of Council held on Wednesday 25 September 2013.

Business Arising

There was no business arising.

1.5 Mayoral Minute - Central Coast Water Board Annual General Meeting

RESOLVED unanimously on the motion of Councillor EATON:

1255/13 That Council note the Central Coast Water Corporation proposes to hold its Annual General Meeting at Gosford City Council on Thursday 14 November 2013 at 6.00pm to consider the audited financial statements and that clause 7.8 of the Constitution of the Central Coast Water Corporation permits Council to attend and vote at that proposed Annual General Meeting by proxy.

1256/13 That Council appoint the Mayor as Council's proxy at the proposed Annual General Meeting of Central Coast Water Corporation, with that appointment being for the purposes of clause 7.8 of the Constitution of the Central Coast Water Corporation.

1257/13 That Council resolve that the Council Seal be affixed to the attached instrument to effect the above appointment.

1258/13 That Council request the General Manager to invite all Councillors to attend the Annual General Meeting of the Central Coast Water Corporation once formal notice for that Meeting has been received.

1259/13 That Council direct the General Manager to investigate and report the governance options around the Wyong Water Authority.

1.6 Mayoral Minute - Bush Fires

Councillor Greenwald declared a non-pecuniary insignificant interest in the matter for the reason that he is an employee of the NSW Police Force, which is part of Police Emergency Services, 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 Troy declared a non-pecuniary insignificant interest in the matter for the reason that he is a member of the Rural Fire Service and participated in consideration of this matter.

Councillor Troy 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."

Mr Dick Adams, Hunter Emergency Services Recovery Coordinator, addressed the meeting at 5.20 pm, answered questions and retired at 5.25 pm.

Ms Mandy Moore, Senior Manager, Strategic Policy and resilience, Ministry for Police and Emergency Services was available for questions.

RESOLVED unanimously on the motion of Councillor EATON:

1260/13 That Council receive an official report on the northern Wyong Shire bushfires.

1261/13 That Council formally congratulate the RFS and NSW Fire and Rescue Service, and all other emergency and community services organisations, involved in this fire event.

1262/13 That Council hold a civic reception for these services at the end of the bushfire season.

1263/13 That Council strike a commemorative plaque in remembrance of Mr Walter Linder, and present this to the Toukley and District Arts Society for official mounting in its art gallery or mural.

1264/13 That Council waive the fees for waste disposal of bushfire damaged waste resulting from this fire event at Council's Buttonderry Waste Management Facility.

1265/13 That Council offer a rebate to those properties located in the fire path for water used while fighting the bush fires.

2.1 Swimming Pool Inspection Programme

Councillor Best declared a non-pecuniary insignificant interest in the matter for the reason that he has a swimming pool 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 as this will not affect my views."

Councillor Webster declared a non-pecuniary insignificant interest in the matter for the reason that she owns a swimming pool 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 has not influenced me in carrying out my public duty ."

Councillor Vincent declared a non-pecuniary insignificant interest in the matter for the reason that he owns a swimming pool 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."

Councillor Graham declared a non-pecuniary insignificant interest in the matter for the reason that he owns a swimming pool at his property and participated in consideration of this matter.

Councillor Graham 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 Greenwald left the meeting at 7.31 pm and returned to the meeting at 7.40 pm and as a result took no part in voting.

Councillor Vincent left the meeting at 7.31 pm and returned to the meeting at 7.40 pm and as a result took no part in voting.

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

1266/13 That Council adopt the draft Swimming Pools Inspection Program as detailed in Option A including the Education Program only from Option B for commencement after the 29 October 2013.

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

AGAINST: NIL

3.1 Easement for Private Sewer Main over Lot 19 DP 22433, Ourimbah Creek Road, Ourimbah

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

- 1267/13 That Council grant an easement to drain sewage over Lot 19 DP 22433, Ourimbah Creek Road, Ourimbah to Ausgrid to accommodate the construction of a private sewer main for an amount of compensation payable as assessed by a qualified valuer.**
- 1268/13 That Council authorise the Common Seal of Wyong Shire Council to be affixed to related documents as required.**
- 1269/13 That Council authorise the General Manager to execute all documents relating to the grant of easement between Wyong Shire Council and Ausgrid.**

3.2 Classification of Land, Lot 230 DP 1162569 at 8 Yarra Place, Wadalba

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

- 1270/13 That Council propose classification of Lot 230 DP 1162569 at 8 Yarra Place, Wadalba as Operational Land.**
- 1271/13 That Council advertise the proposal in accordance with Section 34 of the Local Government Act 1993.**
- 1272/13 That Council adopt the classification if no adverse submissions are received.**

3.3 Acquisition of Easements for Sewer Rising Main over Lot 1 DP 613072 and Lot 72 DP 27833 at Toukley Public School

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

- 1273/13 That Council authorise the release of the existing easements over Lot 1 DP 613072 and Lot 71 DP 27833 at Noraville.**
- 1274/13 That Council acquire easements to drain sewage, generally 3m wide, over Lot 1 DP 613072 and Lot 72 DP 27833 at Noraville.**
- 1275/13 That Council authorise the payment of compensation, if necessary, for the acquisition of the easements in accordance with the Land Acquisition (Just Terms Compensation) Act 1991 and based on assessment by a qualified valuer.**
- 1276/13 That Council proceed to compulsorily acquire the easements in the event that negotiations with the property owner cannot be satisfactorily resolved.**
- 1277/13 That Council authorise the Common Seal of Wyong Shire Council to be affixed to the easement transfer documents and plan and to any necessary application to the Department of Primary Industries for the approval of the Minister and the Governor in order to proceed with the compulsory acquisition.**

1278/13 *That Council authorise the Mayor and the General Manager to execute all documents relating to easement transfer documents and plan and all documents relating to the application to the Department of Primary Industries.*

4.1 Long Jetty Village Centre Improvement Masterplan

Councillor Troy left the meeting at 6.10 pm and returned to the meeting at 6.12 pm during consideration of this item.

Councillor Nayna left the meeting at 6.13 pm and returned to the meeting at 6.15 pm during consideration of this item.

Councillor Best left the meeting at 6.16 pm and returned to the meeting at 6.17 pm during consideration of this item.

Councillor Greenwald left the meeting at 6.16 pm and returned to the meeting at 6.18 pm during consideration of this item.

Mr John Millard, representing Revitalise The Entrance Group, addressed the meeting at 5.54 pm, answered questions and retired at 5.57 pm.

Ms Anne Rowland, Resident, addressed the meeting at 5.57 pm, answered questions and retired at 6.02 pm.

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

1279/13 *That Council adopt the Long Jetty Village Centre Improvement Masterplan.*

1280/13 *That Council update relevant Section 149 Certificates advising of the adoption of the Masterplan.*

1281/13 *That Council request the General Manager to advise residents who made submissions to the exhibition of the draft Masterplan of the decision.*

1282/13 *That Council consider the funding of some of the short to medium term elements of the draft Masterplan as identified in the Implementation Plan as part of the 4 Year Delivery Plan.*

4.2 2012/13 Annual Financial Statements

Councillor Greenwald left the meeting at 7.31 pm and returned to the meeting at 7.40 pm and as a result took no part in voting.

Councillor Vincent left the meeting at 7.31 pm and returned to the meeting at 7.40 pm and as a result took no part in voting.

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

1283/13 *That Council adopt the draft Wyong Shire Council financial statements for 2012/13 as presented.*

1284/13 *That Council refer the draft Wyong Shire Council financial statements for 2012/13 (as presented) to external audit.*

1285/13 That Council authorise the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer to execute all documents related to the draft 2012/13 financial statements as required by legislation.

1286/13 That Council fix 13 November 2013 as the date for the presentation of the audited 2012/13 financial statements and external audit report in accordance with section 419(1) of the Local Government Act 1993.

4.3 Draft Voluntary Planning Agreement - Tinbana Pty Ltd - Wadalba

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

1287/13 That Council delegate to the General Manager the authority to execute the draft Voluntary Planning Agreement in regard to DA 93/2013.

4.4 Proposed Councillors' Community Improvement Grants

Councillor Best declared a pecuniary interest in the matter for the reason that he is the General Manager of Central Coast Group Training (CCGT) , an organisation which is a grant recipient included in this item, left the Chamber at 7.40 pm, took no part in discussion, did not vote and returned to the chamber at 7.42 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), an organisation which is a grant recipient included in this item, 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 Best left the meeting at 7.40 pm and returned to the meeting at 7.42 pm during and as a result took no part in voting.

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

1288/13 That Council allocate an amount of \$14,320.00 from the 2013-14 Councillors' Community Improvement Grants as follows:

23 October 2013		
Central Coast CC Australian Italian Friendship Society (\$2500)	Fortnightly gatherings, entertainment and organisation costs.	950
Central Coast Group Training (\$4000)	To recognise and reward efforts of local students undertaking traineeships and apprenticeships.	4000
Central Coast Kids Day Out (\$4000)	Bring in experts, resources and activities to encourage families in the Wyong area to come to the day.	4000
Disabled Surfers Association of Central Coast (\$292)	To pay the fees for the use of the beach.	229

<i>Drug Awareness and Relief Movement (\$4000)</i>	<i>Distribute Drug Awareness manuals into local schools</i>	<i>200</i>
<i>San Remo Community Environment Project Inc (\$3445.56)</i>	<i>Install a dry creek bed at San Remo Community Garden</i>	<i>1,400</i>
<i>San Remo Neighbourhood Centre (\$1000)</i>	<i>Security costs for the annual San Remo/Blue Haven Community Christmas celebration</i>	<i>300</i>
<i>Toowoan Bay Ocean Swim (\$500)</i>	<i>Purchase of canvas / all weather signage.</i>	<i>150</i>
<i>Toukley Torchbearers for Legacy (\$1100) (Emergency approved by GM)</i>	<i>Assist with the costs to promote the annual event of the Harry Moore Legacy Golf Day</i>	<i>1,100</i>
<i>Wyong District Museum & Historical Society Inc. (\$391)</i>	<i>Electrical connection to the slab hut.</i>	<i>391</i>
<i>Wyong District Tennis Association (\$1775.50)</i>	<i>Family Fun Day and encourage participation in the game of tennis.</i>	<i>1,600</i>

4.5 Rate Payment Incentive Scheme 2013-14

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

1289/13 That the Mayor draw and announce the winner of Council's Rate Payment Incentive Scheme for 2013-14.

The winners of Council's ratepayer incentive scheme for 2013-14 are Mr & Mrs Crump from Killarney Vale.

4.6 Facilities and Expenses Policy for Councillors - Annual Review

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

1290/13 That Council endorse the amended policy on Facilities and Expenses for Councillors as required by s.252 of the Act for the purposes of the public exhibition for the annual adoption of the policy.

1291/13 That Council advertise the Facilities and Expenses Policy for Councillors for a period of 28 days and report the results of the exhibition to Council.

1292/13 That Council amend the Policy to add "where an allowance is claimed for a mobile phone in accordance with Clause D52, the mobile number must be published weekly in "Shire Wide" and be placed on Council's Website. In the case for the Mayor, the Mayor's Office number should be listed."

1293/13 That Council amend Clause D52 to allow for replacement of a broken phone or tablet.

4.7 Councillor Strategic Planning Workshop 2014

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

- 1294/13 That Council note the quotations provided by vendors to host the 2014 Council Strategic Planning Workshop.
- 1295/13 That Council endorse the workshop venue as Shoal Bay.
- 1296/13 That Council endorse the workshop dates as 7 to 9 February 2014.

4.8 Draft Minutes of the 18 September Audit and Risk 2013 Committee Meeting.

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

- 1297/13 That Council adopt the minutes of Wyong Shire Audit and Risk Committee meeting held on 18 September 2013.
- 1298/13 That Council request the General Manager to provide the Audit and Risk Committee presentation a Risk Management toolkit.
- 1299/13 That Council endorse the Chief Internal Auditors role in LGIAN and sharing knowledge across the profession provided that confidential information is maintained.
- 1300/13 That Council approve the Senior Internal auditor and those interested Councillors to attend the Local Auditors Conference which will be held on 8 November 2013
- 1301/13 That Council meet reasonable expenses incurred by Councillors attending the Local Auditors Conference in accordance with Council's Facilities and Expenses Policy for Councillors.

4.9 Submission received for the Proposed Beach Renaming - Tuggerah to North Entrance, Magenta and Pelican Beach

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

- 1302/13 That Council note the advertising period closed on 18 September 2013 with one submission received.
- 1303/13 That Council endorse the proposal for renaming of Tuggerah Beach to North Entrance, Magenta and Pelican Beach.
- 1304/13 That Council refer the proposal for renaming of Tuggerah Beach to North Entrance, Magenta and Pelican Beach to the Geographical Names Board for determination.

4.10 Community Precinct Forum Framework

Councillor Taylor left the meeting at 6.22 pm and returned to the meeting at 6.24 pm during consideration of this item.

Councillor Webster left the meeting at 7.10 pm and returned to the meeting at 7.12 pm during consideration of this item.

Ms Vivienne Scott, Chairperson, representing The Entrance Peninsula Community Precinct, addressed the meeting at 6.25 pm, answered questions and retired at 6.32 pm.

Ms Margaret Bevege, Chairperson, representing Lakes Precinct, addressed the meeting at 6.32 pm, answered questions and retired at 6.40 pm.

It was MOVED by Councillor NAYNA and seconded by Councillor WEBSTER

- 1 *That Council undertake community consultation on the attached Community Precinct Forums Framework, noting:*
 - a) *That Council is proposing the change to encourage broader community participation in Council's engagement process and provide a more sustainable and enhanced (strengthened or improved) approach*
 - b) *That Council intends to commence quarterly Community Precinct Forums in March 2014*
 - c) *That Council invite representatives from North Sydney (precinct system) and Liverpool Councils (neighbourhood forums) that have successfully transitioned from the precinct committee to their reviewed and updated forums to address the Wyong Community Forum in November.*
- 2 *That Council receive a report on the results of the community consultation to further develop the Community Precinct Forum Framework in February 2014.*

An AMENDMENT was MOVED by Councillor GRAHAM and SECONDED by Councillor VINCENT:

- 1 *That Council undertake community consultation on the attached Community Precinct Forums Framework.*
- 2 *That Council review means of strengthening the Community Precinct Committees, including examining how other Councils structure their Community Precinct Committees.*
- 3 *That Council receive a report on the results of the community consultation to further develop a Community Precinct Framework as soon as possible.*

The AMENDMENT was put to the VOTE and declared LOST.

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

- 1305/13 That Council undertake community consultation on the attached Community Precinct Forums Framework, noting:***
- a) ***That Council is proposing the change to encourage broader community participation in Council's engagement process and provide a more sustainable and enhanced (strengthened or improved) approach***

- b) *That Council intends to commence quarterly Community Precinct Forums in March 2014*
- c) *That Council invite representatives from North Sydney (precinct system) and Liverpool Councils (neighbourhood forums) that have successfully transitioned from the precinct committee to their reviewed and updated forums to address the Wyong Community Forum in November.*

1306/13 *That Council receive a report on the results of the community consultation to further develop the Community Precinct Forum Framework in February 2014.*

4.11 Darkinjung Local Aboriginal Land Council - Principles of Co-Operation

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

1307/13 *That Council re-confirm its commitment to the “Principles of Co-Operation” agreement signed between the two parties on 31 May 2010.*

1308/13 *That Council seek agreement from the Darkinjung Local Aboriginal Land Council to expand the terms of reference of the Joint Co-ordination Committee established between Wyong Council and Darkinjung Local Aboriginal Land Council to specifically include discussions relating to the future development of lands in the north of the Shire.*

1309/13 *That Council request the General Manager to inform the Darkinjung Local Aboriginal Land Council of this decision.*

4.12 Contract Variations and Finalisation for the period covering May 2013 to August 2013

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

1310/13 *That Council receive the Contract Variations and Finalisation report for the period covering May 2013 to August 2013.*

1311/13 *That Council note the additional expenditure above resolved estimates for the following contracts:*

Contract Title	Contract No	Adjusted Contract Value (Excl GST)	Additional Budget Approval (Excl GST)
Professional Services Engagement - Planning Proposal Assessments	CPA/199681	\$161,850.00	\$12,350.00
Detail Design for Stage 4 of Wyong South Sewage Treatment Works	CPA/188604	\$752,972.68	\$24,142.68

1312/13 That Council note the additional expenditures requested are within approved program budgets.

4.13 Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee held on 3 October 2013

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

1313/13 That Council receive the Minutes of the Tuggerah Lakes Estuary, Coastal and Floodplain Management Committee meeting held on 3 October 2013.

1314/13 That Council request Office of Environment and Heritage to provide background briefing as to how the report cards are compiled.

1315/13 That Council request the General Manager to invite Council's Environmental Compliance Officer involved with the investigations at the Tuggerah Lakes Golf Course to attend a future Committee meeting to outline the results of their investigations.

PROCEDURAL MOTION

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

1316/13 That Council allow meeting practice to be varied.

1317/13 That Council suspend the order of business to allow consideration of item 7.1 – Extreme Road Risk – Intersection of Louisiana Road and Pacific Highway at Kanwal and allow the speaker to come forward and make her address.

5.1 Library Digital Resources

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

1318/13 That Council receive the report on Library Digital Resources.

5.2 General Works in Progress

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

1319/13 That Council receive the report on General Works in Progress.

5.3 Contributions under Warnervale Town Centre Contributions Plan

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

1320/13 That Council note and receive the report on Contributions under Warnervale Town Centre Contributions Plan.

5.4 Road Capital Works Program

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

1321/13 That Council receive the report on the status of the Council's Road Capital Rolling Works Program.

5.5 Negotiated Arrangement with Energy Australia to Supply Electricity to December 2016 at Reduced Rates

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

1322/13 That Council receive the report on Negotiated Arrangement with Energy Australia to Supply Electricity to December 2016 at Reduced Rates .

5.6 Works in Progress - Water Supply and Sewerage

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

1323/13 That Council receive the report on Works in Progress - Water Supply and Sewerage.

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

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

1324/13 That Council receive the report on Results of Water Quality Testing for Beaches and Lake Swimming Locations.

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

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

1325/13 That Council receive the report on Activities of the Development Assessment and Building Certification and Health Units for September 2013.

5.9 Investment Report for September 2013

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

1326/13 That Council receive the Investment Report for September 2013.

5.10 Response to Motion to Request Delisting of Tetratheca Juncea

Councillor Best left the meeting at 8.32 pm and returned to the meeting at 8.33 pm during consideration of this item.

Councillor Troy left the meeting at 8.33 pm and returned to the meeting at 8.36 pm and as a result took no part in voting.

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

1327/13 That Council receive the report on Response to Motion to Request Delisting of Tetratheca juncea.

1328/13 That Council request the General Manager to provide a report on the success or otherwise of the delisting applications and changes to off setting requirements from the Office of Environment and Heritage (OEH).

5.11 Outstanding Questions on Notice and Notices of Motion

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

1329/13 That Council receive the report on Outstanding Questions on Notice and Notices of Motion.

5.12 Annual Disclosure of Interest Returns 2012-13

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

1330/13 That Council receive the report on Annual Disclosure of Interest Returns 2012-13.

7.1 Extreme Road Risk - Intersection of Louisiana Road and Pacific Highway at Kanwal

Councillor Graham left the meeting at 7.55 pm and returned to the meeting at 7.57 pm during consideration of this item.

Councillor Taylor left the meeting at 8.01 pm and returned to the meeting at 8.03 pm during consideration of this item.

Ms Linda Viset, Resident, addressed the meeting at 7.56 pm, answered questions and retired at 8.09 pm.

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

1331/13 That Council note the wide spread community concern around safety access issues at the intersection of Louisiana Road and Pacific Highway.

1332/13 That Council urgently seek dialogue with the RMS calling on them to support Councils preferred option of a temporary roundabout on the intersection.

1333/13 That Council recognise the Pacific Highway and the intersection with Louisiana Road is part of the State Road network and not part of Council's road network.

1334/13 That Council recognise with the recent commencement of the reconstruction of nearby Warnervale Road (\$3.3M) and the resultant associated road closures, traffic loads on Louisiana will increase dramatically, escalating intersection risks.

1335/13 That Council direct the General Manager to address the safety issues of the intersection with Roads and Maritime Services and provide an urgent report to Council addressing issues/options and outcomes of discussions including any further budgetary advice.

1336/13 That Council request the Member for Wyong to support urgent remedial action at this intersection.

7.2 Proposed Amendment to Dual Occupancy Development Controls

Councillor Troy left the meeting at 8.33 pm and returned to the meeting at 8.36 pm during consideration of this item.

Councillor Vincent left the meeting at 8.35 pm and returned to the meeting at 8.44 pm and as a result took no part in voting.

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

1337/13 That Council request the General Manager to amend the Wyong DCP 2013 to remove the requirement for the applicant to provide kerb and gutter for Dual Occupancy developments on isolated sites.

1338/13 That Council request the General Manager to give proper consideration to the need for any requirement for a condition of consent requiring the construction of kerb and gutter for dual occupancy developments on isolated sites in the interim.

QUESTIONS ON NOTICE

**Q42/13 Investigate the Advantages of 'Ice-Pigging'
Councillor Adam Troy**

“To the General Manager, for the Director of Infrastructure and Operations, could Council investigate the advantages of “Ice-pigging” and report any possible savings from its implementation?”

PROCEDURAL MOTION

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

1339/13 That Council move into Confidential Session to receive a confidential question on notice for the reason that the matter may affect the security of the Council, Councillors, Council Staff or Council property. (Section 10A(2)(f) of The Local Government Act 1993).

At this stage of the meeting being 8.44 pm Council moved into Confidential Session with the members of the press and public excluded from the meeting of the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action is taken in accordance with Section 10a of The Local Government Act, 1993.

OPEN SESSION

Council resumed in open session at 8.46 pm.

THE MEETING closed at 8.47pm.